



Midpeninsula Regional
Open Space District

R-17-61
Meeting 17-11
May 10, 2017

AGENDA ITEM 4

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Contract Amendment with Restoration Design Group for an additional \$129,460 for additional design and engineering, construction administration, and special inspections for the Mount Umunhum Summit Project (Summit Project), for a new, not-to-exceed total contract amount of \$1,558,382.

GENERAL MANAGER'S RECOMMENDATIONS

Amend a contract with Restoration Design Group for the Summit Project in the amount of \$117,691, plus a 10% contingency of \$11,769, for a new, not-to-exceed total contract amount of \$1,558,382 for additional time and services beyond the existing contract related to the following:

1. Design and engineering to address unforeseen conditions.
2. Construction Administration work to address technical construction issues.
3. Special Inspections that occurred.

SUMMARY

Construction of the Mount Umunhum Summit Project (Summit Project) began in earnest in October 2016 and is scheduled to be completed by July 2017. Although numerous geotechnical investigations occurred at the site, and the District is fortunate to have the old building plans of the former Almaden Air Force Base, unexpected subsurface issues nonetheless were discovered during grading activities. Moreover, the schedule and timing of construction activities were significantly impacted by the usually long and wet winter. This resulted in slow and incremental progress over the first six months, which required many more onsite visits to monitor construction and conduct special inspections per plan and permit requirements. As a result, the District required its Project Engineer Team, Restoration Design Group (RDG) to provide additional services beyond the current contract scope to keep the project moving and on schedule. To account for this additional work, the General Manager recommends amending the contract with RDG by an additional \$129,460. This amount includes a small 10% contingency in the event additional engineering services are needed between May and July to close the project. Sufficient funds are available in the Fiscal Year (FY) 2016-17 budget.

BACKGROUND

In January 2015, the Board awarded a contract to RDG for \$374,595 for conceptual design and engineering related to the summit restoration, visitor amenities, and interpretation atop Mount Umunhum, as well as to complete construction documents for the Guadalupe Creek Overlook, both located at Sierra Azul Open Space Preserve (R-15-18). In November 2015, the Board

approved the first contract amendment for \$605,000, bringing the new total to \$979,595, for the production of construction documents for the Summit Project. In March 2016, the Board approved the inclusion of a substantial lower stair element that was not originally part of the scope of work. In April 2016, the Board approved an additional \$449,327 for geotechnical review of roadway work, geotechnical feasibility of the lower stairs, design of summit stormwater improvements, plans for planting restoration work, an allowance for construction administration and special inspections, and fabrication of interpretive panels.

DISCUSSION

This third contract amendment reflects the discovery of unforeseen subgrade conditions on the site, the need for additional quality control by certified special inspectors for metal and concrete work not anticipated with the initial construction schedule, and additional construction administration by the Engineers of Record on complex technical issues that have arose during construction. The table below shows a breakdown of the additional work required:

Additional Tasks	Amount
1. Design and Engineering Includes engineering work to address unforeseen subgrade conditions at the north and west sides of the tower for the proposed guardrail installation, and to reinforce a recently identified fill wedge located along the road above the Trailhead Shelter.	\$38,268
2. Construction Administration Additional engineering review and responses for the contractor related to the design and how best to address new issues and site constraints, and to review and approval material submittals and proposed substitutions.	\$1,823
3. Special Inspection An increase in the number of site visits for special inspections related to shop welding, site welding, concrete pours and other items, in part given the long and wet winter that resulted in more incremental work during the first six months.	\$77,600
Subtotal	\$117,691
4. Contingency A 10% contingency to address any other potential issues that may come up over the next three months prior to project closeout.	\$11,769
Grand Total	\$129,460

The potential contract amendment originally started at approximately \$240,000. After a series of negotiation discussions between staff and RDG, the cost was significantly reduced to \$117,691 while keeping the end goal of completing the project by Summer 2017. The reduction in cost was achieved by better quantifying the added scope and identifying work efficiencies.

FISCAL IMPACT

The FY2016-17 and proposed FY2017-18 budgets include sufficient funds for the recommended contract amendment. These costs are fully eligible for Measure AA reimbursement. The total recommended contract amount of \$1,558,382, excluding interpretive signage fabrication (hard cost), includes \$1,477,693 in soft costs, which represents 20% of the Summit Project grand total budget of approximately \$7.385 million. This percentage cost for design work and construction

administration falls within industry standards for projects of similar magnitude, whereby the standard soft cost allowance ranges between 20% and 30%.

	FY2016-17	FY2017-18 (Pending Board Approval)
MAA 23-004 Budget:	8,958,700	2,142,290
Spent to Date (as of 4/30/2017):	\$4,125,337	
Encumbrances:	\$3,590,251	
RDG Consulting Agreement Proposed Amendment:	\$129,460	
Budget Remaining (Proposed):	\$1,113,652	

The following table outlines the Measure AA Portfolio budget, costs to date, and the fiscal impact related to the MAA 23-005 Mt Umunhum Summit Project.

MAA 23 Portfolio Allocation:	\$27,970,000
Life-to-Date Spent (as of 4/30/17):	\$9,168,897
Total Encumbrances:	\$6,709,204
RDG Consulting Agreement Proposed Amendment:	\$129,460
Balance Remaining (Proposed):	\$11,962,439

BOARD COMMITTEE REVIEW

The Planning and Natural Resources Committee forwarded their preferred option for the Summit Project to the full Board on August 11, 2015, which the full Board unanimously approved on August 25, 2015.

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

Construction of the Mount Umunhum Summit Area was included in the Mount Umunhum Environmental Restoration and Public Access Plan EIR, which was certified by the Board on October 17, 2012 (R-12-91). Subsequently the Board approved two EIR Addenda: one on December 9, 2015 (R-15-165) for minor project modifications related to installation of gates and fencing, and acquiring a road access easement to Mount Thayer for District vehicles, contractors, and emergency access only (no general public access); and the other on August 10, 2016, (R-16-96), addressing the movement of additional soil material to Mount Thayer, and the addition of three gabion retaining walls for the road rehabilitation project.

NEXT STEPS

Pending Board approval, the General Manager will direct staff to amend the contract with RDG to proceed with additional design work, special inspection, and task specific construction administration.

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