NAPA COUNTY BOARD OF SUPERVISORS
Board Agenda Letter

TO: Board of Supervisors
FROM: Steven Lederer - Director of Public Works
Public Works
REPORT BY: Frank Lucido, ENGINEERING MANAGER - 259-8377
SUBJECT: Amendment #3 to Professional Services Agreement No.190236B with ADKO Engineering for 2017 Storm Repairs

RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement No. 190236B with ADKO Engineering to increase maximum compensation by $185,000, for a new maximum of $944,650 for construction support services for the following five 2017 storms road repair projects:

1. $53,000 for the Mt. Veeder Road-MPM 4.00 project;
2. $18,000 for the Mt. Veeder Road-MPM 4.75 project;
3. $63,000 for the Mt. Veeder Road-MPM 5.1 project;
4. $5,000 for the Dry Creek Road-MPM 7.51 project; and
5. $46,000 for the Dry Creek Road-MPM 10.75 project.

EXECUTIVE SUMMARY

During a declared federal disaster event caused by the heavy rains in early 2017, Napa County roads suffered damage in dozens of locations. Progress toward completing repairs has proceeded in accordance to priority and funding restrictions set by the Board. In support of the repairs, on February 26, 2019, the Board awarded an agreement to ADKO Engineering to start preliminary engineering for eight of these projects. On June 4, 2019, the Board approved Amendment No. 1 for the final design engineering and on February 11, 2020, the Board approved Amendment No. 2 for construction support services. A third amendment is now needed to provide $162,000 in Measure T funds for construction support for the remaining projects and $23,000 for out of scope services provided on two of the FEMA funded projects that are now in construction. The Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 3 to Agreement 190236 with ADKO Engineering, increasing compensation by $185,000 for a new maximum of $944,650.
**FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact? Yes

Is it currently budgeted? Yes

Where is it budgeted?

The Mt. Veeder MPM 4.75 and Dry Creek MPM 7.51 sites projects are currently budgeted in Fund 2040, Sub-Division 2040500 in their respective programs (S7405 and S7202).

The Mt. Veeder MPM 4.0, Mt. Veeder MPM 5.1 and Dry Creek MPM 10.75 projects are currently partially budgeted in Fund 2040, Sub-Division 2040500 in their respective programs (S7306, S7304 and S7105).

Measure T funds are being used to upfront the funds in advance of reimbursement from FEMA for these projects. The cost for the construction support will be incurred once construction begins so this cost will be included to the budget adjustment when staff requests Board approval to award the construction contracts.

Is it Mandatory or Discretionary? Discretionary

Discretionary Justification: FEMA and Measure T funding is expected to pay for these projects.

Is the general fund affected? No

Future fiscal impact:

All of these projects except Mt. Veeder MPM 5.1 are expected to be complete by December 2020. Mt. Veeder MPM 5.1 is expected to be complete by October 2021.

The future fiscal impact will be limited to routine maintenance of the roads.

Consequences if not approved:

If not approved, the slides will continue and there will be additional damage to these roads possibly affecting first responder response times and creating a hazard to the public.

County Strategic Plan pillar addressed: Livable Economy for All: Improve and maintain the existing transportation and road systems to safely accommodate all users.

Additional Information:

The budget spreadsheets for Mt. Veeder 4.0, Mt. Veeder 5.1 and Dry Creek 10.75 will be attached to the individual Board items requesting budget transfers (for project budgets based on actual bid amounts) and award of construction for these projects in the future. The budget spreadsheet for the remaining projects was attached when the Board approved budget transfers and award of construction for these and no further budget transfer is needed at this point.

**ENVIRONMENTAL IMPACT**

**Consideration and possible adoption of a Categorical Exemption Class 1:** It has been determined that this type of project does not have a significant effect on the environment and is exempt from the California Environmental
Quality Act. [See Class 1 (“Existing Facilities”) which may be found in the guidelines for the implementation of the California Environmental Quality Act at 14 CCR §15301; see also Napa County’s Local Procedures for Implementing the California Environmental Quality Act, Appendix B.] FEMA has determined that the project they are funding qualify for a categorical exclusion under the National Environmental Policy Act (NEPA).

**BACKGROUND AND DISCUSSION**

Due to heavy rains in early 2017 County roads suffered damage in numerous locations. In support of repairing these roads, on February 26, 2019, the Board awarded a $248,947 agreement to ADKO Engineering to start preliminary engineering for eight of the projects and on June 4, 2019, the Board then approved Amendment No. 1 adding $324,053 for the final design engineering on all of the projects. On February 11, 2020, the Board approved Amendment No. 2 which added $186,650 for construction support services on the five FEMA funded projects that have a late 2020 completion deadline and are listed below:

- Berryessa/Knoxville Road, MPM 20.50 to 22.00 - 4301 NANCC08: Sustained road and culvert failure. The proposed repair is to replace the four 48” failed culverts and headwall with an open bottom structure and reconstruct the road.
- Dry Creek Road - MPM 7.75 - 4308 NANCC94: Sustained 120 feet of road and embankment failure. The proposed repair is to reconstruct the road with a steel soldier pile concrete retaining wall.
- Dry Creek Road - MPM 7.51 - 4305 NANCC53: Sustained 180 feet of road and embankment failure. The proposed repair is to reconstruct the road with a steel soldier pile concrete retaining wall.
- Dry Creek Road - MPM 10.5 - 4308 NANCC93: Sustained 100 feet of road and embankment failure. The proposed repair is to reconstruct the road with a steel soldier pile concrete retaining wall.
- Mt. Veeder Road MPM 4.75 - 4308 NANCC97: Sustained 330 feet of road failure. The proposed repair is to reconstruct the road with a steel soldier pile concrete retaining wall.

The Mt. Veeder 4.75 and Dry Creek 7.51 sites have required additional engineering support during construction ($18,000 and $5,000 respectively) mostly due to unforeseen soil conditions. The changes resulted in drainage system modifications and in the case of Mt. Veeder MPM 4.75 the wall length was reduced from 304 to 238 linear feet and piers reduced from 26 to 13, allowing for a savings of roughly $190,000.

Since Mt. Veeder MPM 4.75 and Dry Creek MPM 7.51 are FEMA funded projects staff anticipates that 75% FEMA, 18.75% California Office of Emergency Services (Cal OES) and 6.25% local match (Roads funds via Measure T) will ultimately pay for the increased cost on these two projects.

The Measure T (non-FEMA) funded projects and estimated construction costs are:

- Dry Creek Road - MPM 10.75: $500,000
- Mt. Veeder Road MPM 4.0: $680,000
- Mt. Veeder Road MPM 5.1: $1,500,000

On May 12, 2020 the Board approved advertising for construction bids for the Dry Creek 10.75 and Mt. Veeder 4.0 projects and staff expects to return to the Board on June 16, 2020 to award these projects and request approval for a budget transfer to fund these two projects. The budget transfer will include funding in the amount of $46,000 for the Dry Creek MPM 10.75 and $53,000 for the Mt. Veeder MPM 4.0 construction support contracted in this Amendment #3. Construction of these projects is projected to begin in July and construction support/management services are necessary. The proposed scope of work included in the proposed amendment includes reviewing contractor submittals, answering contractor requests for information, verifying construction staking, material testing, environmental surveys, converting contractor redline drawings into as-built drawings and responding to...
requests for information.

When Mt. Veeder 5.1 bids are received (prior to the start of next construction season) a similar budget transfer will be requested at award for that project which will include $63,000 of funding for the construction support contracted in this Amendment #3.

The Director of Public Works requests approval of and authorization for the Chair to sign an Amendment No. 3 to Agreement 190236 with ADKO Engineering, increasing compensation by $185,000 for a new maximum of $944,650.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve
Reviewed By: Susan Kuss