

# TOWN OF FAIRFAX

## STAFF REPORT

**TO:** Mayor, Members of the Town Council      **DATE:** March 14, 2013  
**FROM:** Garrett Toy, Town Manager <sup>GT</sup>  
**SUBJECT:** Approval of contract with Coastland Engineering for construction management services for the School Bike Lane (Bike Spine) Project

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### Recommendation

Authorize the Town Manager to execute an amendment to the contract with Coastland for construction management services for the Bike Spine Project (Project) in an amount not to exceed \$27,475.

### Discussion

We have a comprehensive contract with Coastland to provide services to the Town including plan checking and various other engineering related services. In the absence of a Public Works Director, we also use Coastland for oversight of public works projects like this one and present them to the Council as amendments to the main contract. Coastland prepared the specifications and bid packet for the Bike Spine Project. In the past, Coastland has provided similar services for Town projects which were completed to our satisfaction, with one significant exception. Staff has met with Coastland to discuss the Pastori sidewalk project and have received assurances that such a situation will not arise again. Staff did not solicit other proposals because: 1) the cost savings would be minimal (if any) due to the size of the project and Coastland's familiarity with the Project and 2) we wanted to avoid any project delays related to soliciting proposals for the construction management. Specifically, the construction contract has been awarded and the contractor is only waiting for good weather to proceed. However, if staff were to solicit proposals for construction management services, the possibility exist the project would be delayed until the Council could approve a contract with a firm.

### Fiscal Impact

Project is budgeted in Fund 51-CIP-Grants (Project #51-755). We anticipate reimbursement by Measure "A" funding.

### Attachments

Proposed contract amendment and scope of work

AGENDA ITEM # 2

**AMENDMENT NO. 5  
TO  
PUBLIC AGENCY AGREEMENT**

**WHEREAS**, the **Town of Fairfax** hereinafter referred to as "**Agency**" and **Coastland Civil Engineering, Inc.**, hereinafter referred to as "**Consultant**" entered into a Public Agency Agreement on June 4, 2009 for providing City Engineering Services; and

**WHEREAS**, on November 30, 2010, the Agency extended the June 4, 2009 Public Agency Agreement for providing City Engineering Services; and

**WHEREAS**, the Agency has determined that the Agency needs construction management and inspection services for the School Bike Route Project; and

**WHEREAS**, the Agency does not have the current staff with expertise to provide these services and needs to retain a consultant with the appropriate experience for this work; and

**WHEREAS**, Consultant has experienced staff with the proper experience and background to carry out the duties involved for this work; and

**WHEREAS**, Agency wishes to retain Consultant for the performance of said services.

**THEREFORE**, Agency and Consultant mutually agree to amend the Public Agency Agreement dated June 4, 2009 and extended on November 30, 2010 to include the scope of work and additional fee as follows:

**Scope of Work**

All work associated with School Bike Route Project shall be per the scope of work attached as Exhibit "A".

**Payment Terms**

For Consultant Services associated with School Bike Route Project, Agency agrees to pay Consultant in accordance with the payment terms provided on Exhibit "B" attached hereto and incorporated herein by this reference.

**IN WITNESS HEREOF**, the parties have caused their authorized representative to execute this amendment on \_\_\_\_\_, 2013.

**TOWN OF FAIRFAX "AGENCY"**

BY: \_\_\_\_\_

**COASTLAND CIVIL ENGINEERING, INC. "CONSULTANTS"**

BY: \_\_\_\_\_  
John L. Wanger, CEO

## **Exhibit "A"**

### **SCOPE OF WORK**

#### **PROJECT UNDERSTANDING**

The Town of Fairfax is proposing bicycle improvements in the vicinity of White Hill Middle School, Cascade Canyon School and Manor Elementary School. The project will install signage and pavement markings for identified bike routes to schools. The overall project goal is to improve safety for student bicyclists and increase awareness of motorists.

On November 7, 2012, the Town awarded a construction contract for this project to Bruce Enterprises in the amount of \$96,157. However, we understand that the work will be deferred until the Spring of 2013.

To complete these improvements and ensure the project is constructed in compliance with the project plans and specifications, the Town of Fairfax is requesting construction management and inspection services.

To meet the scheduling and budgeting goals of the project, it is important for the construction management consultant to be committed to identifying issues and constraints early on in order to provide a cost-effective approach to the Town's project. Coastland has in-house design staff who are already familiar with the project. Our design staff will provide project oversight and coordination to minimize potential cost overruns and delays.

The following scope of services describes the tasks we will perform for the successful construction management of this project and outlines our approach.

#### **SCOPE OF SERVICES**

##### **Task 1 – Pre-Construction Meeting**

In the Spring of 2013 when dryer and warmer weather are expected, our Construction Manager will schedule and administer the pre-construction meeting. During this meeting we will establish lines of communication and decision making roles with all project stakeholders. We will also discuss safety requirements, responsibilities of the project team members, working hours, quality control procedures, submittal requirements, project schedule, change order and potential claim procedures, and safety procedures.

Coastland will be responsible for generating pre-construction meeting invitations including the meeting agenda. Agenda items include lines of communication, public relations, safety, submittals, change procedures, payments, progress schedules, contract time, requests for information, expectations, and other applicable items. Coastland will prepare and distribute meeting minutes to all parties.

## **Task 2 –Site Visit and Documentation**

Coastland will take pre-construction digital photos of the construction site with special attention given to sensitive areas including all private property affected by and adjacent to the project. These photos will be logged, labeled and filed with the project files.

## **Task 3 – Project Start-Up**

Coastland will assemble project files in accordance with the Town's standard format for administration. Coastland uses Primavera Contract Manager software which provides an efficient centralized system for document control to create, store, organize, track, and link all project information. Primavera Contract Manager software will distill the constant flow of paperwork to a form that quickly and easily identifies trends and critical issues and will help keep the project moving as it helps document the work. The use of Contract Manager reduces administrative costs, facilitates clearer communication, enhances the sense of a "team effort," and eliminates disputes.

## **Task 4 - Daily Field Inspections and Documentation**

A critical aspect of our services is maintaining close communication with Town staff to ensure scheduling/quality goals are met. To help maintain close communication, Coastland's inspector will be accessible to the Town at all times at the project site and through the use of email and cellular phones. While on-site, the inspector will examine construction activities and ensure that the contract work adheres to the contract documents, Town standards and the established schedule.

We will maintain records and provide documentation of the work in the form of daily reports, working days statements, weekly summary of construction activities, deficiency lists, and progress photographs of construction activities. Daily reports will describe the contractor's level of effort, specific work being done, started, or finished, and relevant points raised by the contractor that may require consideration and response. We also document proposed change orders and claims, important conversations, safety issues or accidents, extra work in progress, materials testing performed, information for "as-built" drawings, quantities for progress payments, environmental concerns and hazardous materials.

Coastland will provide a digital photo logbook of construction activities, progress, and areas of concern or interest. The photo log will be compiled on CD's and will identify the location and date of each photo. The log will be maintained through the duration of the project to assure continuity from one week to the next, and will be submitted to the Town at the close of the project.

Coastland will continually review the specifications and plans to ensure the work is of good quality and meets the requirements of the contract documents. This review can improve constructability, reduce costs, eliminate ambiguities and improve clarity. We will immediately report any deviation from the approved contract documents.

## **Task 5 – Progress Meetings**

Coastland will conduct bi-weekly or as needed coordination and progress meetings to focus on completed and upcoming work, any construction delays, updating the schedule, proposed changes, change orders, contractor's questions, public relations, safety and other concerns that are identified by a project team member. We will work to foster honest, open communication at these weekly meetings which will help in timely resolution of any disputes and/or potential claims.

## **Task 6 – Status Reports and Documentation**

6a – Reports: It is important to keep the Town informed regarding public relations, progress of the work and costs of the project. We will document construction issues with the following: Weekly Statement of Working Days, Progress Meeting Minutes, Field Directive Log, change order tracking and regular phone calls and e-mails. We will also assist with funding administration in the field, including interviewing workers to ensure compliance with EEO requirements.

6b – Submittal Management: Coastland will coordinate all submittals and monitor the status of the submittals to assure the contractor provides timely response. At the pre-construction conference, we will provide the contractor with a log of all required submittals and due dates. Submittals will be stamped, logged and distributed to the designer for complete review and approval. Submittals will be filed numerically and approved copies will be distributed to the Town, project members, and the contractor.

6c – Requests for Information (RFI): Coastland will receive and log all Requests for Information (RFI's) from the Contractor, and forward the RFI to the designer. Coastland will track the status of all RFI's by generating a weekly RFI log that lists the "Ball-in-court" status, description, and if an RFI results in a potential change order.

6d – Change Order Management: In the event that a change order is required, Coastland will assist in the negotiation of the changes with the contractor and prepare documentation. All changes will be approved by the contractor, Coastland and the Town prior to starting work on the change. With the City's approval, Coastland can assist in the negotiation with the contractor to produce the best construction method for the change at the lowest cost. If a change order requires input from the design engineer, our Construction Manager will coordinate with them to ensure it is reviewed. A Change Order Log will be created that will show Change Order number, description, status, approved date, start and completion dates and cost.

## **Task 7 – Construction Management**

Our goal is to ensure that construction and contract administration are performed in compliance with the Town's requirements and the project plans and specifications. To accomplish this goal, our Construction Manager will provide part-time assistance to oversee inspection and manage the construction activities with the contractor. He will be accessible to the Town at all times. The Construction Manager will be responsible for keeping the Town informed of the progress of the project, changes that may be needed, pay estimate input and releasing information to the public. Our Construction Manager will

be available to discuss the best possible options for uncommon situations or contractor issues that impact the project. In addition, our Construction Manager will complete all contract administration documentation in a timely, accurate and orderly fashion.

### **Task 8 – Cost and Schedule Management**

Coastland will continually review the construction progress and perform field measurements and quantity calculations. Each month we will provide accurate calculations for all work items completed and accepted to provide progress payment recommendations to the Town. Coastland will review the contractor's progress pay estimate request and schedule of values to assess if they are accurate, and will compare this to the field measurements and quantity calculations. Coastland will continually monitor project costs and keep the Town informed on a regular basis.

We will review the contractor's construction schedule for accuracy, reasonableness, and will verify that it meets the project schedule, order of work, and contract requirements. Progress schedules will be reviewed weekly to ensure the contractor is meeting the critical dates. If he fails to meet critical dates, it will immediately be brought to his attention and remedies to get back on schedule will be accomplished. Schedule updates may be required once a month or more. We will negotiate any time extensions for the contractor due to change orders, weather, or other delays. Coastland will also maintain an as-built progress schedule.

### **Task 9 – Public Relations and Notifications**

To be proactive in eliminating any public concerns, we will ensure that no less than a 48-hour advance notice be given to residents regarding any roadwork, closures, and detours directly affecting the right-of-way. Our Inspector will provide introductions to the public and provide his contact phone number to all residents. Additionally, Coastland will accurately document pre-construction conditions with a photolog to verify the project area is restored to its original form following construction. Our goal is to minimize calls to the Town by using our on-site inspector to respectfully communicate with residents and discuss any concerns.

### **Task 10 – Conflict Resolution**

Coastland's goal is to avoid all unnecessary claims and resolve conflicts during construction. The starting point for avoiding conflicts or notices of potential claims is a clear, biddable set of plans and specifications. Coastland will work to eliminate conflicts by keeping the lines of communication open, and being open and responsive with the contractor. Progress meetings are important to foster communications and to resolve conflicts quickly. We have found that most conflicts (or just RFI's) can be thoroughly discussed and defused at these meetings. The key is to foster a good, working rapport with the contractor and demonstrate that we are trustworthy, honest and professional which Coastland staff currently has with local contractors. Additionally, Coastland will maintain thorough documentation of the contractor's field activities so that we know exactly what, when, where and why an issue or conflict occurred, and not have to rely on memory or the contractor's version of what happened.

These tasks help reduce the likelihood of change orders during construction or post-construction claims from the contractor; however, if claims are filed at the completion of the project we will have the documentation to assist in any negotiations. No work will be performed under this task unless specifically authorized in writing by Town staff.

### **Task No. 11 – Post-Construction Meeting**

Following completion of the work, Coastland will organize and conduct the post-construction meeting. The meeting will document all requirements necessary for final closeout and payment, and confirm all contract obligations have been met. Recommendations for improvement will be made and incorporated into future projects. The results of the meeting will be summarized in meeting minutes.

### **Task 12 – Project Closeout**

Coastland will help the Town comply with all pertinent requirements and verify completion of punch list items, obtain closing documentation from permitting agencies, verify mitigation measures have been implemented, issue Notice of Completion, prepare recommendations for final acceptance of the project, review as-builts for accuracy and completeness and prepare and recommend final payment. At the completion of the project, we will provide the following:—

- Record drawings consisting of bond copies with mark-ups.
- All contract files and records (hard file & electronic)
- Annotated journal of photos and CD of digital photos

### **EXCEPTIONS TO THE SCOPE OF WORK:**

The following work is not included in our proposal. However, Coastland would be pleased to provide these services if the Town desires:

- Environmental assistance/soil contamination.
- Right-of-way determination or preparation of associated documents.
- Obtaining right-of-entries for work on private property.
- Permitting fees.
- Potholing of utility locations, associated survey or coordination.
- Construction staking (to be provided by contractor).
  - Materials testing.

**Exhibit "B"**  
**ESTIMATED COST**

Based on our Scope of Work, we have prepared a detailed budget that identifies staffing rates, total cost per task, and direct expenses. Please note that our budget is based on the following assumptions:

- 20 working days.
- Full-time inspection (8 hours daily).
- Part-time construction management (2.5 hours daily).

We are proposing that the construction services be completed for a not-to-exceed fee of \$27,475 (see Work Estimate on following page). This amount assumes all of the work for this project will fall under the Scope of Work described in our proposal.



# WORK ESTIMATE

School Bike Route		Proposal for Construction Management & Inspection Services					Town of Fairfax		
TASK INFORMATION		BILLING INFORMATION					HOURS AND COST INFORMATION		
Task No. (Costland Code)	Task Information	CM	Inspector	Superv. Engineer	Admin	Direct Costs	Total Hours	Total Costs	Comments
		\$135	\$110	\$154	\$75				
1 (700)	Pre-Construction Meeting	3	3		1		7	\$810	
2 (700)	Site Visit & Documentation	3	4				7	\$845	Job walk / photos
3 (700)	Project Start-Up	4	6		2		12	\$1,350	Set up filing / CM program
4 (702)	Daily Field Inspection		52				52	\$5,720	Based on 20 working days
5 (704)	Progress Meetings	9	8				17	\$2,095	Assumes attendance at 3 meetings
6 (704)	Status Reports & Documentation	3	28		1		32	\$3,560	Review of progress/documentation
6a	Reports	2	10		1		13	\$1,445	
6b	Submittal Management	2	10		1		13	\$1,445	Based on 10 submittals
6c	Requests For Information	2	6		1		9	\$1,005	Based on 2 RFIs
6d	Change Order Management	2	6				8	\$930	assumes 1 change order
7 (704)	Construction Management	6					6	\$810	
8 (704)	Cost and Schedule Management	2	8				10	\$1,150	Based on 1 monthly payment
9 (710)	Public Relations & Notifications	2	6				8	\$930	
10 (710)	Conflict Resolution	2	6				8	\$930	
11 (709)	Post-Construction Meeting	3	3				6	\$735	
12 (709)	Project Closeout	5	4		2		11	\$1,265	As-builts / files
	Vehicle & expenses					\$2,450		\$2,450	175 hours x \$14/hr= \$2,450
	<b>Total Hours</b>	50	160	0	9		219		
	<b>Project Total</b>	\$6,750	\$17,600	\$0	\$675	\$2,450		\$27,475	

**Notes:**

20 working days.

full-time inspection (8 hours/day)

part-time construction management (2.5 hours/day)

an estimated number of RFIs, change orders and submittals shown above.