



Agenda Item No. 1

To: Building and Operation Committee/Committee of the Whole  
Meeting of May 22, 2008

From: Ewa Z. Bauer, Deputy District Engineer  
Denis J. Mulligan, District Engineer  
Celia G. Kupersmith, General Manager

Subject: **APPROVE ACTIONS RELATIVE TO THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH HNTB CORPORATION RELATIVE TO REQUEST FOR PROPOSALS NO. 2006-B-2, GOLDEN GATE BRIDGE SEISMIC RETROFIT PHASE III, CONSTRUCTION MANAGEMENT AND INSPECTION SUPPORT SERVICES**

### **Recommendation**

The Building and Operating Committee recommends that the Board of Directors approve the following actions relative to Request for Proposals No. 2006-B-2, *Golden Gate Bridge Seismic Retrofit Phase III, Construction Management and Inspection Support Services*:

1. Authorize the General Manager to execute a Professional Service Agreement with HNTB Corporation, Oakland, CA, in an amount not to exceed \$6,110,000, subject to the District receiving approval from the Federal Highway Administration and the California Department of Transportation's approvals of the agreement; and,
2. Authorize a contingency fund for Contract No. 2006-B-2, in the amount of \$150,000;

with the understanding that sufficient funds are available in the Phase IIIA Project budget to finance this cost.

### **Summary**

The Golden Gate Bridge Seismic Retrofit Phase IIIA, North Anchorage Housing/North Pylon, Project involves construction of the seismic retrofit measures at the North Anchorage Housing and North Pylon, such as strengthening the North Anchorage Housing and North Pylon foundations and external walls; strengthening the North Anchorage Housing internal concrete frame system; replacing, under continuous traffic, the Anchorage Housing concrete roof that serves also as a Bridge roadway and sidewalks; and performing various modifications to utilities.

The Phase IIIA Project is federally funded and the District follows the rules and procedures set forth in the California Department of Transportation (Caltrans) Local Assistance Procedures Manual for federally assisted projects. Hence, the District prepared and obtained Federal Highway Administration (FHWA) and Caltrans' approvals of the Phase IIIA Construction Contract Administration Plan. The plan states that administration and management of the Phase IIIA construction by the District will require engagement of consultants for the following services:

- I. Construction Management and Inspection Support
- II. Engineering (Design) Support
- III. Environmental Compliance Monitoring
- IV. Materials Quality Assurance Sampling and Testing.

The Board of Directors, at its March 28, 2008, meeting awarded the contract to construct the Phase IIIA Project, Contract No. 2006-B-1, to Shimmick/Obayashi JV in the amount of \$82,320,672. The construction contract time is three years. By the same resolution, the Board approved the total Phase IIIA project budget of \$119,231,219, which includes the estimated cost of the consultant services.

On March 10, 2008, the District issued a Request for Statements of Qualifications and Proposals, Request for Proposals (RFP) No. 2006-B-2, *Golden Gate Bridge Seismic Retrofit Phase III Construction Management and Inspection Support Services*, to engineering consultants. The scope of the services consists, in general, of supplementing District's staff to perform administration and inspection of construction activities on the Phase III Project for compliance with the construction contract documents of the Phase III Project, including providing Deputy Resident Engineers and inspection personnel, performing construction field inspections, cost estimating, schedule review, hazardous materials monitoring, surveying, traffic control oversight, and construction claim mitigation and defense.

Similar to Caltrans' practice and with the FHWA and Caltrans concurrence, through RFP No. 2006-B-2, the District selected a consultant to provide Construction Management and Inspection Support for Phases IIIA and IIIB of the Golden Gate Bridge Seismic Retrofit Project to maintain continuity of the construction management and inspection staff through the project completion. As stated in RFP No. 2006-B-2, only the scope and cost of Phase IIIA services has been finalized at this time and will be covered by the executed Professional Services Agreement (PSA.) Since the scope of the Phase IIIB retrofit has not yet been finalized, the PSA states that the District anticipates engaging the consultant during the construction of Phase IIIB of the Project if the Phase IIIB construction contract is awarded, and that the terms and conditions of the construction management and inspection support services will be as indicated in the PSA except that the scope of work, schedule, time of completion and compensation shall be negotiated and included in a written supplement to the PSA.

By the due date of April 10, 2008, the Office of the District Secretary received proposals from two engineering teams. Because both proposals were found to be responsive and in good order, the District's consultant evaluation panel interviewed the two teams on April 14, 2008. The evaluation panel consisted of four District engineers, one representative of FHWA, and one

representative of Caltrans. The selection panel evaluated and ranked the consultants based on the submitted proposals and interview presentations. The selection criteria included qualifications of the firms and the individual consultant team members and their track records on previously completed similar projects as well as their understanding and methodology of providing construction management and inspection services for the Phase III Project construction. Reference checks of the personnel proposed by the consultants were also conducted. The final ranking of the consultants is as follows:

1. HNTB Corporation, Oakland, California
2. Lim And Nascimento Engineering Corporation, Santa Clara, California

The selection panel unanimously agreed that the top-ranked consultant is best qualified to perform these services. The District Engineer concurs with this determination.

District staff negotiated with HNTB Corporation a not-to-exceed \$6,110,000 cost of services. Staff has determined that this not-to-exceed price is reasonable based on the historic scope of work and cost data for construction management and inspection support services provided by consultants for Phase II of the Seismic Retrofit Project and Caltrans' seismic retrofit projects of other toll bridges. The consultant will be compensated for actual time expended and expenses incurred plus a fixed fee not to exceed the authorized amount. Consultant's labor rates, overhead and fixed fee will be audited by Caltrans prior to the award as indicated below.

No contract-specific DBE goal was established for this PSA. However, consultants were strongly encouraged to obtain DBE participation. The DBE Program Administrator has determined that HNTB Corporation has complied with the DBE requirements applicable to the PSA. At this time, a 9.2% DBE participation is anticipated during the performance of these services.

It is proposed that the General Manager will be given authority to award the PSA to HNTB Corporation immediately upon receiving FHWA and Caltrans approval of the agreement to allow for timely engagement of the consultant. In accordance with FHWA and Caltrans requirements for Federal aid fund participation, consultants' proposals must be audited prior to execution of contracts for professional services to verify that the consultants' accounting systems, rates, knowledge of FHWA's cost eligibility, documentation requirements and proposed contract language are satisfactory. The audits and resolution of audit findings are prerequisites for FHWA/Caltrans' approval of consultant services contracts. The District has requested that Caltrans Office of External Audits and Investigations perform a pre-award audit of the HNTB proposal. It is anticipated that the Notice to Proceed with the construction will be issued to the contractor in June 2008. It is also anticipated that the pre-award audit will be completed prior to the start of construction. Assistance of the Construction Management and Inspection Support consultant will be needed immediately upon the issuance of the Notice to Proceed to the contractor.

Staff also recommends that a PSA contingency reserve in the amount of \$150,000 be established for any additional or changed scope that may develop while work proceeds.

**Fiscal Impact**

The Board of Directors, at its March 28, 2008, meeting approved the total Phase IIIA project budget of \$119,231,219 (to be financed with \$112,447,958 of federal funds and \$6,783,261 of District reserves) and amended the FY 07/08 Bridge Division Capital Expenditures Budget to reflect the approved Phase IIIA Project budget. The total not-to-exceed cost of the Construction Management and Inspection Support PSA for Phase IIIA, including the PSA contingency reserve, is 6,260,000. Sufficient funds are available in the Phase IIIA Project budget to finance this cost.