



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 21-0855, Version: 1

REPORT TO COUNCIL

SUBJECT

Authorize Amending an Existing Contract with Psomas for the Sunnyvale Cleanwater Program Plant Rehabilitation Project for Construction Management Services (F22-005)

REPORT IN BRIEF

Approval is requested to amend an existing contract with Psomas of Culver City, CA to add funds for (1) the extension of Construction Management Services for the Headworks and Primary Treatment Facility Project, (2) award of Construction Management Services for the Site Preparation Project and (3) award of Preconstruction Management Services for the Secondary Effluent Pipeline. The additional contract cost of \$4,330,091 will increase the current not to exceed contract amount from \$8,985,991 to \$13,316,082 and extend the term of the agreement through December 31, 2023. Approval is also requested for a 10% contingency for these increased services in the amount of \$433,009.

EXISTING POLICY

Pursuant to Section 2.08.040 of the Sunnyvale Municipal Code, City Council approval is required for contracts exceeding \$250,000.

ENVIRONMENTAL REVIEW

This contract award for construction management services is not a project pursuant to California Environmental Quality Act Guidelines Section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

BACKGROUND AND DISCUSSION

Council adopted the Masterplan for the Sunnyvale Cleanwater Program (SCWP) in 2016. The Masterplan serves as the “basis of design” document for the series of projects, which collectively, will rebuild the City of Sunnyvale’s (City’s) Water Pollution Control Plant (WPCP). The goal is 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 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 construction management services 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).

On November 5, 2019 Council approved amending Psomas' contract to provide preconstruction services for all three major Phase 2 projects (Secondary Treatment and Dewatering, Administration and Laboratory Building, and Existing Plant Rehabilitation) related to the SCWP reconstruction of the WPCP (RTC No. 19-1084).

This \$4,330,091 contract amendment is comprised of the following, discussed in more detail below: \$1,272,000 to complete the Headworks and Primary Treatment Facility, \$2,938,865 for construction management services for the Site Preparation Project, and \$119,226 for preconstruction services associated with the development of bid documents for the Pond Effluent Pipeline permanent solution.

Headworks and Primary Treatment Facility

The City's Headworks and Primary Treatment Facility project (also referred to as "Package 2") began construction in June 2017. The project includes the construction of a new headworks, primary sedimentation tanks, and associated support facilities. It was expected to be completed by the end of December 2020 and is approximately 90% complete. Expenditures totaled \$7,903,745 for Construction Management on Package 2 through the end of July 2021. Through Psomas' contract, staff has taken preventative measures to extend the Construction Management for Package 2 by shifting task budgets and utilizing contingency. However, this effort was not enough to extend the budget to cover the remaining construction schedule that has been extended due to ongoing PG&E power delays. This contract amendment with Psomas would add budget to the Construction Management of Package 2 to account for the PG&E power delay and finish the project.

Site Preparation Project

The City awarded construction for the WPCP Site Preparation Project (PW21-35) to Ranger Pipelines on August 10, 2021 (RTC No. 21-0756). Staff considered consultant performance and evaluated pricing in determining whether to recommend approval of a contract amendment for additional services or whether a new competitive proposal process should be conducted. Staff is satisfied with Psomas' performance over the last six years. Staff negotiated competitive pricing and is requesting a contract amendment to increase the scope of work to include Construction Management Services for the Site Preparation Project.

Pond Effluent Pipeline

On July 29, 2020, WPCP operators discovered a leak in the secondary effluent pipeline that runs between the oxidation treatment ponds and the WPCP. The pipe carries sewage water (effluent) that has undergone two out of the three stages of treatment and is substantially treated. On June 29, 2021 Council approved a request for Budget Modification No. 28 that allowed for the design and construction of the emergency repair of the Pond Effluent Pipeline (RTC No. 21-0679). The emergency repair was an intermediate solution and a permanent design will need to be constructed. This contract amendment with Psomas also adds pre-construction services necessary to prepare comprehensive bid documents. It is anticipated that an additional amendment to the contract will be required for construction management services for the permanent solution. This contract amendment would be presented for Council's consideration with the permanent secondary effluent pipeline project's construction contract award.

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

FISCAL IMPACT

Budget Funding is available in Project 831470 - SCWP Construction Management.

Contract Cost	\$8,985,991
Additional Recommended Contract Amendment	\$4,330,091
Total Amended Contract Cost	\$13,316,082
Contingency (10%)	\$898,599
Additional Contract Contingency (10%)	\$433,009
Total Amended Contingency	\$1,331,608
Total Amended Contract & Contingency	\$14,647,690

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, Sunnyvale Public Library and Department of Public Safety. In addition, the agenda and report are available at the Office of the City Clerk and on the City's website.

RECOMMENDATION

Take the following actions:

- Approve the Sixth Amendment to Consultant Services Agreement with Psomas, in substantially the same form as Attachment 1 to the report, increasing the not-to-exceed amount by \$4,330,091 for a new not-to-exceed amount of \$13,316,082 and extending the term of the agreement through December 31, 2023;
- Authorize the City Manager to execute the Sixth Amendment when all necessary conditions have been met; and
- Approve an increase to the contract contingency in the amount of \$433,009.10 for a contingency total of \$1,331,608.

Prepared by: Gregory S. Card, Purchasing Officer

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Ramana Chinnakotla, Director of Environmental Services

Reviewed by: Chip Taylor, Director of Public Works

Reviewed by: Jaqui Guzmán, Deputy City Manager

Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Draft Amendment to Consultant Service Agreement