



## Legislation Details (With Text)

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<b>On agenda:</b>	12/8/2021	<b>Final action:</b>	
<b>Title:</b>	Report regarding a resolution approving a First Amendment to the Consulting Services Agreement with Wilsey Ham increasing the contract by \$500,000 to an amount not to exceed \$961,655 for the Harbor Master Spit Project (Project No. pf2002). (Matthew Ruble, Principal Engineer).		
<b>Sponsors:</b>	City Council		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Attachment 1 - Project Location Map, 2. Attachment 2 - Proposal from Wilsey Ham, 3. Attachment 3 - PowerPoint Presentation		

Date	Ver.	Action By	Action	Result
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Report regarding a resolution approving a First Amendment to the Consulting Services Agreement with Wilsey Ham increasing the contract by \$500,000 to an amount not to exceed \$961,655 for the Harbor Master Spit Project (Project No. pf2002). (Matthew Ruble, Principal Engineer).

### **RECOMMENDATION**

**Staff recommends that the City Council adopt a resolution approving a First Amendment to the Consulting Services Agreement with Wilsey Ham, Inc. of San Mateo, California, increasing the contract by \$500,000 to an amount not to exceed \$961,655 for design services of the Harbor Master Spit Project (Project No. pf2002), authorizing the City Manager to execute said First Amendment.**

### **BACKGROUND/DISCUSSION**

At the regular City Council meeting on November 9, 2020, the City Council adopted a resolution approving the award of a Consulting Services Agreement with Wilsey Ham, Inc. of San Mateo, California, in an amount not to exceed \$461,655 for the Harbor Master Spit Project (HMS Project) Planning, Environmental Permitting, Design and Engineering Services. The scope of services in the Consulting Services Agreement is to develop Sea Level Rise design alternatives, cost estimates, and preliminary environmental review to address tidal inundation that occurs on the Harbor Master Spit during extreme high tides (King Tides). The Regional Water Quality Control Board's (RWQCB) Waste Discharge permit requires that the landfill be protected from tidal inundation

At a special City Council meeting on May 25, 2021, staff presented an update on the HMS Project. The presentation included a discussion on how best to address Sea Level Rise at the Spit at Oyster Point; possible construction of a ferry terminal building at the Spit; and possible expansion of commuter ferry service to Oyster Point. Staff presented the City Council with three options to address the long-term sea-level rise adaptation of the Spit with an estimated cost range of \$15 million to \$34 million.

As the project moved forward, staff identified a potential maintenance project; restoration of the spit to the original grades established by the 1979 landfill closure project. Restoring the grades to the levels established in 1979 will raise the area higher than the current King Tides and the 100-year design storm water surface elevations. In addition to raising the grades of the site, the project replaces the existing roadway with new hardscape and landscape features to accommodate the existing Harbor Master Building and public access requirements to be imposed by BCDC. The project provides ADA improvements to the guest dock and constructs a small shelter to protect ferry patrons from the elements. The project footprint is consistent with the long-term development goals for the site.

The cost to implement the maintenance project is estimated to be between \$4 million to \$8 million, depending on the type of surface improvements constructed and any environmental mitigations required by regulatory agencies. Completion of the maintenance project ensures compliance with the Regional Water Quality Control Board (RWQCB) Order, and maintains and improves access to the area until the long-term project is complete.

Amending the existing Consulting Services Agreement with Wilsey Ham is necessary to update the scope of services to include the following:

- Preparation of Regulatory Permit Applications including preliminary engineering with 35% plans for Geotechnical, Civil Engineering, and Landscape Architecture and complete project narratives.
- Environmental Clearance for CEQA and NEPA documentation  
*(May require public outreach, Planning Commission and City Council approval)*
- Prepare Final Plans and Specifications/bid documents for the Phase 1 project

Wilsey Ham has provided a detailed proposal (Exhibit B) in the amount of \$710,790 to cover the above items. The proposed scope of services defined by the following tasks:

1. Project Management and Coordination
2. Record Search and Site Investigation
3. Development of Alternatives and Recommendations
4. Preliminary Design
5. Environmental Permitting and Clearance
6. Public Outreach
7. 65% Design
8. Pre-Final 95% Design
9. Final Bid Documents
10. Bid and Construction Support Services

The original RFP/procurement process used to award the Consulting Services Agreement with Wilsey Ham complies with the City's procurement policies. The Amendment to the Consulting Services Agreement with Wilsey Ham meets the intent of the original RFP and the City's purchasing ordinance.

The original agreement with Wilsey Ham was for an amount not to exceed \$461,655. The remaining \$211,655 from the original contract amount can be applied to the amended agreement fee of \$710,790. An additional \$500,000 is necessary to fund the updated scope of services in an amount not to exceed \$961,655.

Anticipated Schedule:

- City Council Approval of Contract Amendment December 8, 2021  
with Wilsey Ham
- 18 months to complete permitting Complete by June 2023
- 6 months to complete bid documents Complete by December 2023
- Begin Construction June 2024
- Complete Construction December 2024

### FISCAL IMPACT

The adopted fiscal year (FY) 2021-22 Capital Improvement Program (CIP) includes \$1 million in Federal American Recovery Plan (ARPA) funds appropriated for this project. In addition, the CIP includes \$350,000 in Transportation Authority Measure A funds and \$350,000 in General Funds appropriated in prior years. Staff will work to maximize the use of the TA grant funds for the design so that any remaining ARPA funds can be utilized for construction.

The FY 2021-22 CIP budget (pf2002) includes sufficient funds to complete the amended Consulting Services Agreement.

The following is a summary of the proposed updated design project budget

Wilsey Ham Fee	\$ 961,655
Design Contingency (10%)	\$ 96,166
Total Project Design Funding	\$1,057,821
<b>Available Total Project Budget</b>	<b>\$ 1,700,000</b>

### RELATIONSHIP TO STRATEGIC PLAN

Approval of this action will contribute to the City's Strategic Plan outcome of improved Quality of Life (Priority 2) by protecting the environment, and creating an opportunity for future development.

### CONCLUSION

Staff recommends that the City Council adopt a resolution approving a First Amendment to the Consulting Services Agreement with Wilsey Ham of San Mateo, California, increasing the contract amount by \$500,000 to an amount not to exceed \$961,655 for design services of the Harbor Master Spit Project (Project No. pf2002), authorizing the City Manager to execute said First Amendment.

### **Attachments:**

1. Project Location Map
2. Proposal from Wilsey Ham
3. PowerPoint Presentation

