

City of Piedmont
COUNCIL AGENDA REPORT

DATE: April 17, 2023

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Consideration of a Project Specific Supplemental Agreement for Construction Inspection Services with Coastland Civil Engineering in the Amount of \$259,250 for the Piedmont Community Pool Project

RECOMMENDATION

By a single motion, take the following action with regard to the proposed project specific supplemental agreement for Building, Fire and Public Works Inspection Services for the Piedmont Community Pool Project:

1. Approve the proposed agreement with Coastland Civil Engineering for the Piedmont Community Pool Project, based on a time and materials basis, at an amount not to exceed \$259,250.

BACKGROUND

Construction for the Piedmont Community Pool Project has recently begun. The project is currently completing the demolition and excavation phase of work and will soon transition to construction activities associated with permanent improvements as shown on the approved project plans. Griffin Structures is currently under contract with the City to provide Project Management services for the overall project, and ELS Architecture and Design is under contract to provide design construction support, including review of contractor submittals, response to design questions and periodic site visits to ensure that the “fit and finish” of the building aligns with the construction documents. However, during construction additional inspections are needed to ensure compliance with building and fire codes, work is constructed consistently with the project plans, and that safety standards and best practices are followed.

DISCUSSION

Coastland Civil Engineering (Coastland) is currently under contract with the City to provide City Engineer Services, and to provide plan check, design and construction management services on several current projects for the City. In the past, Coastland has also provided numerous engineering and construction-related services to the City, including Building, Fire and Public Works inspections. At the request of City staff, Coastland has submitted a cost

proposal to provide Building, Fire and Public Works inspections as would typically be required for projects within the City. These inspections are required for code compliance and follow best practices within the construction industry. These services are typically performed by City staff or third party consultants. Due to the size of the Community Pool Project, the level of effort is significantly greater and given current staffing constraints and the existing backlog of projects, a stand alone agreement with a third party consultant to perform these services is requested. Coastland has assisted the City with Building, Fire and Public Works inspections in the past and they are uniquely qualified to provide these services.

Based on the overall baseline schedule provided by the contractor, the overall schedule is for completion of the project in 490 calendar days and with completion slated for May 22, 2024. Based on a review of the contractor's schedule, it is estimated that approximately 190 Building inspections and 15 Fire inspections will be required during the project. Overall, Coastland has conservatively estimated that building inspections could total up to 836 hours of effort, while Fire inspections could total up an additional 120 hours of effort.

For Public Works inspections, the contractor estimates that construction will take approximately 59 working days to complete the work within the public right-of-way. Based on a part time effort, Coastland has conservatively estimated that the Public Works inspections could take as much as 354 hours of inspection.

Coastland's estimates of time are strictly based on the contractor's schedule and their experience inspecting similar projects. The total level of effort will depend on the contractor's efficiency and thoroughness, and the amount of effort it will take to provide these services will vary. If inspections can be scheduled concurrently, the level of effort will be reduced accordingly, and all unused hours will not be billed to the City.

SCHEDULE

If approved, Building, Fire and Public Works inspections will be provided based on the contractor's schedule.

FISCAL IMPACT

The estimated cost to provide Building, Fire and Public Works inspections is a total of \$259,250. These inspections are necessary and recommended for payment from the "Contingencies – Miscellaneous" line item which has a balance of \$524,655. It is anticipated that the overall cost for these services will be paid for with Measure UU funds.

CITY ATTORNEY REVIEW

The City Attorney has reviewed and approved the Agreement as to form.

By: Daniel Gonzales, Public Works Director

Attachments:

Contract Supplemental Agreement

**PROJECT SPECIFIC SUPPLEMENTAL AGREEMENT
PIEDMONT COMMUNITY POOL PROJECT INSPECTIONS**

WHEREAS, the City of Piedmont (herein referred to as “City”) entered into a Contract on July 2, 2012 (“Contract”) with Coastland Civil Engineering, Inc. (herein referred to as “Consultant”) to provide City Engineering Services; and

WHEREAS, the City renewed and extended the term of the Contract on June 15, 2015 and thereafter; and

WHEREAS, said Contract for City Engineering allows for additional project specific engineering services to be assigned by the City on an as-needed basis; and

WHEREAS, the City has determined that the City needs Professional Engineering Services for Building, Fire and Public Works inspections (“Consultant Services”) associated with the Piedmont Community Pool Project (hereinafter referred to as “Project”); and

WHEREAS, given current staffing constraints and the current backlog of projects, the City does not have the current staff with expertise to provide these Consultant Services and needs to retain a consultant with the appropriate experience for this work; and

WHEREAS, Consultant has experienced staff with the proper experience and background to carry out the duties involved for this work; and

WHEREAS, City wishes to retain Consultant for the performance of the Consultant Services associated with said Project, subject to all the terms and conditions as set for in the original Contract with Consultant.

THEREFORE, City and Consultant mutually agree to the scope of work and additional fee as follows:

Scope of Work

All work associated with the Project shall be per the scope of work attached as Exhibit “A.”

Payment Terms

For Consultant Services associated with the Project, City agrees to pay Consultant in accordance with the payment terms provided on Exhibit “B” attached hereto and incorporated herein by this reference.

[Signature Page Follows]

IN WITNESS HEREOF, the parties have caused their authorized representative to execute this amendment on _____, 2023.

CITY OF PIEDMONT

BY: _____

COASTLAND CIVIL ENGINEERING, INC.

BY: _____
John L. Wanger, CEO

Attest:

John O. Tulloch, City Clerk

Approved as to form and legality:

Michelle Marchetta Kenyon, City Attorney
Deepa Sharma, Assistant City Attorney

*[Signature Page for Project Specific Supplemental Agreement
Piedmont Community Pool Project Aquatic Center Inspections]*

Exhibit “A” SCOPE OF WORK

Building Inspections

Building inspections are anticipated to include inspections typically associated with similar facilities. Based on our review of the contract documents, we anticipate the following inspections:

- 90 Inspections by the building inspector
- 5 Temporary shoring inspections
- 2 Geotechnical/grading Inspections (done by Geo Con) which would also require a Building Inspection
- 10 Site Utility inspections
- 10 Accessibility inspections – forms and flatwork
- 10 Pool specific inspections
- 15 Electrical inspections
- 5 HVAC inspections
- 5 Solar PV and thermal inspections

The above totals 152 inspections. Of those inspections, our preliminary budget assumes that 25% of those inspections will require reinspection, resulting in an additional 38 inspections. This results in an estimated total number of inspections of 190 (just under 3 inspections per week). As we do not know how inspections will be scheduled, we are assuming a minimum of 4 hours per inspection. This results in a total of approximately 760 hours of Building Inspector time over the course of the job.

In addition to an inspector's time, we anticipate having additional support time for our inspector from our Supervising Building Inspector. We have assumed approximately 76 hours (roughly 10% of the Building Inspectors' time) to conduct up to 19 site visits (4 hours per visit) during the course of the project.

In addition to the inspection time, we also anticipate time will be required to review and process deferred submittals, RFI's, change orders and administrative support.

Fire Inspections

Based on the schedule provided by the contractor, there will be 12 fire protection inspections that we will be present for along with representatives from the Fire Department. We have assumed that 25% of these will require reinspection (3 re-inspections). As these are typically longer inspections, we have assumed up to 8 hours per inspection (including travel time for one of our fire specialists). We also anticipate that there will be time spent on deferred submittals associated with the sprinklers and alarm.

It should be noted that for all building and fire inspections, our approach is that Coastland will only be providing inspections associated with typical building department inspections. Our services do not include quality control, fit or finish of the facility. We have assumed that those items will be covered by both Griffin Structures and the design team.

Public Works Inspections

During construction of the offsite improvements, Coastland will provide daily part-time field inspection to review all work within the public right-of-way items to ensure that the contract work adheres to the contract documents, City standards and the established schedule. We anticipate we will have to be onsite during certain times of the project (verification of subbase grades and compaction, concrete pours, paving, some of the utility connections, etc.), but the remainder of the time, we should be able to provide as-needed inspections during the day, as we will be inspecting other projects within the City and can schedule inspections for the Aquatic Center as needed during the day.

We will maintain daily documentation and resolve issues by proposing field changes to George Sanen to assist in avoiding any delays. We will let George Sanen know when geotechnical testing is needed (concrete pours, compaction testing for base rock and paving, etc.). Coastland will participate in weekly coordination and progress meetings to focus on completed and upcoming work, any construction delays, schedule updates, proposed changes, change orders, contractor's questions, public relations and safety and other concerns. It is our understanding that Griffin Structures will handle all Construction Management duties associated with the project. We will provide Griffin Structures with our daily reports and work with them to resolve issues with the contractor.

Based on this understanding, we anticipate the level of effort during the 59 working days of construction of the offsite improvements to be 4-6 hours per day (on average), resulting in a maximum of 354 anticipated hours. As mentioned, the level of effort that we will spend on this project will depend on the efficiency of the contractor and the time expended on the various segments of work. If the contractor takes longer than anticipated, we reserve the right to amend our estimated hours.

Exclusions:

- Construction Management
- Site Safety (this is the Contractor's responsibility)
- Quality Control (fit and finish of the construction – this will be Griffin Structures' and the design team's responsibility)
- Special inspections (to be provided by Geo Con)
- Geotechnical services or inspections (to be provided by Geo Con)
- Offsite water inspections (EBMUD responsibility)
- Landscaping inspections

Exhibit “B” ESTIMATED COST

The services shall be provided on a time-and-materials basis with a not-to-exceed overall budget amount of \$259,250 for the types of inspection services as follows:

Public Works Inspections: Our proposal is based on a project duration of 59 working days for public works inspections. We estimate that our inspector will spend 4-6 hours per day during construction. No overtime inspections have been included. If overtime work is required, it will be billed on an as-incurred basis.

Based on an overall estimate of 354 hrs. and based on our current hourly rate of \$160 per hour for a Public Works Inspector plus \$15/hour for vehicle time (this includes paying prevailing wage rates), our overall estimate for Public Works inspections is \$61,950. This is only an estimate and is based on the schedule provided by the contractor. Actual costs will be based on working days and efficiency of the contractor. If assumptions change, we reserve the right to modify this estimate.

Building Inspections: Our proposal is based on providing 190 site inspections by our Building Inspector and additional support services from our Supervising Building inspector, totaling 836 hours (this assumes 4 hour minimum per inspection.) Based on our current hourly rates, our proposed fee for inspections is \$127,300.

For the deferred submittal review and administrative support, we are estimating a budget of \$35,000. This brings the overall total estimate for building inspection services to \$162,300. This is only an estimate at this time. Actual costs will be based on working days and efficiency of the contractor. If assumptions change, we reserve the right to modify this estimate.

Fire Inspections: Our proposal is based on 15 total fire inspections at 8 hours for each inspection, for a total of 120 hours. Based on our current hourly rate of \$200/hour for our fire inspector specialist, our estimated budget for fire inspections is \$24,000. In addition to the inspections, for the deferred submittals and administrative support, we are estimating a budget of \$11,000. This brings the overall total estimate for fire inspection services to \$35,000. This is only an estimate at this time. Actual costs will be based on working days and efficiency of the contractor. If assumptions change, we reserve the right to modify this estimate.

In summary, the overall budget for both the Public Works Inspections, the Building Inspections and the Fire inspections, we are proposing the following:

Public Works Inspections:	\$ 61,950
Building Inspections:	\$162,300
Fire Inspections:	<u>\$ 35,000</u>
TOTAL	\$259,250

The amount quoted is assuming that all of the work for this project will fall under the scope of work as previously described. If additional work is necessary that falls outside of this scope of work, the parties can re-negotiate a new scope of work or provide these services on a time and materials basis per Consultant's Schedule of Hourly Rates. Payments to Consultant shall be made in accordance with the Contract.