



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works Director/Chief Engineer
Date: January 26, 2010

Subject: Amendment No. 2 to an existing Consulting Services Agreement with Nolte Associates, Inc. Project
Nos.: 0662-6R4254-09; 0662-6R4255-10

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute a second amendment with Nolte Associates, Inc., effective October 14, 2009, to increase the payment limit by \$1,460,000 to a new payment limit of \$2,888,500 to provide additional civil engineering design services for the Vasco Road Safety Improvements project, Brentwood area.

FISCAL IMPACT:

There is no fiscal impact to the General Fund. This Consulting Services Agreement amendment allows for an additional \$1,460,000 above the previously approved payment limit of \$1,428,500. The increase in payment is to be funded by Proposition 1B funds.

BACKGROUND:

On August 5, 2008, the Board of Supervisors approved the Consulting Services Agreement (CSA) for final civil engineering design services for the Vasco Road Safety Improvements project with Nolte Associates, Inc. The initial project proposed to construct a permanent

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **01/26/2010** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I
Supervisor

Gayle B. Uilkema, District II
Supervisor

Mary N. Piepho, District III
Supervisor

Susan A. Bonilla, District IV
Supervisor

Federal D. Glover, District V
Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 26, 2010

David Twa, County Administrator and Clerk of the Board of Supervisors

By: June McHuen, Deputy

Contact: Neil Leary, 313-2278

cc: Neil Leary, Chris Lau, Paulette Denison

concrete median barrier along a 2.3 mile stretch of Vasco Road beginning approximately 3 miles north of the Alameda County line to approximately 5.3 miles north of the County line. Since then, County staff has identified construction funding sources for a 1.2 mile stretch of the project and has split the project into two phases. The first phase is fully funded and includes \$11,700,000 of American Reinvestment and Recovery Act (ARRA) funds. Phase 1 is currently being advertised for bids with bids scheduled to be opened on February 2, 2010.

Phase 2 of the project is currently at 65 percent design stage. This amendment provides budget to complete the plans and specifications for Phase 2 within an accelerated time frame in anticipation of future availability of ARRA funds for its construction. The environmental documents (both CEQA and NEPA) have already been approved for both Phases 1 and 2. With environmental approval already secured and design at 65 percent, Vasco Road Phase 2 is the County's top candidate to receive ARRA funds. The completion of plans and specifications in Spring 2010 will be critical in order to have this phase of the project poised to capture ARRA funds should additional funds become available in 2010.

Amendment No. 1 to the CSA was approved by the Board of Supervisors on August 25, 2009. Amendment No. 1 was for the additional design service items associated with Phase 1 of this project.

The following are some of the additional work items that gave cause for this amendment to Nolte's current CSA:

BACKGROUND: (CONT'D)

Phase 1 additional work:

- Design of temporary wildlife exclusion fence, gates and jumpouts.
- Preparation of addendum to Plans to eliminate retaining walls, provide layback slopes, modify, and revise driveways between stations 251 and 262.
- Preparation of addendum to add the extension of retaining wall No. 6 from station 294+50 to 303 as a bid alternative. Addendum includes all necessary changes to existing plans including drainage, wildlife crossings and fencing, erosion control, and stage construction.
- Additional project management due to delays in the advertisement schedule by Caltrans and FHWA.

Phase 2 additional work:

- The original CSA provided design fee to bring Phase 2 up to a 65% design stage. This amendment provides budget to complete plans and technical specifications. The budget includes an option to layback cut slopes should the project schedule allow time for acquisition of right of way. If not, there is a budget item for design of retaining walls to remain within existing road rights of way.

This amendment provides for completion of construction bid documents for both Phase 1 and 2 of the safety improvement project (approximately 2.3 miles in length). This amendment also provides budget for bid and construction support of both phases of work at the County's request.

Due to the accelerated schedule to meet ARRA funding requirements, Nolte initiated various out of scope design tasks (described above) that are on the critical path prior to the projected approval date of the amendment on January 26. The consequence for deferring Nolte's start of this work was to jeopardize the \$11,700,000+ in ARRA funds that are programmed for construction of Phase 1 of this project.

CONSEQUENCE OF NEGATIVE ACTION:

The consequence for negative action by the Board is to jeopardize \$11,700,000 in ARRA funds that are programmed for Phase 1 of this project and may jeopardize future allocations of ARRA funding for Phase 2 of the project.

CHILDREN'S IMPACT STATEMENT: