### Subject
State Route 4 (SR4)/SR160 Connector Ramps (Project 5001) – Request to Revise Contract Allotment for Construction Contract No. 377; and Authorization to Execute Amendment No. 3 to Agreement No. 373 with AECOM Technical Services, Inc. (AECOM) for Construction Management (CM) Services

### Summary of Issues
The construction contract for the SR4/SR160 Connector Ramps Project is being administered by the Authority. The Authority entered into Agreement No. 373 with AECOM to provide CM services. Changes in the project duration and scope of work have increased the projected CM budget. The authorized budget is nearly exhausted and must be increased to provide for the increased scope of work.

There are sufficient reserves in the project budget to fund this Amendment; however, a reallocation of funds from the original construction allotment is needed to allow execution of Amendment No. 3 to Agreement No. 373.

### Recommendations
Staff seeks approval of Resolution 13-57-P (Rev. 1) which authorizes a decrease in construction funds for Construction Contract No. 377 with RGW Construction Inc. (RGW) in the amount of $919,033, for a new total construction allotment value of $35,238,967.

In addition, staff seeks authorization for the Chair to execute Amendment No. 3 to Agreement No. 373 with AECOM in the amount of $1,872,746, for a new total agreement value of $7,667,946 to provide additional CM services. This amendment will extend the termination date from December 31, 2015 to June 30, 2016.

### Financial Implications
The project is fully funded from bridge toll funds. Sufficient reserve is available to fund this amendment; however, a reallocation of funds from the contract allotment is needed to allow for execution of Amendment No. 3 to Agreement No. 373.
### Options
The Authority could elect not to approve this request; however, exhaustion of the budget will result in a lapse of CM services and project delays may be incurred until alternative CM services are procured.

### Attachments
- **A.** Proposed Resolution 13-57-P (Rev. 1)
- **B.** Proposed Amendment No. 3 to Agreement No. 373
- **C.** Letter from AECOM dated May 15, 2015
- **D.** Historical Summary

### Changes from Committee

### Background
The Authority approved Resolution 13-57-P on December 18, 2013 that authorized the Executive Director to award Construction Contract No. 377 to RGW to construct the SR4/SR160 Connector Ramps Project, authorized the Chair to execute the contract, authorized the Executive Director to prepare and to sign any and all documents that may be required to execute the contract, and established a construction allotment of $36,158,000.

AECOM was retained in April 2013, under consultant Agreement No. 373 to provide full construction management services for the project. AECOM also provided pre-bid and public outreach services for this Authority-administered construction contract. The original total agreement value for Agreement No. 373 was $5,725,000.

Amendment No. 1 to Agreement No. 373 provided additional communications and media outreach capabilities by adding Circlepoint as a sub-consultant to AECOM, in addition to increasing the agreement amount by $70,200 for a new total agreement value of $5,795,200.

Amendment No. 2 to Agreement No. 373 added scope for soil testing and added two new sub-contractors. Imported fill material brought into the project site by the contractor required testing to confirm it meets the California Department of Transportation’s (Caltrans’) requirements. Staff decided to have this testing done by AECOM. There was no increase in the
agreement amount or extension of the term of the agreement, however, it was noted that additional costs were being incurred.

Over the course of the project, changes in the project duration and scope of work have increased the projected budget of AECOM.

The increased CM budget is due to:

- Increase in project duration – The original CM budget was based on a project construction completion date of September 2015. Due to rain delays and various issues, the contractor now expects construction completion on December 24, 2015. Consequently, AECOM and its subconsultants have a corresponding increase in their duration of work on this project.

- Contractor’s work schedule – The contractor has been working longer hours to mitigate his schedule delay; this includes constructing all three bridges at the same time. As a result additional overtime costs for AECOM field staff is needed to monitor the contractor’s night work, weekend work and extended work hours.

- Testing of Import Borrow – Imported fill material by the contractor came from multiple, smaller sources, requiring higher than expected testing services by AECOM. In addition, the contract specifications did not adequately provide for testing of imported fill material by the contractor to meet Caltrans requirements. AECOM provided these testing services to allow the project to be in compliance with Caltrans requirements.

- Increase in Biological Monitoring Costs – The biological monitoring plan submitted and approved by the East Contra Costa County Habitat Conservancy requires full time monitoring whenever the contractor works, including nights and weekends.

- Additional effort to resolve falsework and field issues with Caltrans.

Approval of Amendment No. 3 to Agreement No. 373 would increase the agreement by an amount of $1,872,746 for a new total agreement amount of $7,667,946. Due to the increase in project duration, the termination date of the agreement would be extended from December 31, 2015 to June 30, 2016.

There are reserves in the project budget to partially fund Amendment No. 3 to Agreement No. 373; however, a reallocation of funds from the original construction allotment of Construction
Contract No. 377 is needed to fully fund Amendment No. 3 to Agreement No. 373. Resolution 13-57-P (Rev. 1) must be approved prior to, or concurrently, with Amendment No. 3 to Agreement No. 373 in order to enable execution of this Agreement.
RESOLUTION 13-57-P Revision 1

RE: State Route 4- SR4/SR160 Connector Ramps (Project 5001) - Revised Contract Allotment for Construction Contract No. 377

WHEREAS, the Authority approved Resolution 13-57-P on December 18, 2013 that authorized the Executive Director to award Contract No. 377 to RGW Construction, Inc. to construct the State Route 4/State Route 160 Connector Ramps (PROJECT), authorized the Chair to execute the contract, authorized the Executive Director to prepare and to sign any and all documents that may be required to execute the contract, and established a construction allotment of $36,158,000; and

WHEREAS, the Authority and AECOM Technical Services, Inc. (AECOM) entered into Agreement No. 373 on July 17, 2013, with an effective date of April 18, 2013, in order to provide construction management services for the PROJECT; and

WHEREAS, the parties now wish to execute Amendment No. 3 to Agreement No. 373 with AECOM for additional construction management services due to increased scope of work and the unexpected extension of the construction completion date; and

WHEREAS, the Authority has identified the need to reallocate funds within the project from the Original Construction Allotment to enable the execution of Amendment No. 3 to Agreement No. 373 with AECOM; and

WHEREAS, the construction contract for the PROJECT is fully funded with Bay Area Toll Authority (BATA) Toll Bridge funds,
NOW THEREFORE BE IT RESOLVED the Contra Costa Transportation Authority hereby:

1) Authorizes establishing a revised Construction Allotment at $35,238,967.00 to be funded from Bay Area Toll Authority (BATA) Toll Bridge funds in the amounts shown in the table below.

<table>
<thead>
<tr>
<th></th>
<th>Original Construction Allotment</th>
<th>Revised Construction Allotment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bid Items</td>
<td>$ 31,797,904.44</td>
<td>$ 31,797,904.44</td>
</tr>
<tr>
<td>Supplemental Work Funds</td>
<td>$ 484,000.00</td>
<td>$ 235,000.00</td>
</tr>
<tr>
<td>Owner-Furnished Materials</td>
<td>$ 589,000.00</td>
<td>$ 423,000.00</td>
</tr>
<tr>
<td>Contingency</td>
<td>$ 3,287,095.56</td>
<td>$ 2,783,062.56</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$ 36,158,000.00</td>
<td>$ 35,238,967.00</td>
</tr>
</tbody>
</table>

__________________________
Julie K. Pierce, Chair

This RESOLUTION was entered into at a meeting of the Contra Costa Transportation Authority held June 17, 2015 in Walnut Creek, California

Attest: ________________________________
Danice J. Rosenbohm, Executive Secretary
AMENDMENT No. 3

WHEREAS, the Contra Costa Transportation Authority and AECOM Technical Services, Inc. entered into Agreement No. 373 on July 17, 2013 with an effective date of April 18, 2013; and

WHEREAS, Amendment No. 1 was approved on parties, on February 19, 2014, to include public outreach services for the project, increase the Total Agreement Value by $70,200 for a new limit of $5,795,200, added subconsultants, approved exception to subconsultant insurance limits, and revised Exhibit D paragraph 3.3.3.2 for reimbursement of Direct Costs; and

WHEREAS, Amendment No. 2 was approved on January 21, 2015, to add additional soil testing services for the project; and

WHEREAS, the parties now wish to increase the compensation for construction management services and extend the term of the Agreement, now therefore be it

MUTUALLY AGREED:

(1) That the Total Agreement Value and maximum compensation limit is increased by $1,872,746 for a new limit of $7,667,946; and

(2) That the dollar values shown under Article III of the Agreement are replaced in its entirety as follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Work</td>
<td>$7,655,946</td>
</tr>
<tr>
<td>Extra Work</td>
<td>$12,000</td>
</tr>
<tr>
<td>Total Agreement Value</td>
<td>$7,667,946</td>
</tr>
</tbody>
</table>

(3) That Article II of the Agreement is amended to extend the term of the Agreement through June 30, 2016; and

(4) That all other items and conditions of the Agreement shall remain in effect.
In witness whereof, the parties hereto have executed this 3\textsuperscript{rd} Amendment to Agreement No. 373 effective June 17, 2015.

\begin{tabular}{ll}
\textbf{AECOM} & \textbf{CONTRA COSTA TRANSPORTATION AUTHORITY} \\
\hline
Jason Tom, Vice President & Julie K. Pierce, Chair \\
ATTEST: & \\
Randell H. Iwasaki, Executive Director & \\
Approved as to Form: & \\
Malathy Subramanian, Legal Counsel & \\
\end{tabular}
May 15, 2015

Ivan Ramirez
Construction Manager
Contra Costa Transportation Authority
2999 Oak Road, Suite 100
Walnut Creek, CA 94597

Re:   Construction Management Services for SR4/SR160 Connector
      Authority Agreement No. 373
      Contract extension and increase funding request

Dear Mr. Ramirez:

CCTA’s Authority Agreement No. 373 with AECOM is to perform Construction Management services for the SR4/SR160 Ramps Connector Project (Authority Agreement No. 377). At the time of award of the SR4/SR160 Ramps Connector Project with RGW Construction (RGW) it was expected that the construction contract would be completed by September 17, 2015. Due to various reasons stated below, as of the date of this letter, the latest completion date is now December 24, 2015 without weather days. Therefore, please find this letter requesting a time extension and additional funds to AECOM’s contract in the amount of $1,872,746.00 in order to complete the scope of our contract based on the current schedule.

The following issues described below have directly affected the completion date of this contract

1. As of the date of this letter there are project delays equal to 44 days, 42 days due to rain and 2 days due to non-working days. The 2 non-working days were granted to RGW due to Union Pacific Railroad not having a flagger on-site.

2. There are an additional 25 working days delay, classified as owner delays, due to Union Pacific Railroad review and approval of falsework on the Southbound bridge. Contract allowed 4 weeks for review and approval and UPRR took 11 weeks. This was on the critical path for completion.

The issues described below have contributed to the increase in CM costs in the administration of this project but have not extended the contract completion date.

1. In July 2014 RGW was 54 days behind schedule. This was due to the lack of resources and material to start bridge activities, mainly falsework. Based on their schedule recovery plan RGW started working extended hours and weekends to mitigate the delay. This delay has caused work on all three bridges to start late, and at times, all were being constructed at the same time. RGW’s work schedule has caused and will dictate overtime costs for AECOM CM staff due to night work, weekend work and extended work hours

2. Bird mitigation – RGW’s work area and access has been restricted in some areas because of three different species of birds. This has and will continue to be a risk on bridge
construction activities which are on the critical path. Additional resources are needed to monitor the birds and comply with environmental permits and not adversely affect RGW’s operations which included weekend shifts.

3. RGW’s imported borrow material came from many sources where the quantities were smaller. The volume of material needed for the project is the same but because the material comes from multiple sources more quality assurance testing is required.

4. Contract specifications for the testing of imported material by RGW did not adequately reflect Caltrans requirements. Testing of the material to meet Caltrans requirements were borne by AECOM to mitigate the issue which lead to additional costs. This scope of work was approved in Amendment No 2 dated January 21, 2015.

5. An estimate of one month of weather delay as this project will go into another winter season.

6. Additional hours are spent on working with Caltrans oversight staff. Oversight staff often required AECOM to spend inordinate amount of time accompanying them onsite with minimal notice and addressing issues that were classified by Caltrans as non-compliant but were “in process” typical construction practices. AECOM staff spent many hours in the field and responding to Caltrans’s concerns in writing.

7. RGW Construction has had a high rate of turnover on the project which contributed to their inability to mitigate delays effectively. RGW is on their 3rd Project Manager and 3rd Field Superintendent.

The upcoming construction season will be quite busy as the remaining 45% of the work will be completed within the next 7 months. AECOM is continually working in partnership with RGW Construction and CCTA staff getting ahead of and mitigating construction issues as they arise. We look forward to the completion of the SR4/SR160 Connector Ramps project.

If you have any questions, please contact me at 510-419-6671 or jason.tom@aecom.com.

Sincerely,

Jason Tom
Project Manager

cc: Jon Hamaguchi, CCTA Project Delivery Manager
### Historical Summary of Contract Amendments
#### Contract #373 - AECOM

<table>
<thead>
<tr>
<th>Date</th>
<th>Contract Amendment</th>
<th>Amount of Amendment</th>
<th>Total Contract Amount</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Apr 18, 2013</td>
<td>Original Contract</td>
<td>$ -</td>
<td>$ 5,725,000</td>
<td>Provide pre-bid and full construction management services for the construction of the project. Board approval on April 17, 2013 and contract effective April 18, 2013.</td>
</tr>
<tr>
<td>Feb 19, 2014</td>
<td>Amendment No. 1</td>
<td>$ 70,200</td>
<td>$ 5,795,200</td>
<td>Add Circlepoint for public outreach services. Amendment amount of $70,200 includes $58,132 for additional Base Work plus $12,000 for optional photos and videos.</td>
</tr>
<tr>
<td>Jan 21, 2015</td>
<td>Amendment No. 2</td>
<td>$ -</td>
<td>$ 5,795,200</td>
<td>Amendment No. 2 is to add additional soil testing services.</td>
</tr>
<tr>
<td>Jun 17, 2015</td>
<td>Proposed Amendment No. 3</td>
<td>$ 1,872,746</td>
<td>$ 7,667,946</td>
<td>Proposed Amendment No. 3 provides for additional construction management services and extend the term of the Agreement to June 30, 2016.</td>
</tr>
</tbody>
</table>