



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Bill Guerin,
Director of Public Works

City Manager Approval:  _____

TOPIC: SOUTHERN HEIGHTS BRIDGE REPLACEMENT

SUBJECT: RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A FOURTH AMENDMENT TO THE AGREEMENT WITH MARK THOMAS & COMPANY, INC. FOR SLOPE STABILITY ANALYSIS, IN AN ADDITIONAL CONTRACT AMOUNT NOT TO EXCEED \$51,789

RECOMMENDATION:

Adopt a resolution approving and authorizing the City Manager to execute a third amendment to the Professional Services Agreement with Mark Thomas and Company, Inc. (Mark Thomas) for slope stability analysis in an amount not to exceed \$51,789, increasing the total not-to-exceed amount under the agreement to \$949,831.

BACKGROUND:

During a routine bridge inspection conducted by Caltrans, the Southern Heights Bridge was identified as needing to be reconstructed to meet current design, structural, and safety standards. In June 2016, the City entered into a Professional Services Agreement with Mark Thomas & Company, Inc. to begin preliminary services and public outreach for this project. In December 2017, the City Council approved a first amendment to this agreement to perform final design and right of way services. In February 2019, Council approved a second amendment to this agreement to perform additional final design and right of way services. In June 2020, the City Council approved a third amendment to this agreement for construction support and additional right of way services.

On December 14th, 2020 the City's contractor began construction of the Southern Heights Bridge Replacement Project. The project is estimated to be completed in December 2021.

ANALYSIS: As a result of this project, construction activities along the steep hillside have disturbed the soil within the bridge footprint. This disturbance was already anticipated as part of the project design which included erosion control measures such as the installation of soil retaining netting, hydroseeding, rip-rap, and new tree plantings. However, several residents have expressed concern whether these measures are sufficient to prevent a future landslide.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

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On October 12, 2021, City staff met with design staff from Mark Thomas and their geotechnical subconsultant, Parikh Consultants at the Southern Heights Bridge construction site to discuss the post-construction slope stability of the soils under the bridge deck. The design team recommended that the City have a slope stability analysis prepared of the current conditions to verify whether additional measures may be required to stabilize the slope under the bridge. City staff requested a proposal from Mark Thomas and their subconsultant to amend the existing professional services agreement to include a slope stability analysis.

FISCAL IMPACT: The proposed fourth amendment to the professional services agreement will increase the agreement by \$51,789. This amount will be appropriated in the Capital Project Fund 401. City staff will seek reimbursement of these expenses through the Caltrans Highway Bridge Program grant.

OPTIONS: The City Council has the following options to consider relating to this matter:

1. Adopt the resolution as presented.
2. Do not adopt a resolution and provide further direction to staff.

RECOMMENDED ACTION: Adopt a resolution approving and authorizing the City Manager to execute a fourth amendment to the agreement with Mark Thomas & Company, Inc. to conduct a slope stability analysis in an amount not to exceed \$51,789.

ATTACHMENT:

1. Resolution Approving and Authorizing the City Manager to Execute a Fourth Amendment to the Agreement with Mark Thomas & Company, Inc. for Slope Stability Analysis, in an Additional Contract Amount Not to Exceed \$51,789
2. Fourth Amendment to Professional Services Agreement with Mark Thomas & Company, Inc for the Southern Heights Bridge Replacement Project, and corresponding Exhibit A: Scope of Work

RESOLUTION NO.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A FOURTH AMENDMENT TO THE AGREEMENT WITH MARK THOMAS & COMPANY, INC. FOR SLOPE STABILITY ANALYSIS, IN AN ADDITIONAL CONTRACT AMOUNT NOT TO EXCEED \$51,789

WHEREAS, pursuant to City Council Resolution #14129, the City of San Rafael and Mark Thomas & Company, Inc. (“Mark Thomas & Co.”) entered into a Professional Services Agreement on June 7, 2016, for preliminary engineering and public outreach in connection with City’s Southern Heights Bridge Replacement project, for an amount not to exceed \$241,568 (the “Agreement”); and

WHEREAS, pursuant to City Council Resolution #14439, the City and Mark Thomas & Co. entered into a First Amendment to the Agreement dated December 26, 2017, to perform final design and right of way services for an amount not to exceed \$343,499 and increasing the total not to exceed amount under the Agreement to \$585,067; and

WHEREAS, pursuant to City Council Resolution #14634, the City and Mark Thomas & Co. entered into a Second Amendment to the Agreement dated February 8, 2019, to perform additional final design and right of way services for an amount not to exceed \$132,777 and increasing the total not to exceed amount under the Agreement to \$717,844; and

WHEREAS, pursuant to City Council Resolution #14826 on June 15, 2020, the City and Mark Thomas & Co. entered into a Third Amendment to the Agreement dated 2020, for construction support and additional right of way services for an amount not to exceed \$180,198 and increasing the total not to exceed amount under the Agreement to \$898,042; and

WHEREAS, the City requires a slope stability analysis for the slope under the newly constructed Southern Heights Bridge; and

WHEREAS, staff received a proposal from Mark Thomas & Co. for said services in a total amount not to exceed \$51,789 and staff has reviewed the proposal and found it complete and within industry standards;

WHEREAS, \$51,789 will be appropriated in Capital Project Fund 401 pending reimbursement from the Caltrans Highway Bridge Program grant;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL RESOLVES as follows:

1. The Council hereby approves and authorizes the City Manager to execute a fourth amendment to the Agreement with Mark Thomas & Company, Inc. for slope stability analysis in connection with the Southern Heights Bridge Replacement Project, in the amount of \$51,789 and a revised total contract value not to exceed \$949,831 in the form included with the staff report supporting this resolution, subject to final approval as to form by the City Attorney.
2. The Director of Public Works is hereby authorized to take any and all such actions and make changes as may be necessary to accomplish the purpose of this resolution.

I, **LINDSAY LARA**, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on the 6th day of December 2021, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

**FOURTH AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH
MARK THOMAS & COMPANY, INC. FOR PROFESSIONAL SERVICES FOR THE
SOUTHERN HEIGHTS BRIDGE REPLACEMENT PROJECT**

THIS FOURTH AMENDMENT to the Professional Services Agreement by and between the **CITY OF SAN RAFAEL** (hereinafter “**CITY**”), and **MARK THOMAS & COMPANY, INC.**, (hereinafter “**CONSULTANT**”), is made and entered into as of the _____ day of _____, 2021.

RECITALS

WHEREAS, pursuant to City Council Resolution #14129, the **CITY** and **CONSULTANT** entered into a Professional Services Agreement on June 7, 2016, for preliminary engineering and public outreach in connection with **CITY’S** Southern Heights Bridge Replacement project, for an amount not to exceed \$241,568 (the “Agreement”); and

WHEREAS, pursuant to City Council Resolution #14439, the **CITY** and **CONSULTANT** entered into a First Amendment to the Agreement dated December 26, 2017, to perform final design and right of way services for an amount not to exceed \$343,499 and increasing the total not to exceed amount under the Agreement to \$585,067; and

WHEREAS, pursuant to City Council Resolution #14634, the **CITY** and **CONSULTANT** entered into a Second Amendment to the Agreement dated February 8, 2019, to perform additional final design and right of way services for an amount not to exceed \$132,777 and increasing the total not to exceed amount under the Agreement to \$717,844; and

WHEREAS, pursuant to City Council Resolution #14826 on June 15, 2020, the **CITY** and **CONSULTANT** entered into a Third Amendment to the Agreement dated 2020, for construction support and additional right of way services for an amount not to exceed \$180,198 and increasing the total not to exceed amount under the Agreement to \$898,042; and

WHEREAS, the City requires a slope stability analysis for the slope under the newly constructed Southern Heights Bridge; and

WHEREAS, staff received a proposal from Mark Thomas & Company, Inc. (Exhibit A) for said services in a total amount not to exceed \$51,789 for the fourth amendment and staff has reviewed the proposal and found it complete and within industry standards;

AMENDMENT TO AGREEMENT

NOW, THEREFORE, the parties hereby agree to amend the Agreement as follows:

1. Article II of the Agreement, entitled "STATEMENT OF WORK" is hereby amended to include the additional services set forth in **CONSULTANT's** proposal entitled "Scope of Services" dated November 21, 2021, attached to this Fourth Amendment as "Exhibit A" and incorporated herein by reference.
2. Article V of the Agreement, entitled "ALLOWABLE COSTS AND PAYMENTS" is hereby amended to include additional compensation payable to **CONSULTANT** for the services described in "Exhibit A" to this Fourth Amendment, on a time and materials basis in accordance with the "Scope of Services" included in "Exhibit A", in a not to exceed amount of \$51,789, and to change the total not to exceed amount under the Agreement to \$949,831.
3. Except as specifically amended herein, all the other provisions, terms, and obligations of the Agreement between the parties shall remain valid and shall be in full force.

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment on the day, month, and year first above written.

CITY OF SAN RAFAEL

CONSULTANT:

MARK THOMAS & COMPANY, INC.

JIM SCHUTZ, City Manager

By: _____

Name: _____

ATTEST:

Title: _____

and

LINDSAY LARA, City Clerk

By: _____

APPROVED AS TO FORM

Name: _____

Title: _____

ROBERT F. EPSTEIN, City Attorney

SCOPE OF WORK

TASK 1. SLOPE STABILITY ANALYSIS

Task 1.1. Geotechnical Investigation

Parikh will drill one short boring on the slope to verify the soil / rock condition. This will require portable equipment and preparation of a level pad to setup the tripod and Minuteman drill rig. A long day of drilling work is expected. For the steep slope, the standard jute netting may not be adequate, and Parikh will work with Mark Thomas to consider more heavy-duty erosion control products. Parikh will also evaluate the slope profile and determine if a bench/break in the middle of the slope would be helpful. The possibility of installing short landscape timber walls to terrace the slope may also be considered. Parikh assumes discussion and interaction with the Mark Thomas and the City will be necessary. A geotechnical memo summarizing the geotechnical recommendations will be prepared.

Task 1.2. Topographic Survey

Mark Thomas will perform a field survey to establish control to facilitate topographic surveys of the site. Inter-visible local project horizontal control (NAD83) and vertical control (NAVD88) will be established to facilitate a terrestrial scan of the slope. Control point coordinates, basis of bearings and coordinates, and benchmark notes will be provided to show on plans. Topographic mapping of the roughly 950 feet of slope will be sufficient to serve as the basis for design of slope stability improvements. This scope of work assumes one day of field work for the control, and one extended day of field work for the topographic survey.


Task 1.3. Slope Stability/Erosion Control Design

Mark Thomas will prepare erosion control plans including revised planting and irrigation plans. Structure plans will be developed for the landscape timber walls if recommended for slope stability by Parikh. Up to four plan sheets will be prepared based on the post-construction survey and geotechnical recommendations.

DELIVERABLES

- Geotechnical Memo
- Post-construction topographic survey
- Slope Stability/Erosion Control Plans

COST PROPOSAL FOR PROJECT SCOPE: San Rafael-So Heights Bridge Replacement (AM #4)

													Subs	TOTAL COST	
	Sr. Project Engineer \$181	Project Engineer \$159	Design Engineer II \$138	Survey Manager \$215	Sr. Project Surveyor \$191	Survey Technician \$97	2 Person Field Crew \$319	LAUD Project Manager \$204	Landscape Architect \$144	Sr. Project Coordinator \$140	Total Hours	Total MT Cost	Parikh DBE		
1.0 SLOPE STABILITY ANALYSIS															
1.1 Geotechnical Investigation											0	\$0	13,439	\$13,439	
1.2 Topographic Survey				4	12	40	22				78	\$14,054	-	\$14,054	
1.3 Slope Stability/Erosion Control Design	16	24	40					4	36	4	124	\$18,796	-	\$18,796	
Subtotal Phase 1	16	24	40	4	12	40	22	4	36	4	202	\$32,850	\$13,439	\$46,289	
TOTAL HOURS	16	24	40	4	12	40	22	4	36	4	202				
OTHER DIRECT COSTS												\$0	\$5,500	\$5,500	
TOTAL COST	\$2,904	\$3,811	\$5,531	\$860	\$2,295	\$3,889	\$7,011	\$817	\$5,172	\$562		\$32,850	\$18,939	\$51,789	