



## Legislation Details (With Text)

**File #:** 15-1072      **Version:** 2

**Type:** Agenda Item      **Status:** Approved

**File created:** 9/3/2015      **In control:** Board of Supervisors

**On agenda:** 10/10/2017      **Final action:** 10/10/2017

**Title:** Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign the First Amendment to Agreement for Services 126-S1611 with Ghirardelli Associates, Inc., to increase the not-to-exceed amount by \$500,000 for a total not-to-exceed amount of \$1,250,000, with no increase in rates or change in term, to provide various on-call construction support services for Transportation’s construction program.

**FUNDING:** Various Capital Improvement Program and Environmental Improvement Program projects; funding will be provided by associated Federal, State, and local funding sources. Work performed on development projects will be funded by developers via time and material billings.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2A - Approved Contract Routing Sheet 10-10-17, 2. 2B - Agreement Amendment 1 10-10-17, 3. Executed Agreement 126-S1611, 4. A - Approved CRS Ghirardelli 11-17-15, 5. B - Ghirardelli Agmt 126-S1611 11-17-15, 6. C - Approved CRS Vali Cooper 11-17-15, 7. D - Vali Cooper Agmt 127-S1611 11-17-15, 8. Executed Agreement 126-S1611 (11-17-15), 9. Executed Agreement 127-S1611 (11-17-15)

Date	Ver.	Action By	Action	Result
10/10/2017	2	Board of Supervisors	Approved	Pass
11/17/2015	1	Board of Supervisors	Approved	Pass

Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign the First Amendment to Agreement for Services 126-S1611 with Ghirardelli Associates, Inc., to increase the not-to-exceed amount by \$500,000 for a total not-to-exceed amount of \$1,250,000, with no increase in rates or change in term, to provide various on-call construction support services for Transportation’s construction program.

**FUNDING:** Various Capital Improvement Program and Environmental Improvement Program projects; funding will be provided by associated Federal, State, and local funding sources. Work performed on development projects will be funded by developers via time and material billings.

**DEPARTMENT RECOMMENDATION**

Community Development Services, Department of Transportation (Transportation), recommending the Board consider the following:

- 1) Make findings in accordance with Chapter 3.13, Section 3.13.030 of the County Ordinance Code that it is more economical and feasible to engage an independent contractor for various on-call construction support services for Transportation’s construction program; and
- 2) Approve and authorize the Chair to sign the First Amendment to Agreement for Services 126-S1611 with Ghirardelli Associates, Inc. (Ghirardelli), to increase the not-to-exceed amount by \$500,000 for a total not-to-exceed amount of \$1,250,000, with no increase in rates or change in term, to provide various on-call construction support services for Transportation’s construction program.

## **DISCUSSION / BACKGROUND**

On November 17, 2015 (Item 32), the Board authorized the Chair to sign Agreement for Services 126-S1611 (Agreement) with Ghirardelli to augment Transportation's construction support resources for various Capital Improvement Program (CIP), Environmental Improvement Program (EIP), and subdivision construction projects. The Agreement became effective on November 17, 2015, and will expire three years thereafter on November 16, 2018. On-call contracts such as Ghirardelli's allow the flexibility to staff-up during seasonally busy times or as development projects increase, and then reduce staff as construction work slows down. The Agreement was written with a not-to-exceed compensation amount of \$750,000. Since execution of the Agreement, Ghirardelli has been providing construction support services on several Transportation CIP projects. In addition, Ghirardelli has performed significant work inspecting subdivisions and encroachment permit work by utility companies.

The Community Development Agency, Administration & Finance Division, Contracts and Procurement Unit, the predecessor to Community Development Services Administration and Finance Division, completed a Request for Qualifications (RFQ) process for Transportation in March 2014. A multi-jurisdictional panel evaluated and ranked each Statement of Qualifications and established, based on category of service, a short list of acceptable service vendors. In April 2015, Transportation initiated an on-call Request for Proposals (RFP) process and sent RFPs to the top ten ranked consulting firms from the RFQ's Category 2C, Construction Management and Other Construction Services. Senior staff from Transportation and an engineer from the California Department of Transportation evaluated the seven proposals received. It was determined that Ghirardelli had some of the best qualified staff and experience to assist Transportation in successfully managing construction projects over the next three years. Ghirardelli's experience and ability to perform such services continues, as it was ranked first in CDA's recently completed 2017 RFQ process for this same Category 2C. Both the RFQ and RFP processes were conducted in accordance with County Policy C-17.

Task Order 01, TO 126-S1611-01, was issued to Ghirardelli in accordance with the Agreement terms and was fully executed on January 7, 2016, in the amount of \$250,000, to provide construction support services for various subdivisions, permits, and developer-driven construction projects.

On November 15, 2016 (Item 20), the Board approved the First Amendment to Task Order 01, TO 126-S1611-01-01, to increase funding by \$250,000 for a total not-to-exceed amount of \$500,000, to provide for subdivision inspection services, including construction inspection, construction administration, and project close-out services.

On May 23, 2017 (Item 19), the Board approved the Second Amendment to Task Order 01, TO 126-S1611-01-02, to increase funding by \$190,000 for a total not-to-exceed amount of \$690,000, for continued subdivision inspection services, to allow Transportation to use Ghirardelli's services for the remainder of the current construction season, spanning a portion of Fiscal Year (FY) 2016/17 and FY 2017/18.

Transportation will need to utilize Ghirardelli to augment Transportation staff assigned to the construction phases of various emergency projects and several other projects currently under construction or slated to start construction in 2017 and 2018, especially during the summer construction seasons. Transportation had not anticipated the added workload of numerous emergency repair projects stemming from the storms of January and February 2017.

This First Amendment to Agreement 126-S1611 (Agreement Amendment 1) is necessary to allow for Ghirardelli to perform additional construction administration and inspection work for the construction phases of CIP, subdivision, and permit projects.

Transportation recommends the Board make findings in accordance with County Ordinance Code 3.13.030 that it is more economical and feasible to engage an independent contractor for on-call construction support services. Over the life of the Agreement, Transportation's construction management staffing plan will fluctuate between summer and winter months. When staffing needs change over just a few months, it is far more economical and feasible to staff with consultants than it is to go through the process of hiring and releasing County staff, even if the County staff is extra help. In addition, time frames and schedules associated with construction start dates and completion dates are very fluid. Executing the proposed Agreement Amendment 1 would enhance Transportation's ability to meet these time frames and schedules by providing the flexibility to staff up quickly when the workload requires it, and then staff down just as quickly over the winter or during lulls between projects. Finally, these positions all involve work that is temporary or occasional.

The El Dorado County Employees Association, Local 1, has been informed of this proposed Agreement Amendment 1.

### **ALTERNATIVES**

An alternative would be to not approve Agreement Amendment 1. If not approved, Transportation staff assigned to other project tasks, such as improvement plan checking, permit review, or project review and conditioning, could be taken off those tasks with resulting delays in project delivery.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have reviewed and approved Agreement Amendment 1.

### **CAO RECOMMENDATION**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

There is no change to net County cost associated with this item. Funding for Agreement Amendment 1 will be provided by various CIP and EIP project budgets, including federal, state, and local funding sources. For work performed on subdivision projects, developer funds will be used via time and material billings.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) original copies of Agreement Amendment 1.
- 2) The Clerk of the Board will forward one (1) signed original copy of Agreement Amendment 1 to CDS Administration and Finance Division, Contracts & Procurement Unit, for further processing.

### **STRATEGIC PLAN COMPONENT**

Infrastructure, Public Safety, and Economic Development.

### **CONTACT**

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