



Agenda Item No. 1

To: Building and Operation Committee/Committee of the Whole  
Meeting of June 26, 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 ENVIRONMENTAL SCIENCE ASSOCIATES RELATIVE TO REQUEST FOR PROPOSALS NO. 2006-B-5, GOLDEN GATE BRIDGE SEISMIC RETROFIT PHASE IIIA, ENVIRONMENTAL COMPLIANCE MONITORING 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-5, *Golden Gate Bridge Seismic Retrofit Phase IIIA, Environmental Compliance Monitoring Services*:

1. Authorize the General Manager to execute a Professional Service Agreement with Environmental Science Associates, San Francisco, CA, in an amount not to exceed \$300,000, subject to the District receiving Federal Highway Administration (FHWA) and the California Department of Transportation's (Caltrans) approvals of the agreement; and,
2. Authorize a contingency fund for Contract No. 2006-B-5, in the amount of \$30,000;

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 Environmental Assessment/Initial Study/Negative Declaration environmental documents prepared for the Seismic Retrofit Project and the project Special Use Permit issued by the

National Park Service (NPS) require Environmental Compliance Monitoring of the seismic retrofit construction contractor's field operations. These documents specify that an independent environmental consultant perform the monitoring.

On March 20, 2008, the District issued a Request for Statements of Qualifications and Proposals, Request for Proposals (RFP) No. 2006-B-5, *Golden Gate Bridge Seismic Retrofit Phase IIIA Environmental Compliance Monitoring Services*, to environmental consultants. The scope of the services consists, in general, of performing environmental compliance field monitoring of construction activities on the Phase IIIA Project for compliance with the environmental and construction contract documents of the Phase IIIA Project. The services include monitoring and documenting the contractor's operations for compliance with: the approved Mission Blue Butterfly Habitat Protection Plan and the Native Vegetation Habitat Protection Plan requirements; the contractor's Water Pollution Control Program and Storm Water Pollution Prevention Plan; the Site Operations and Material Handling Plan; the Traffic Management Plan; the Noise Mitigation Plan; and the Air Quality Management Plan. In addition to monitoring the contractor's operations for compliance with approved plans, the scope of services also includes performing air quality and noise monitoring at the site, the preparation and submittal of quarterly and annual reports, and upon completion of the construction work, a Re-vegetation Plan, and Site Restoration and Cleanup Plan.

The District advertised the RFP notification on its website, sent the notification to environmental consultant business organizations and sent a notice to eleven environmental consulting firms. By the due date of April 15, 2008, the Office of the District Secretary received one proposal. The proposal was found to be responsive and in good order and the District's consultant evaluation panel interviewed the team on April 22, 2008. The evaluation panel consisted of representatives of the District and NPS. The selection panel evaluated the consultant's submitted proposal and interview presentation. The selection criteria included qualifications of the firm and the individual consultant team members and their track records on previously completed similar projects, as well as their understanding and methodology of providing environmental compliance monitoring services for the Phase IIIA Project construction. Reference checks of the personnel proposed by the consultant were also conducted. The selection panel unanimously agreed that Environmental Science Associates (ESA), San Francisco, California is qualified to perform these services. The District Engineer concurs with this determination.

District staff negotiated with ESA a not-to-exceed \$300,000 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 environmental compliance monitoring services provided by consultants for Phase I and Phase II of the Seismic Retrofit Project. 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 Disadvantaged Business Enterprise (DBE) goal was established for this contract. However, consultants were strongly encouraged to obtain DBE participation and were advised to take all necessary and reasonable steps to ensure that DBE and other small businesses were given the opportunity to participate in the work. The DBE Program Administrator has

determined that ESA has complied with the DBE requirements applicable to the contract. At this time, a 10% DBE participation is anticipated during the performance of this contract.

It is proposed that the General Manager will be given authority to award the contract to ESA immediately upon receiving Federal Highway Administration's (FHWA) and California Department of Transportation's (Caltrans) approvals 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 Environmental Compliance Monitoring consultant will be needed prior to the performance of site disturbance by the construction contractor.

Staff also recommends that a contract contingency reserve in the amount of \$30,000 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 Environmental Compliance Monitoring Service contract for Phase IIIA, including the contract contingency reserve, is \$330,000. Sufficient funds are available in the Phase IIIA Project budget to finance this cost.

### **Background**

The Phase IIIA Project is federally funded and the District follows the rules and procedures set forth in the Caltrans Local Assistance Procedures Manual for federally assisted projects. Hence, the District prepared and obtained FHWA's 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.