



Agenda Item No. (5)

To: Building and Operating Committee/Committee of the Whole  
Meeting of September 24, 2020

From: John R. Eberle, Deputy District Engineer  
Ewa Z. Bauer-Furbush, District Engineer  
Denis J. Mulligan, General Manager

Subject: **APPROVE ACTIONS RELATIVE TO PROFESSIONAL SERVICES  
AGREEMENT (PSA) NO. 2015-BT-02, NOVATO BUS FACILITY  
UNDERGROUND STORAGE TANK SITE CLEANUP AND CLOSURE  
DESIGN SERVICES, WITH BRUNSGING ASSOCIATES, INC.**

### **Recommendation**

The Building and Operating Committee recommends that the Board of Directors approve actions relative to Professional Services Agreement (PSA) No. 2015-BT-02, *Novato Bus Facility Underground Storage Tank Site Cleanup and Closure Design Services*, with Brunsing Associates, Inc., as follows:

1. Authorize the execution of the Fourth Amendment to PSA No. 2015-BT-02, in an amount not to exceed \$112,500, for engineering support services during construction of the Novato Bus Facility Underground Storage Tank Site Cleanup Project and during the post construction monitoring period; and,
2. Authorize an amendment contingency fund in the amount of \$16,875, or 15% of the amendment amount,

with the understanding that sufficient funds are available in the FY 20/21 Bus Transit Division Capital Budget for Project #2132, D2 (Novato Bus Facility) Pavement & Remediation, to finance these actions.

This matter will be presented to the Board of Directors at the September 25, 2020, meeting for appropriate action.

### **Summary**

On February 20, 2015, by Resolution No. 2015-009, the Board of Directors authorized the award of Professional Services Agreement, PSA No. 2015-BT-02, *Novato Bus Facility Underground Storage Tank Site Cleanup and Closure Design Services*, to Brunsing Associates, Inc., a Small Business Enterprise (SBE) firm. The PSA scope of work includes performing drainage and

topographic surveys, conducting a feasibility study of alternative cleanup methods, developing a corrective action plan, assisting the Golden Gate Bridge, Highway and Transportation District (District) in obtaining regulatory agency permits, designing and preparing plans and technical specifications for the implementation of the corrective action plan, performing groundwater monitoring, testing and analysis at the site, and preparing and submitting reports to the San Francisco Regional Water Quality Control Board (SFRWQCB).

On August 28, 2020, by Resolution No. 2020-053, the Board of Directors authorized the award of construction Contract No. 2020-BT-011, Novato Bus Facility Underground Storage Tank Site Cleanup project, to accomplish the site cleanup.

Consistent with established engineering practice, the administration and management of the Novato Bus Facility Underground Storage Tank Site Cleanup project construction will require that Brunsing Associates, Inc. provide engineering support services during construction of the project. Such services will consist of: (1) performing pre-construction groundwater monitoring; (2) reviewing and recommending approval of Contractor's environmental-related technical submittals, working drawings, and requests for substitutions; (3) assisting staff with written responses to Contractor's requests for information regarding the design; (4) providing recommendations for the resolution of different site soil and groundwater condition issues during construction; (5) performing quality assurance soil confirmation sampling and analysis to confirm that after excavation, the remaining soil meets the corrective action plan criteria; and, (6) preparing a remediation action plan implementation report on completion of the construction work and submitting the report to the SFRWQCB. In addition, engineering support services will be required during the two-year post construction monitoring period, as required by the SFRWQCB permit. The services include: (1) post construction groundwater monitoring; (2) site closure request report; (3) monitoring well removal and destruction; (4) groundwater purge water disposal; and, (5) final report preparation and submission to the SFRWQCB. Brunsing Associates Inc., as the consultant responsible for the development and approval of the feasibility study, corrective action plan, and development of the design, is uniquely qualified and capable to perform the design engineering support services during construction and the post construction monitoring period.

Engineering staff has negotiated with Brunsing Associates, Inc. a not-to-exceed price of \$112,500, consisting of \$35,200 to be paid for the engineering support services during the construction period and \$77,300, to be paid for the engineering support services during the two-year post construction monitoring period. Staff has determined that this not-to-exceed price is reasonable based on the scope of work and cost data for engineering support services provided by consultants for other similar District projects. The consultant will be compensated for actual time expended and expenses incurred plus a fixed fee, up to the authorized not-to-exceed amount.

Staff recommends that the Building and Operating Committee recommend that the Board of Directors authorize the execution of the Fourth Amendment to PSA No. 2015-BT-02 as presented in this report.

Staff also recommends that a contingency for this PSA amendment in the amount of \$16,875, or 15% of the amendment amount, be established to provide a budget for any additional or changed scope that may develop while work progresses. A 15% contingency is recommended due to the uncertainty involved with regulatory compliance for site cleanup work.

At this time, it is undetermined if Brunsing Associates Inc., will use DBE/SBE subconsultants to perform some of the work associated with this Amendment.

### **Fiscal Impact**

Project #2132, D2 (Novato Bus Facility) Pavement & Remediation, is included in the FY 20/21 Bus Transit Division Capital Budget in the amount of \$7,100,300 and is 100% District funded. There are sufficient funds in the Project #2132 budget to finance the \$112,500 Fourth Amendment amount to PSA No. 2015-BT-02, and the \$16,875 amendment contingency amount as recommended in this report.

The approved budget for Project #2132 is as follows:

<b>PROJECT #2132 BUDGET ITEM</b>	<b>COST</b>
<b>Construction</b>	
Construction Contract No. 2020-BT-011	\$5,893,900
Construction Contract Contingency (10%)	589,400
Construction Support Services and Testing (Consultants)	160,000
Construction Administration – District Staff Burdened Labor	258,000
Indirect Costs (ICAP) on District Staff Burdened Labor - Estimated	164,000
General Project Expenditures	35,000
<b>TOTAL BUDGET</b>	<b>\$7,100,300</b>

The history of PSA No. 2015-BT-02 is as follows:

<b>ACTION</b>	<b>AMOUNT</b>	<b>FINANCING SOURCE</b>
Award PSA No. 2015-BT-02, Novato Bus Facility Underground Storage Tank Site Cleanup and Closure Design Services; Resolution No. 2015-009	\$400,320	100% District
First Amendment, no cost time extension	0	
Second Amendment, no cost time extension	0	
Third Amendment- additional design and permitting services	\$ 25,419 (from contingency)	100% District
Proposed Fourth Amendment, engineering support and environmental monitoring services for the Novato Bus Facility Underground Tank Site Cleanup and Closure Design Services construction and post construction	\$ 112,500	100% District
<b>PROPOSED TOTAL PSA AMOUNT</b>	<b>\$538,239</b>	<b>100% District</b>

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