



# OPERATIONS COMMITTEE

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## Agenda Report

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**File #:** 2021-1534

**Agenda Date:** 5/5/2021

**Agenda Item No:** 9.

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**FROM:** James D. Herberg, General Manager  
Originator: Kathy Millea, Director of Engineering

**SUBJECT:**

**MACARTHUR FORCE MAIN IMPROVEMENTS, PROJECT NO. 7-68**

**GENERAL MANAGER'S RECOMMENDATION**

RECOMMENDATION: Recommend to the Board of Directors to:

- A. Approve a Professional Design Services Agreement with Michael Baker International, Inc. to provide engineering services for MacArthur Force Main Improvements, Project No. 7-68, for an amount not to exceed \$500,000; and
- B. Approve a contingency of \$50,000 (10%).

**BACKGROUND**

The Orange County Sanitation District (OC San) owns and maintains a 12-inch diameter force main extending approximately 2,100 feet along MacArthur Blvd. from the MacArthur Pump near Von Karman Avenue to Birch Street in the City of Newport Beach. This force main is approximately 60 years old.

**RELEVANT STANDARDS**

- Achieve less than 2.1 sewer spills per 100 miles
- California Government Code §4526: Select the “best qualified firm” and “negotiate fair and equitable fees”

**PROBLEM**

Condition assessments indicate that the force main has corroded and is at risk of failure. A failure of this pipe would likely result in a sewage spill.

**PROPOSED SOLUTION**

Award a Professional Design Services Agreement for MacArthur Force Main Improvements, Project No. 7-68. The project will construct two new force mains to replace the single existing force main. OC San has been standardizing on dual force mains to allow inspection and maintenance without

requiring expensive and disruptive bypass pumping. The additional force main can also be quickly put into service in the event of a leak or failure of the active force main.

### TIMING CONCERNS

The schedule driver of this project is to resolve risks associated with deteriorated facilities to reduce the risks of potential spills.

### RAMIFICATIONS OF NOT TAKING ACTION

Increased risk of failure of the pipes due to continued corrosion causing a sewage spill.

### PRIOR COMMITTEE/BOARD ACTIONS

N/A

### ADDITIONAL INFORMATION

#### Consultant Selection:

OC San requested and advertised for proposals for MacArthur Force Main Improvements, Project No. 7-68, on December 29, 2020. The following evaluation criteria were described in the Request for Proposals (RFP) and used to determine the most qualified Consultant.

CRITERION	WEIGHT
Project Understanding and Approach	35%
Related Project Experience	30%
Project Team and Staff Qualifications	35%

Three proposals were received on February 11, 2021 and evaluated in accordance with the evaluation process set forth in Ordinance No. OCSD-52 (Purchasing Ordinance) by a pre-selected Evaluation Team consisting of the following OC San staff: Project Manager, Project Engineer, two Engineering Supervisors, and a Maintenance Manager. The Evaluation Team also included one non-voting representative from the Contracts Administration Division.

The Evaluation Team scored the proposals on the established criterion as summarized in the table below:

	Firm	Understanding & Approach (Max 35)	Related Experience (Max 30)	Team & Qualifications (Max 35)	Total Score (Max 100)
1	Michael Baker International, Inc.	30	24	29	83
2	Lockwood, Andrews & Newman, Inc. (LAN)	27	19	22	68
3	Lee & Ro, Inc.	21	20	22	63

Following scoring, the Evaluation Team concluded that interviews were not necessary to determine the most qualified consultant. Michael Baker International, Inc. was selected as the most qualified Consultant based on their superior project approach and detailed understanding of the project. The project team and experience directly related to design of both gravity and force mains are well suited to the scope and potential challenges associated with this project.

Review of Fee Proposal and Negotiations:

Proposals were accompanied by sealed fee proposals. The fee proposal of the Evaluation Team's highest-ranked firm, as approved by the Director of Engineering, was opened in accordance with the Purchasing Ordinance.

Staff conducted negotiations with Michael Baker International, Inc. to clarify the requirements of the Scope of Work, the assumptions used for the estimated level of effort, and the proposed approach to meet the goals and objectives for the project. Negotiations were held with the consultant's team members and OC San staff. The design fee was reduced due to consolidation of design memoranda, combined workshops, reduction of some scope requirements, fewer design meetings, clarification of scope requirements, and reduction of the final sheet count.

	Original Fee Proposal	Negotiated Fee
Total Hours	2,934	1,699
Total Fee	\$636,705	\$500,000

The Consultant's fringe and overhead costs, which factor into the billing rate, have been substantiated. The contract profit is 9.95%, which is based on an established formula based on OC San's standard sliding scale requirements.

Based on the above, staff has determined that the final negotiated fee is fair and reasonable for the level of effort required for this project and recommends award of the Professional Design Services Agreement to Michael Baker International, Inc.

## **CEQA**

The project is exempt from CEQA under the Class 1, 2, and 3 categorical exemptions set forth in California Code of Regulations Sections 15301, 15302, and 15303 and statutory exemption set forth in the Public Resource Code Section 21080.21. These sections are exempt from CEQA for projects involving repair, replacement, minor alteration of existing facilities that have no expansion of use or capacity, replacement of existing utilities, and that are less than one mile in length within a public right-of-way for the installation of pipelines. A Notice of Exemption will be filed with the OC Clerk-Recorder after OC San's Board of Directors approval of the Construction Contract.

## **FINANCIAL CONSIDERATIONS**

This request complies with authority levels of OC San's Purchasing Ordinance. This item has been budgeted (Adopted Budget, Fiscal Years 2020-2021 & 2021-22, Section 8, Pg. 35, MacArthur Force Main Improvements, Project No. 7-68) and the budget is sufficient for the recommended action.

**ATTACHMENT**

*The following attachment(s) may be viewed on-line at the OC San website ([www.ocsan.gov](http://www.ocsan.gov)) with the complete agenda package:*

- Professional Design Services Agreement

HK:dm