



Contra
Costa
County

To: Board of Supervisors
From: Keith Freitas, Airports Director
Date: September 7, 2021

Subject: Payment Limit Increase to Consulting Services Agreement with Kimley-Horn and Associates

RECOMMENDATION(S):

1. APPROVE and AUTHORIZE the Director of Airports, or designee, to execute an amendment to the November 1, 2020, Consulting Services Agreement with Kimley-Horn and Associates, Inc., under which Kimley-Horn provides design services for the construction of security upgrades at Buchanan Field Airport, to increase the payment limit by \$57,500, from \$450,000 to a new payment limit of \$507,500.

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **09/07/2021** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, 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: September 7, 2021

Monica Nino, County Administrator and Clerk of the Board of Supervisors

By: Stacey M. Boyd, Deputy

Contact: Keith Freitas (925)
681-4200

cc:

RECOMMENDATION(S): (CONT'D)

2. APPROVE the revised design plans and specifications prepared by Kimley-Horn for the construction of the security upgrades at Buchanan Field Airport. Project No. 4855 4663 SAS 6X5342, and FAA Project No. 03-06-0050-027.

FISCAL IMPACT:

There is no impact on the County General Fund; the increased cost is fully funded by the Airport Enterprise Fund.

BACKGROUND:

Under a Consulting Services Agreement dated November 1, 2020, Kimley-Horn prepared designs for the construction of security upgrades at Buchanan Field Airport. Kimley-Horn completed its initial design on time and within the payment limit established in the Consulting Services Agreement. The design was approved by this Board on February 2, 2021. Bids for construction of the design were solicited in spring 2021. The responsive bids came in significantly higher than expected (more than double), due to materials cost increases during the pandemic. As a result, the Federal Aviation Administration (FAA), which is providing the bulk of the funds being used to construct the security upgrades, directed the Airports division to redesign the project to create a less expensive construction project and to put the smaller-scale project out to bid.

To satisfy the directive from the FAA and to ensure that the grant funds available from the FAA for the construction project would not be lost, Airport staff requested Kimley-Horn to redesign the security upgrades to create a less expensive construction project. Kimley-Horn did the work. Through this board order, the Board is being asked to (1) approve an amendment to the consulting services agreement to increase the payment limit in order for Kimley-Horn to be paid for the additional work they performed, and (2) approve the revised design of the security upgrades

CONSEQUENCE OF NEGATIVE ACTION:

If approval of the increase in the payment limit is not approved, Kimley-Horn will not be paid for the work it performed for the County's benefit, which could lead to an action against the County for payment under the legal theory of "quantum meruit." If the revised design is not approved, the County may not be adequately protected from a future action against the County based on the design of the upgrades.