



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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File #: 19-1084, Version: 1

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### REPORT TO COUNCIL

#### SUBJECT

Amend an Existing Construction Support Contract with Psomas for Construction Management of the Sunnyvale Cleanwater Program (F20-062)

#### REPORT IN BRIEF

Approval is requested to amend an existing contract with Psomas of Culver City, CA, to provide additional Construction Management services related to the Sunnyvale Cleanwater Program (SCWP) reconstruction of the Water Pollution Control Plant (WPCP). The additional contract cost of \$320,359 will increase the current not to exceed contract amount from \$8,665,632 to \$8,985,991. Approval is also requested for a 10% contingency for these increased services in the amount of \$32,036.

#### EXISTING POLICY

Pursuant to Section 2.08.040 of the Sunnyvale Municipal Code, Council approval is required to amend existing contracts for which the cost to the City is greater than \$100,000 in any one transaction.

**General Plan Policy Goal EM-7 Effective Wastewater Treatment:** Continue to operate and maintain the WPCP, using cost effective methods, so that all sewage and industrial wastes generated within the City receive sufficient treatment to meet the effluent discharge and receiving water standards of regulatory agencies.

#### ENVIRONMENTAL REVIEW

This action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378 (a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

#### BACKGROUND AND DISCUSSION

Council adopted the masterplan for the SCWP in 2016. The masterplan serves as the “basis of design” document for the series of projects, which collectively, will rebuild the City’s water pollution control plant to maintain a high level of treatment and to meet current and expected regulatory requirements and stewardship objectives.

Due to the magnitude and complexity of the Sunnyvale Cleanwater Program (SCWP) reconstruction, staff recommended and Council approved the award of a five-year contract to Psomas (previously The Covello Group, Inc.) on May 5, 2015 (RTC No. 15-0431) for the Primary Treatment and Headworks Facility.

On March 6, 2018 Council approved additional scope for pre-construction services to support Phase 2 SCWP activities in the Secondary Treatment and Dewatering and the Administration and Laboratory Building Design contracts (RTC No. 18-0094). Additionally, there is a need for pre-bid and pre-construction period assistance for the Existing Plant Rehabilitation project, another component of Phase 2. Staff considered consultant performance and evaluated pricing in determining whether to recommend to the Council to approve a contract amendment for ongoing services or whether a new competitive proposal process should be conducted. Staff is satisfied with Psomas' performance over the past three years, has negotiated competitive pricing and is requesting a contract extension and an increase in the scope of work.

The WPCP will be constructed while maintaining plant operations at all times with the existing infrastructure to ensure fully compliant discharge of treated wastewater. Therefore, this amendment is requested to include the additional scope of work that will support pre-construction services for Phase 2 SCWP activities in the Project 2.1: Existing Plant Rehabilitation - Split Flow (RTC No. 19-0706) design contract.

This contract amendment with Psomas enables all three major Phase 2 projects (Secondary Treatment and Dewatering, Administration and Laboratory Building, and Existing Plant Rehabilitation) to have pre-construction services necessary for developing comprehensive bid documents. It is anticipated that additional amendments to the contract will be required for construction management services. These additional amendments would be presented for Council's consideration with each projects' construction contract award.

Having Psomas continue to provide construction management services on the program will continue to meet a critical support need.

The City will be awarding multiple consulting contracts for the SCWP over the next several years that Psomas would be responsible for assisting with the pre-construction and construction management services. As such, Council approval of the recommended contract amendment to Psomas will allow the SCWP to proceed seamlessly with the current consultant staff.

### **FISCAL IMPACT**

Budget funding is available in Project 831470-SCWP Construction Management

Original Construction Contract	\$8,665,632
Additional Recommended Contract Amendment	\$320,359
Total Amended Contract Cost	\$8,985,991
Original Contract Contingency (10%)	\$866,563
Additional Contract Contingency (10%)	\$32,036
Total Amended Contingency	\$898,599
<b>Total Amended Contract &amp; Contingency</b>	<b>\$9,884,590</b>

### Funding Source

Project 831470 - SCWP Construction Management is funded by the Wastewater Management Fund.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

### **RECOMMENDATION**

Take the following actions:

- Authorize the City Manager to execute an amendment to an existing contract, in substantially the same format as Attachment 1 to the report, with Psomas, amending the scope of work to include Phase 2 Sunnyvale Cleanwater Program activities for Project 2.1: Existing Plant Rehabilitation - Split Flow, extending the term of the agreement until project completion, and increasing the not-to-exceed contract amount from \$8,665,632 to \$8,985,991, and
- Approve an additional 10% contract contingency in the amount of \$32,036.

Prepared by: Gregory S. Card, Purchasing Officer

Reviewed by: Timothy J. Kirby, Director of Finance

Reviewed by: Ramana Chinnakotla, Director of Environmental Services

Reviewed by: Chip Taylor, Director of Public Works

Reviewed by: Teri Silva, Assistant City Manager

Approved by: Kent Steffens, City Manager

### **ATTACHMENTS**

1. Draft Amendment to Consultant Services Agreement