



Agenda Item No. 2.a.

To: Finance-Auditing Committee/Committee of the Whole
Meeting of January 23, 2009

From: Ewa Z. Bauer, Deputy District Engineer
Denis J. Mulligan, District Engineer
Joseph M. Wire, Auditor-Controller
Celia G. Kupersmith, General Manager

Subject: **AUTHORIZE BUDGET ADJUSTMENT(S) AND/OR TRANSFER(S)**
a) **BUDGET INCREASE IN THE FY 08/09 FERRY TRANSIT DIVISION
CAPITAL BUDGET RELATIVE TO APPROVAL OF ACTIONS
REGARDING CONTRACT NO. 2008-FT-8, LARKSPUR FERRY
TERMINAL PARKING & ACCESS IMPROVEMENTS**

Recommendation

This matter is being presented to the Finance-Auditing Committee to receive the Committee's concurrence for a budget increase relative to Agenda Item No. 1, of the Building and Operating Committee Meeting of January 23, 2009.

The Finance-Auditing Committee recommends the Board of Directors authorize a budget increase in the FY 08/09 Ferry Transit Division Capital Budget in the amount of \$200,000, to be funded with \$160,000 Federal Transit Administration funds and \$40,000 from District reserves, to establish a total project budget of \$2,370,000 (80% Federal, 20% District), relative to approval of actions regarding Contract No. 2008-FT-8, *Larkspur Ferry Terminal Parking & Access Improvements*.

Summary

At its June 27, 2008, meeting, the Board of Directors authorized the award of Contract No. 2008-FT-8, *Larkspur Ferry Terminal Parking & Access Improvements*, in the amount of \$1,298,000 to Ghilotti Bros., Inc., San Rafael, CA, and authorized a contingency fund in the amount of \$129,800, equal to 10% of the total bid price. This project will reconfigure existing and construct new parking areas in order to create additional ferry customer parking stalls. The project will also modify existing and construct new drainage facilities, restore the existing and construct a new portion of bicycle path that includes a new bicycle bridge, install new and restore existing landscaping, modify existing and construct new lighting, construct in-roadway lighting systems, install new landscape furniture, replace existing bicycle racks, and other associated work including saw cutting and demolition of the existing pavement, curbs, and sidewalks and grading of existing landscaped areas. Public access in the parking lot areas of the

terminal will be improved to meet the requirements of the Americans with Disabilities Act (ADA) and applicable California accessibility regulations.

At its October 24, 2008, meeting, the Board of Directors authorized the execution of Contract Change Order Nos. 3 and 4, totaling \$120,179, for additional ADA modifications at the site, and authorized a \$175,000 increase to the construction budget for these changes and a \$25,000 increase to the District Staff Labor budget. At that time, staff had identified the need for various other changes including additional site work and staking, drainage and electrical modifications as well as other ADA modifications required to meet ADA standards. These changes depleted the construction contingency and required the adjustment to the project contingency. Staff estimated that the increased amount would be sufficient to cover the identified changes and potential future changes.

Subsequent to the above authorization, the Bay Conservation and Development Commission (BCDC) staff identified a number of items not included in the Contract which are required in order for the District to be in compliance with the BCDC permit conditions. The District finalized negotiations with the BCDC for a permit to complete certain work required under prior permit amendments, to prevent encroachments of the public access areas and to enhance public access at the project site after the Contract was advertised for bid. The additional BCDC requirements include further modifications to the public access, landscaping, irrigation and signage. The cost of these proposed change orders exceed the contingency fund.

One of the BCDC requirements is for opening the public views to Corte Madera Creek and the San Francisco Bay at the Ferry terminal. Contract Change Order No. 25 will compensate the Contractor for removing a portion of the existing concrete railing between the service building and the terminal and constructing a steel tube railing in its place, in the amount of \$65,000. The steel tube railing will allow views of the bay in compliance with the permit. In addition, BCDC required that additional benches and trash receptacles be installed at the site and that existing vegetation be trimmed or removed in order to open up the bay views. Contract change orders are required for the additional furniture and vegetation trimming and removal.

Contract Change Order No. 28 will compensate the Contractor for modifications to the pathway adjacent to East Sir Francis Drake Boulevard, in the amount of \$35,000, in order to eliminate obstructions on the public access. The District had previously installed a bus shelter at the location for the District's bus service and the shelter blocks the public access. The change order will remove the shelter's existing concrete slab and construct a new concrete slab outside the public access. Modifications to the adjacent sections of the pathway will also be required in order to comply with ADA standards.

In addition to the above two change orders, various other change orders required by BCDC have been identified, including furnishing and installing additional irrigation, additional landscaping, additional signage, additional pavement treatment and new newspaper racks, the estimated total cost is at approximately \$100,000.

Fiscal Impact

This project is included in the FY 08/09 Ferry Transit Division Capital Budget at a total cost of \$2,170,000, and is funded with \$1,736,000 Federal Transit Administration (FTA) grant funds, and \$434,000 District funds. A capital budget increase in the amount of \$200,000, to be funded

with \$160,000 FTA grant funds and \$40,000 from District reserves, is required to fully fund this project at the estimated total cost of \$2,370,000.