



DATE: April 27, 2021

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Professional Services Agreements with Tanner Pacific, Inc., for Construction Engineering Services**

RECOMMENDATION

1. Authorize the City Manager to amend the existing professional services agreement with Tanner Pacific, Inc., for an additional \$200,000 to provide construction engineering services in a not-to-exceed amount of \$300,000.
2. Authorize the City Manager to execute a professional services agreement with Tanner Pacific, Inc., to provide construction engineering services for South Whisman Park (Pyramid Park), Project 21-45, in a not-to-exceed amount of \$130,000.

BACKGROUND AND ANALYSIS

Construction Engineering Services – Amend Existing Agreement

In recent years, to keep pace with increasing development and construction activity, the Public Works Department has contracted with engineering firms for land development-related plan checking and construction engineering services. Contracting for outside services allows staff the flexibility to manage the development and construction workload as it fluctuates. Consultants have been necessary to maintain standard turnaround times for plan check and inspection services, which satisfies the customer service level that is expected by the City's businesses and developers and meets requirements under State law.

On March 18, 2021, the City entered into an agreement with Tanner Pacific, Inc. (Tanner Pacific), in the amount of \$100,000 to provide construction management and inspection services for development projects. The agreement funding will be expended by June 2021. Staff has evaluated the anticipated development and construction workload and determined that assistance continues to be required. Staff recommends increasing the Tanner Pacific contract by \$200,000 for additional construction engineering services for a total not-to-exceed amount of \$300,000. The recommended increase will allow the Public

Works Construction Engineering Section to maintain the high quality of development reviews and inspections in the time frames required as the development and construction workload continues at a high level.

South Whisman Park (Pyramid Park), Project 21-45 – Authorize Agreement

The 2.76-acre park site at Pyramid Way and Infinity Way was dedicated by the developers of the 100 and 420 to 430 Ferguson Drive rowhouse project. The park will include an off-leash dog area, open turf area, exercise equipment, full-size basketball court, restroom building, public art, picnic tables, play structures, and pathways.

On December 1, 2020, the City Council approved plans and specifications for the park project, authorized staff to advertise the project for bids, and authorized the City Manager to award a construction contract to the lowest responsible bidder for the project if the low bid is within the project budget. Three bids were received for the project, with the lowest bidder being Marina Landscape Inc. The low bid price was slightly over the Engineer's Estimate, but the construction contract of \$4,058,389 is within the project budget.

The Public Works Department utilizes consultants to supplement staff and provide construction engineering and inspection services as necessary to ensure the timely delivery of the City's construction projects and for projects requiring specialized construction expertise. The City currently uses three different firms to provide construction engineering and inspection services for development and capital projects. A separate agreement is required for each Capital Improvement Program (CIP) project using services from one of these firms to include the work as part of the CIP project budget.

Staff has determined that construction engineering and inspection services are required for the Pyramid Park construction project. Staff evaluated the three firms that are currently providing construction engineering services to the City and recommends Tanner Pacific as the most qualified to provide the services. Tanner Pacific has been providing the City with similar construction support services on previous and current projects, and these projects give Tanner Pacific a strong knowledge of the City's standards, processes, and procedures to perform the recommended services.

The scope of services to be provided include construction management, inspections, and project close-out. The recommended fee of \$117,000 for basic services and reimbursable expenses is within the range typically charged for such services, and staff considers the contract costs to be fair and reasonable for the scope of work required.

If the recommended action is approved by Council, Tanner Pacific would begin work in parallel with the start of construction for the park. The project is estimated to start construction in July 2021 and be completed in early 2022.

FISCAL IMPACT

Construction Engineering Services – Amend Existing Agreement

The Fiscal Year 2020-21 Adopted Budget allocated limited-period funding of \$400,000 from the Development Services Fund for consultant support in the Construction Engineering Section. Of this amount, \$200,000 has been encumbered for engineering services under the current Tanner Pacific agreement and under an agreement with another firm. There is sufficient funding remaining in the limited-period funding for the recommended contract amendment for the Tanner Pacific agreement to add \$200,000 for a total not-to-exceed amount of \$300,000.

South Whisman Park (Pyramid Park), Project 21-45 – Authorize Agreement

South Whisman Park (Pyramid Park), Project 21-45, is funded with \$4,860,151 from the Park Land Dedication Fund. The fee for the recommended contract is \$117,000 for basic services and reimbursable expenses and a \$13,000 project contingency for a total not-to-exceed amount of \$130,000. The project has sufficient funding for the recommended action.

ALTERNATIVES

1. Do not authorize the agreement amendment for construction management and inspection services for the development projects.
2. Do not authorize executing a new professional services agreement for the Pyramid Park construction management and inspection services.
3. Provide other direction to staff.

PUBLIC NOTICING – Agenda posting.

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