



## Agenda Report

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**FROM:** Robert Thompson, General Manager  
Originator: Mike Dorman, Director of Engineering

**SUBJECT:**

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

**GENERAL MANAGER'S RECOMMENDATION**

RECOMMENDATION:

- A. Approve a Professional Construction Services Agreement with Michael Baker International, Inc. to provide construction support services for MacArthur Force Main Improvements, Project No. 7-68, for a total amount not to exceed \$272,002; and
- B. Approve a contingency of \$27,200 (10%).

### **BACKGROUND**

Michael Baker International, Inc. was selected as part of a competitive, qualifications-based solicitation process to design MacArthur Force Main Improvements, Project No. 7-68. At the time of the solicitation, the Orange County Sanitation District (OC San) documented its intent to award a subsequent agreement to the design consultant for the continuation of engineering services during construction.

OC San owns and operates a 12-inch asbestos cement force main that conveys flows from the MacArthur Pump Station and discharges into a manhole in Birch Street in the City of Newport Beach. This force main, built in the 1960s, is approximately 2,100 feet long, and is located in an OC San easement below the sidewalk on MacArthur Boulevard.

### **RELEVANT STANDARDS**

- Comply with California Government Code Section 4256 to engage the best qualified firm “on the basis of demonstrated competence and qualifications” and “negotiate fair and reasonable fees”
- Ensure the public’s money is wisely spent

### **PROBLEM**

This project requires the design consultant to provide as-needed services during construction including submittal review, responding to the contractor’s requests for information, reviewing

construction change orders, participating in meetings, attending site visits, and preparing record drawings.

## **PROPOSED SOLUTION**

Approve a Professional Construction Services Agreement with the design consultant, Michael Baker International, Inc., to provide engineering support services during construction.

## **TIMING CONCERNS**

Engineering support services will be required at the start of construction. Construction is anticipated to start in August 2023.

## **RAMIFICATIONS OF NOT TAKING ACTION**

The engineering support services needed to facilitate and review construction activities would not be available by the Engineer of Record, which may negatively impact the contract execution.

## **PRIOR COMMITTEE/BOARD ACTIONS**

May 2021 - Approved 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 approved a contingency of \$50,000 (10%).

## **ADDITIONAL INFORMATION**

Michael Baker International, Inc. has successfully furnished engineering services for the design of this project, and their support services during construction will provide continuity through the completion of the project.

Staff negotiated with Michael Baker International, Inc. for these support services in accordance with OC San's adopted policies and procedures. A review of the proposed price was conducted using estimated quantities of requests for information, submittals, meetings, site visits, change order review, and design revisions, as well as the level of effort for preparing record drawings. Based on this review, staff determined the negotiated fee to be fair and reasonable for these services. Staff is requesting a 10% contingency in case unanticipated professional services are needed during construction.

## **CEQA**

The project is exempt from CEQA under the statutory exemption set forth in the Public Resources Code section 21080.21 and categorical exempt under the Class 1, 2, and 3 set forth in California Code of Regulations sections 15301, 15302, and 15303. A Notice of Exemption will be filed with the OC Clerk-Recorder after OC San Board of Directors approval of the MacArthur Force Main Improvements, Project No. 7-68, Construction Contract.

## FINANCIAL CONSIDERATIONS

This request complies with the authority levels of OC San's Purchasing Ordinance. This item has been budgeted (Budget Update, Fiscal Years 2023-2024, Appendix A, Page 7, 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 Construction Services Agreement

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