

## Agenda Report

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**File #:** 2019-854, **Version:** 1

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

**SUBJECT:**

**HEADWORKS MODIFICATIONS AT PLANT NO. 2 FOR GWRS FINAL EXPANSION, PROJECT NO. P2-122**

### **GENERAL MANAGER'S RECOMMENDATION**

**RECOMMENDATION:** Recommend to the Board of Directors to:

- A. Approve a Professional Construction Services Agreement with CDM Smith Inc. to provide construction support services for Headworks Modifications at Plant No. 2 for GWRS Final Expansion, Project No. P2-122, for an amount not to exceed \$2,200,000; and
- B. Approve a contingency of \$220,000 (10%).

### **BACKGROUND**

CDM Smith Inc. was selected as part of a competitive, qualifications-based solicitation process to design Headworks Modifications at Plant No. 2 for GWRS Final Expansion, Project No. P2-122. At the time of solicitation, the Orange County Sanitation District (Sanitation District) documented its intent to award a subsequent agreement to the design consultant for continuation of engineering services during construction.

This project is necessary for the final expansion of the Groundwater Replenishment system (GWRS) and will be reimbursed by Orange County Water District (OCWD) per an existing agreement dated March 2019.

### **RELEVANT STANDARDS**

- Meet volume and water quality needs for the GWRS
- Use all practical and effective means for resource recover
- Comply with California Government Code Section 4526 to engage the best qualified firm “on the basis of demonstrated competence and qualifications” and “negotiate fair and reasonable fees”

## **PROBLEM**

This project requires the design consultant to provide as-needed services during construction including submittal review, responding to Contractor's requests for information, reviewing construction change orders, participating in meetings, site visits, and preparing record drawings.

## **PROPOSED SOLUTION**

Award a Professional Construction Services Agreement with the design consultant CDM Smith Inc. to provide engineering services during construction.

## **TIMING CONCERNS**

Engineering support services will be required at the start of construction. Construction is anticipated to start in February 2020.

## **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 2017 - Approved a Professional Design Services Agreement with CDM Smith Inc. to provide engineering design services for the Headworks Modifications at Plant No. 2 for GWRS Final Expansion, Project No. P2-122, for an amount not to exceed \$5,319,930, and approved a 10% contingency (\$531,993).

## **ADDITIONAL INFORMATION**

CDM Smith Inc. has successfully furnished engineering services for this project and their support services during construction will provide continuity through the completion of this project. Staff negotiated with CDM Smith Inc. for these support services in accordance with the Sanitation District's adopted policies and procedures. A review of the proposed price was conducted using estimated quantities of requests for support, as well as level of effort for preparing record drawings. Based on this review, staff determined the negotiated fee to be fair and reasonable for these services.

## **CEQA**

To comply with the California Environment Quality Act, the Sanitation District as a responsible agency approved the lead agency OCWD Program EIR/EIS GWRS Final Expansion Project Addendum No. 6 on November 16, 2016. This addendum covered Project No. P2-122.

## **FINANCIAL CONSIDERATIONS**

This request complies with authority levels of the Sanitation District's Purchasing Ordinance. This item has been budgeted (FY 2019-20 Budget Update, Appendix A, Page A-9). The budget is sufficient for the recommendation action.

Costs for this project will be reimbursed by OCWD per current GWRS agreement dated March 2019.

**ATTACHMENT**

*The following attachment(s) may be viewed on-line at the OCSD website ([www.ocsd.com](http://www.ocsd.com)) with the complete agenda package:*

- Professional Construction Services Agreement

SN:dm:sa