

CITY OF FAIRFIELD

RESOLUTION NO. 2013 - 233

RESOLUTION OF THE CITY COUNCIL AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT NO. 6 TO THE CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF FAIRFIELD AND CUNNINGHAM ENGINEERING FOR THE DESIGN, BID ASSISTANCE AND CONSTRUCTION ADMINISTRATION OF THE DUNNELL NATURE PARK AND EDUCATION CENTER PROJECT

WHEREAS, on January 17, 2012, Council approved an Agreement for Consulting Services for the Dunnell Nature Park and Education Center with Cunningham Engineering Corporation; and

WHEREAS, five contract amendments have nearly depleted the original management reserve amount of \$30,200; and

WHEREAS, on July 16, 2013, Council adopted a resolution relieving BRCO Constructors Inc., of its bid and rejecting the remaining project bids for the Dunnell Nature Park and Education Center Project; and

WHEREAS, Amendment No. 6 includes design, bidding and construction administrative services to repackage the project bid documents.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FAIRFIELD HEREBY RESOLVES:

Section 1. The Mayor is hereby authorized and directed to execute on behalf of the City of Fairfield Amendment No. 6 to the agreement between the City of Fairfield and Cunningham Engineering Corporation for services associated with the Dunnell Nature Park and Education Center Project in the amount of \$83,300, for a total contract not-to-exceed fee of \$385,300.

Section 2. The Director of Public Works is hereby authorized to implement the above mentioned amendment and administer an additional 10% management reserve to address additional items of work for a new total not-to-exceed authorization of \$423,830.

PASSED AND ADOPTED this 19th day of November 2013, by the following vote:

AYES: COUNCILMEMBERS: Price/Vaccaro/Bertani/Moy/Mraz

NOES: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

Harry F. Price
MAYOR

ATTEST:

Cindy Balkan, Deputy
CITY CLERK
pw

**AMENDMENT NO. 6 TO THE AGREEMENT WITH CUNNINGHAM
ENGINEERING CORPORATION FOR REPACKAGING AND BIDDING
ASSISTANCE OF DUNNELL NATURE PARK & EDUCATION CENTER
PROJECT**

On January 17, 2012, the City of Fairfield, a municipal corporation, hereinafter referred to as "CITY" and Cunningham Engineering Corporation, hereinafter referred to as "CONSULTANT", entered into an agreement for consulting services for the design, bid assistance and construction assistance of Dunnell Nature Park & Education Center Parts 1 and 2, hereinafter referred to as "PROJECT".

The Consultant and City have completed the design process for the Dunnell Nature Park & Education Center and received three bids on June 11, 2013. One bidder asked to be relieved of their bid and the City of Fairfield rejected the remaining two bids because they exceeded the available project funding. Now the City would like to repackage the bid documents into a single, modified plan set, with an anticipated bid advertisement date in January 2014. The repackaged bid documents will eliminate previous Part 1 and Part 2 designations, reduce the project scope by removing select items of work, and provide a condensed bid schedule. The City and Consultant anticipate that these revisions will streamline the bid process and result in more competitive bids that better align with the available project funding. Grant funding reimbursement shall be handled through grant reconciliation assistance provided by the Consultant in collaboration with the City. A separate Schedule of Values will be required from the selected Contractor following bid award, an example of which is attached as Exhibit 'B'.

The parties do hereby agree to amend the agreement for consulting services as follows:

I. REVISED TASKS TO BE PERFORMED BY CONSULTANT

A.4 Repackage Bid Documents

1. Combine former Part 1 and Part 2 scopes of work into one complete bid package.
 - a. Eliminate designations to Part 1 and Part 2 scope items from all drawings, specifications and bid documents.
 - b. Reconcile Part 1 and Part 2 drawing sheet borders and update sheet numbering.
2. Revise Project Bid Documents to reduce Project Scope.

- a. Review Bid Summary, plans, and specifications, and provide recommendations on any additional cost saving measures. Identify Add Alternate items.
 - b. Prepare updated Technical Memo (draft attached as Exhibit 'A') as an itemized list of construction items which have been recommended to Remove/ Retain/ or Modify.
 - c. Revise plans and specifications; this contract amendment includes plan and specification modification for items earmarked on the Draft Technical Memo for removal, retention, or modification.
3. Reformat Bid Proposal Form
 - a. Condense Bid Proposal Form into a reduced number of lump sum pay items. The revised Bid Proposal Form will include ten or less bid items.
 - b. Update Section 4, Measurement & Pay for all specifications to reflect lump sum pay items in the reformatted Bid Proposal Form.

C.4 Cost Opinion Update

1. Provide an updated Architect's and Engineer's Opinion of Probable Construction Cost based on the average bids received in June 2013, less an estimated discount for eliminating the Part 1 and Part 2 designations, removal of scope items, and simplification of the Bid Proposal Form.

C.5 Additional Meetings, Coordination & Management

1. Attend up to 3 meetings with the City and select members of the design team to collaborate on items to be deleted from the Project scope, review combined plan set review comments, and review of reformatted bid schedule.
2. Provide quality control comprehensive review of revised plans

and specifications.

C.6 Additional Processing

1. Provide a 100% submittal package, including (4) sets of plans and (1) set of unbound specifications for City's review and comment. This scope assumes that the City's review process will be limited to one 100% comprehensive review focused on the reformatting process and project scope reduction, plus one final back check of the subsequent submittal with final comments limited to those that could be incorporated into the Final mylar set without further review.
2. Address City comments and provide (1) Final mylar plan set for signature, (1) complete stamped set unbound specifications for signature, and (1) complete electronic file of all bid documents in pdf format for City's use in reproducing documents for bid.

C.8 Additional Grant Administration Support

1. Assist City in determining quantities and cost percentages for grant reimbursement for items in their respective categories, as listed in the grant document. An example of this approach is attached herein as Exhibit 'B' for City review.
2. Prepare Schedule of Values spreadsheet for completion by the Contractor following bid award.

E.1 Additional Bid and Construction Phase Services

1. Consultation and coordination with Client regarding strategy and analysis for re-bidding project.
2. Aid in creating contractor awareness of pending project re-bid.
3. Attend Pre-Bid meeting.
4. Respond to questions/RFIs during the Bid period.
5. Add Food Services Consultant to the Construction Phase

Services scope for RFIs and record drawings associated with food service project components.

G COMPENSATION

The original Agreement was executed in 2012. The Consultant has requested additional compensation for the changes in scope. The following addresses those changes:

Basis of Compensation. For those services described in 'REVISED TASKS TO BE COMPLETED BY CONSULTANT,' compensation shall be as shown. For and in consideration of the professional services to be provided by CONSULTANT hereunder, CITY agrees to pay CONSULTANT, and CONSULTANT agrees to accept from CITY as full compensation for said services the following maximum, not to exceed, amount(s):

<u>Description</u>	<u>Additional Compensation</u>
Task A.4: Repackage Bid Documents	\$45,400
Task A.4: Reimbursable Expenses	\$4,000
(1094.00-04)	
Task C.4: Cost Opinion Update	\$1,700
(1094.00-04)	
Task C.5: Additional Meetings, Coord. & Management	\$12,300
(1094.00-04)	
Task C.6: Additional Processing	\$5,700
(1094.00-04)	
Task C.8: Additional Grant Administration Support.....	\$4,800
(1094.10-05)	
Task E.1: Additional Bid and Construction Phase Services	\$9,400
(1094.00-03)	
<hr/>	
Additional Compensation Total	\$83,300

Additional compensation for this Amendment shall be Eighty-three Thousand, Three Hundred Dollars (\$83,300) for a total maximum fee not-to-exceed Four Hundred Fifteen thousand, Five Hundred Dollars (\$415,500).

4. **TIME OF COMPLETION**

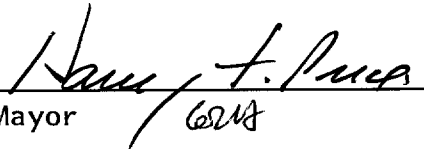
Work described in the REVISED TASKS TO BE PERFORMED BY CONSULTANT shall be completed per the following:

Tasks A.4 and C.4 through C.6 shall be completed by January 31, 2014.
For Tasks C.8 and E.1 noted above, the project's original time of completion shall be extended through December 2015.

Except as modified by the above amendment, the provisions of the Consulting Services Agreement dated January 17, 2012 shall remain in full force and effect.

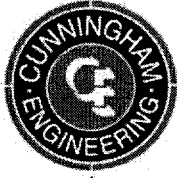
IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the 25 day of November 2013.

CITY OF FAIRFIELD
a municipal corporation (CITY)

By 
Mayor

CONSULTANT

By 
Cunningham Engineering Corp.



MEMORANDUM EXHIBIT 'A'

To: Fred Beiner, City of Fairfield

From: Steve Greenfield, Cunningham Engineering Corp. (CEC)
Laura Green, CEC

Date: 08 October 2013

Subject: Dunnell Nature Park & Education Center- Repackage Bid Documents

We have prepared this memo to summarize our preliminary discussions with the Client and Project Design/ Consultant Team to reduce project scope of work and construction costs concurrent with repackaging the bid documents. The City and the Consultant Team discussed the following items as possible project changes that would lower project cost with little or no loss of State funding and minor rework of the plans and specifications by the Consultant team. The comments and recommended actions below reflect our recommendations for each item and are the basis for the attached scope amendment. The following does not include additional items discussed regarding proposed modifications to project bidding, schedule of values, contractor requirements, timing of bid, etc.

Item No.	Item Description	Comments	Recommended Action
1.	FREE STANDING TRELLIS STRUCTURE (quantity two) at Nature Education Center Patio	City suggested this item be considered for removal. Consultant team recommends making these Add Alternates.	Modify
2.	PREFABRICATED TRELLIS SHADE STRUCTURE at Demonstration Garden	City suggested this item be considered for removal. Consultant team agrees that inexpensive alternative and/ or portable shade options for park users are readily available and deletion should provide significant cost reduction. Deletion of this item will also include deletion of bid items 6" THICK CONCRETE PAD FOR PREFABRICATED TRELLIS SHADE STRUCTURE & CONCRETE PIERS FOR	Remove

		PREFABRICATED TRELLIS SHADE STRUCTURE.	
3.	AUDIO VISUAL – PROJECTION SCREEN/ PROJECTOR	City will acquire and install equipment.	Modify
4.	ENTRY MONUMENT SIGN	City suggested this item be considered for removal. Consultant team agrees that an entry sign can be added in future. Retain power conduit and stub to this location.	Remove/ Modify
5.	Requirement to salvage & reuse roof materials from existing building	City suggested this item be considered for removal. Consultant team agrees that the construction cost outweighs the value of salvaging the materials.	Remove
6.	BIKE RACK	City suggested this item be considered for removal. Consultant team recommends retaining this item.	Remove
7.	NEST CAMERA VIEWING STATION	City suggested this item be considered for removal. Consultant team agrees, but recommends that power and blocking inside the Nature Education Center still be installed to accommodate possibility of future viewing station via wireless capabilities.	Remove/ Modify
8.	Existing Porch Slab (bid as part of NATURE EDUCATION CENTER PART 1)	City questioned whether the existing porch slab could be kept in lieu of demolition and replacement. Consultant team agrees that keeping the existing porch slab should be feasible.	Modify
9.	32" HIGH RAIL FENCE at Creek Overlook	City suggested this item be considered for removal. Consultant team suggests that plant material could possibly provide an adequate buffer/ enclosure in this location.	Remove/ Modify
10.	Education Center Patio	City suggested that consultant team review options for reducing the cost of the back patio concrete finish. Consultant team will evaluate options for the concrete finish as part of this amendment.	Modify
11.	Exterior wall wash lights and any decorative lights attached to building (bid as part of NATURE EDUCATION CENTER PART 1)	City suggested these be considered for removal. Consultant team shall coordinate with the lighting manufacturer to review photometrics. Assuming sufficient light, fixtures to be removed.	Remove
12.	Exterior double storefront doors (bid as part of NATURE EDUCATION CENTER PART 1)	City suggested a less expensive alternative to this item. Consultant team recommends retaining the proposed doors which are appropriate for the commercial use and will review whether alternative hardware options will meet the durability demands of these	Retain



		doors as part of this amendment.	
13.	Windows in Program Area 'C' (bid as part of NATURE EDUCATION CENTER PART 1)	City suggested that two windows that are on the same wall as the projection screen in Program Area 'C' be removed to reduce costs. This would also provide more flexibility on the wall for display options. Consultant team recommends removal of the windows.	Modify
14.	Interior Floor Coverings	City suggested that Consultant team review interior floor coverings and simplify to vinyl composition tile where possible. Consultant team recommends retaining the specified floor coverings which are appropriate for the commercial use and character of the building. Installing a less expensive, inferior product would lead to maintenance issues. Further review of this item is NOT included in this amendment.	Retain
15.	Roofing materials	City suggested that Consultant team review the roofing materials and possibly specify composite shingles in place of metal. Consultant team will revisit the use of CorTen for the trash enclosure and go with metal panels on the doors and comp shingle roofing as part of this amendment.	Retain/ Modify
16.	Large window in Program Area 'A' (bid as part of NATURE EDUCATION CENTER PART 1)	City suggested review of this window. Consultant team recommends modifying the plans to include a Deduct Alternate for leaving the existing window in place, instead of replacing it with a double-glazed window.	Modify
17.	Lighting Fixtures	Consultant team suggested that all lighting fixtures be pre-purchased by the City. City stated that this would require a separate set of biddable construction drawings, incurring additional cost and delay of the project, therefore it is not recommended. Consultant agrees with City's recommendation to retain lighting fixtures as contractor supplied and installed. City will communicate with ALR (lighting manufacturer) regarding the project bid timing and it is understood that the condensed bid format should make it easier for electrical subs and GC's to process last minute bid values, if necessary.	Retain
18.	Fencing	City suggested that Consultant team review	Retain



		reducing fencing costs and locations. Consultant team reviewed locations and recommend that the permanent fencing at the trash enclosure and equipment enclosure be retained. This fencing will become part of the lump sum bid which may reduce the construction cost. See separate item regarding 32" HIGH RAIL FENCE.	
19.	PREFABRICATED STORAGE SHED	City suggested this item may be bid as an Add Alternate. The City could purchase the shed and may be able to get volunteer labor to assemble the shed and volunteer electricians to finalize the associated electrical.	Modify

Please feel free to contact us with questions and/or comments.



Schedule of Values - EXHIBIT 'B'

Dunnell Nature Park and Education Center

Refer to Exhibit 'X' for area limits and description of improvements included in Items of Work

FOR STAFF USE ONLY

Item No.	Item of Work	Unit	Total Qty	Total Price		City Funded	Grant Funded	Total
1	NATURE EDUCATION CENTER	LS	1	\$ 1	TOTAL	\$	\$	\$
1a	Doors to Courtyard	EA	1		Percent	0.00%	100.00%	100%
1b	Enclose Porch	EA	1		Percent	0.00%	100.00%	100%
1c	Trash Enclosure	EA	1		Percent	0.00%	100.00%	100%
1d	Mobilization	LS	1		Percent	50.00%	50.00%	100%
1e	Remainder	LS	1		Percent	50.00%	50.00%	100%
Includes all Building Renovations; Interior Interpretive Signs; Interior Lighting, etc. Price shall include all work necessary to complete each item of work as listed above.						City Funded	Grant Funded	Total
					SF	1	1	2
					Percent	50.00%	50.00%	100%
2	NATURE PARK	LS	1	\$ 1	TOTAL	\$	\$	\$
Includes Trash & Recycling; Planting & Irrigation; Cobble; Interpretive Signs; Kiosk; Picnic Tables; Benches; Boulder Retaining Wall; Tree Protection; Demolition of Existing House; SWPPP & Erosion Control.						City Funded	Grant Funded	Total
					Percent	0.00%	100.00%	100%
3	DEMONSTRATION GARDENS	LS	1	\$ 1	TOTAL	\$	\$	\$
Includes Raised Planters; Compost Bins; Bird Enclosure; Interpretive Signs; Trash & Recycling; Picnic Table; Planting & Irrigation within the limits defined on Exhibit 'X.'						City Funded	Grant Funded	Total
					SF	1	1	2
					Percent	50.00%	50.00%	100%
4	WALKWAYS & TRAILS	LS	1	\$ 1	TOTAL	\$	\$	\$
Includes Concrete Walks; Decomposed Granite; Pipe Gates; Path Lighting						City Funded	Grant Funded	Total
					Percent	0.00%	100.00%	100%
5	OUTDOOR EDUCATION CLASSROOMS	LS	1	\$ 1	TOTAL	\$	\$	\$
Includes Large Shade Structure at Nature Education Center Patio; Council Ring- Logs & Decomposed Granite; Decomposed Granite at Creek Overlook.						City Funded	Grant Funded	Total
					SF	1	1	2
					%	50.00%	50.00%	100%
6	PARKING	LS	1	\$ 1	TOTAL	\$	\$	\$
Includes Pervious Concrete and Aggregate Base; Driveway Apron; Striping; Parking Lot Lighting; Wheel Stops; Traffic Signs; Curb & Gutter within the limits defined on Exhibit 'X.'								

Schedule of Values - EXHIBIT 'B'

Dunnell Nature Park and Education Center

Refer to Exhibit 'X' for area limits and description of improvements included in Items of Work

FOR STAFF USE ONLY

Item No.	Item of Work	Unit	Total Qty	Total Price		City Funded	Grant Funded	Total
						City Funded	Grant Funded	Total
					%	0.00%	100.00%	100%
7	SOLAR	LS	1	\$ 1	TOTAL	\$	\$	\$
Includes Solar Panels only						City Funded	Grant Funded	Total
					Percent	0.00%	100.00%	100%
8	ADVENTURE PLAY AREA	LS	1	\$ 1	TOTAL	\$	\$	\$
Includes Play Equipment; Concrete Play Curb; Accessible Ramp; Fibar Surfacing within the limits defined on Exhibit 'X.'						City Funded	Grant Funded	Total
					Percent	0.00%	100.00%	100%
9	STORAGE SHED	LS	1	\$ 1	TOTAL	\$	\$	\$
Includes Prefabricated Storage Shed and Concrete Slab.						City Funded	Grant Funded	Total
						City Funded	Grant Funded	Total
CONTRACTOR TOTAL PRICE:				\$ 9		\$	\$	\$