



# STAFF REPORT

## SAUSALITO CITY COUNCIL

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### AGENDA TITLE:

Approving an Amended and Restated Professional Services Agreement with Noble Consultants for Geotechnical Testing and Final Design of the Sausalito Yacht Harbor – Bay Street Bulkhead Replacement Project

### RECOMMENDED ACTION:

Adopt a Resolution of the City Council of the City of Sausalito Approving and Authorizing the City Manager to Execute an Amended and Restated Professional Services Agreement with Noble Consultants for Geotechnical Testing and Final Design of the Sausalito Yacht Harbor – Bay Street Bulkhead Replacement Project

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### SUMMARY

As indicated to Council during the course of its November 23, 2010 regular meeting, additional pre-bid services are necessary from Noble Consultants, Inc. for delivery of the Project to replace the existing, deteriorated wooden bulkhead. At that time Staff had received a proposal for an agreement amendment from Noble with a budget of \$13,000. Since then, the need for certain additional geotechnical testing in advance of the start of construction has been identified and in order to maintain the Project schedule, Staff is seeking Council approval to amend Noble's contract to provide not only for the additional design services originally identified as necessary, but also to acquire the necessary geotechnical testing services. The total budget augmentation requested is \$33,000. With Council approval, Staff will finalize an amended and restated professional consulting services agreement for approval by the City Attorney and Noble and then provide executable originals to the City Manager. With Council approval of the requested budget augmentation, Noble's total authorized budget for the services rendered since October 2000 and to be rendered will be \$135,800.

Noble was originally retained in October, 2000. From time to time since Noble received Notice to Proceed from the City under the original agreement, additional scope, budget and/or modifications to the schedule for performance have been agreed to such that the total authorized compensation to Noble under the existing agreement as amended is \$102,800 as of this date. Staff recommends that an amended and restated Professional Services Agreement to be approved by the City Attorney and Noble be prepared and executed in the interests of timely and cost-effective Project delivery. The amended and restated agreement will include the additional services and budget proposed on the attached Exhibit "A".

## **FISCAL IMPACT**

The current (May 15, 2009) construction cost estimate for the concrete panel bulkhead is \$4,112,472 (see attached). Considering project management, inspection, potential utility relocations staff estimates the full cost to be approximately \$5,000,000.

Taking into account the encumbrance for Riedinger Consultants authorized by Council action of November 23, 2010 adequate funds are available for compensation of Noble under the proposed amended and restated agreement.

## **IMPACT**

No potential environmental impact has been identified in association with the contemplated action.

## **STAFF RECOMMENDATIONS**

Adopt a Resolution of the City Council of the City of Sausalito Approving and Authorizing the City Manager to Execute an Amended and Restated Professional Services Agreement with Noble Consultants for services necessary for timely delivery of the Project with total authorized compensation for services both rendered since Notice to Proceed against the October 11, 2000 agreement and to be rendered not to exceed \$135,800 without further approval.

## **ATTACHMENTS**

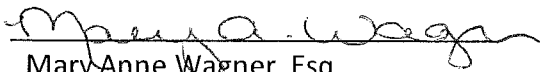
1. Resolution of the City Council of the City of Sausalito Approving and Authorizing the City Manager to Execute an Amended and Restated Professional Services Agreement with Noble Consultants for services necessary for timely delivery of the Project with total authorized compensation for services both rendered since Notice to Proceed against the October 11, 2000 agreement and to be rendered not to exceed \$135,800 without further approval
2. Exhibit "A" Proposal dated November 19, 2010 and Revised December 2, 2010

PREPARED BY:



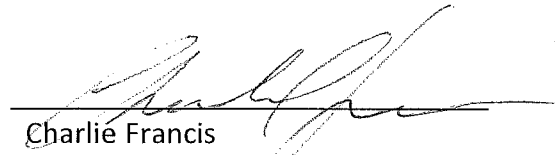
Jonathon Goldman  
Director of Public Works

REVIEWED BY:



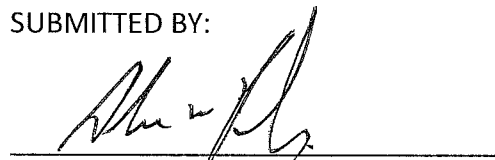
Mary Anne Wagner, Esq.  
City Attorney

REVIEWED BY:



Charlie Francis  
Administrative Services Director/Treasurer

SUBMITTED BY:



Adam W. Polizer  
City Manager



RESOLUTION No. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO  
APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN  
AMENDED AND RESTATED PROFESSIONAL SERVICES AGREEMENT WITH  
NOBLE CONSULTANTS FOR DESIGN SERVICES FOR  
THE SAUSALITO YACHT HARBOR – BAY STREET BULKHEAD REPLACEMENT  
PROJECT**

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**WHEREAS**, at regular meetings since 1999 or before and most recently on June 29, 2010 and with Minute Entry of September 28, 2010 the City Council of the City of Sausalito has considered the need for replacement of the bulkhead serving the Bay Street extension, Sausalito Yacht Harbor, the Spinnaker Restaurant and Spinnaker Point (the “Project”); and

**WHEREAS**, by Minute Entry of February 1, 2000 the City Council of the City of Sausalito authorized the City Engineer to proceed with design work for said Project ; and

**WHEREAS**, under that authority the City retained Noble Consultants with a Professional Services Agreement dated October 11, 2000 (the “Agreement”) for Field Investigations, Design, Preparation of Contract Documents, Preparation of Permit Applications, and Construction Engineering associated with the Project with an time- and materials compensation budget of \$56,000; and

**WHEREAS**, from time to time since Noble received Notice to Proceed from the City under said Agreement, additional scope, budget and/or modifications to the schedule for performance have been agreed to by the parties thereto such that the total authorized compensation to Noble under the existing Agreement as amended is \$102,800 as of this date; and

**WHEREAS**, in order to comply with the conditions of approval for the Project from some of the regulatory agencies with jurisdiction over the Project and maintain the schedule for Project delivery, certain additional testing and design revisions have been identified as necessary; and

**WHEREAS**, progress on the necessary price, terms and the agreement(s) necessary for Project delivery is being diligently made in parallel to the design and other processes necessary for construction; and

**WHEREAS**, Noble Consultants has the necessary skills, experience and expertise to provide the necessary additional testing and design revisions; and

**WHEREAS**, Noble Consultants has submitted a proposal to amend its existing Professional Services Agreement with the City to perform the necessary additional testing and design revisions (the “Proposal”); and

**WHEREAS**, said Proposal has been reviewed and approved by the City Engineer, the Director of Public Works, the City’s pre-bid construction management consultant, Riedinger Consultants, and representatives of the Sausalito Yacht Harbor (who have agreed to continue to contribute 50% of the funding for the design process); and

**WHEREAS**, said Proposal requests a budget of \$33,000 for the labor, materials, subconsultant testing services, and administration thereof necessary for the timely delivery of the Project; and

**WHEREAS**, with approval of the additional scope and budget proposed Noble's total authorized compensation under its existing Agreement as amended will be \$135,800; and

**WHEREAS**, the approved budget for FY2010-11 includes \$4,200,000 from the combined resources of the Tidelands Fund and said price, terms and agreement(s) necessary for Project delivery – an amount which, taking into account the encumbrance for Riedinger Consultants authorized by Council action of November 23, 2010 with Resolution No. \_\_\_\_\_, leaves adequate funds available for compensation of Noble under the Proposal; and

**WHEREAS**, Staff recommends that an amended and restated Professional Services Agreement to be approved by the City Attorney and Noble be prepared and executed in the interests of timely and cost-effective Project delivery.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Sausalito:

1. Approves and authorizes the City Manager to execute an amended and restated Professional Services Agreement with Noble Consultants for services necessary for timely delivery of the Project with total authorized compensation for services both rendered since Notice to Proceed against the October 11, 2000 agreement and to be rendered not to exceed \$135,800 without further approval.
2. Directs that the executed amended and restated Professional Services Agreement be attached to and incorporated into this Resolution.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Sausalito on the 7th day of December, 2010 by the following vote:

**AYES:** Councilmembers:  
**NOES:** Councilmembers:  
**ABSTAIN:** Councilmembers:  
**ABSENT:** Councilmembers:

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MAYOR OF THE CITY OF SAUSALITO

ATTEST:

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CITY CLERK

<b>NOBLE</b> CONSULTANTS, INC.
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November 19, 2010 REVISED 2DEC10

Mr. Jonathon Goldman  
 Director of Public Works  
 City of Sausalito  
 420 Litho Street  
 Sausalito, CA 94965

(emailed)

**Re: Sausalito Bulkhead Replacement  
 Request for Extra Work Services (Amendment 2)**

Dear Mr. Goldman:

We are herein requesting an amendment (Amendment 2) to our contract for engineering services related to the Sausalito Yacht Harbor Bulkhead Replacement Project. The extra work services include:

**1. Drainage System Design**

The purpose of this task is to comply with requirements from the County of Marin and the State Water Quality Control Board to treat surface runoff prior to entering the Bay. Based on City coordination with the agencies the design will be developed to comply with Attachment 4 to WQO 2003-0005-DWQ. Our work will include:

- a. Develop a Water Management Plan that meets the requirements of Marin County and is approved by the Water Quality Control Board.
- b. Coordinate with the agencies and the City on Plan details.
- c. Include Plan details into the Bulkhead Replacement Contract Documents (Plans and Specifications).

**2. Prebid Weekly Meetings**

The purpose of the meetings is to review weekly status of the project prior to construction bid advertisement.

- a. Attend up to eight (8) meetings.

**3. Test Pile Program Observation**

The purpose is to observe the test pile program and make recommendations regarding the final sheet pile lengths and design.

- a. Geotechnical engineer (Settgast Geoengineering, Inc.) observation of the test pile program, estimated at 8 hours.
- b. Design engineer partial observation of the test pile program, estimated at 4 hours.

Jonathan Goldman  
City of Sausalito  
Request for Contract Amendment 2

REVISED 2DEC10

November 19, 2010  
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- c. Geotechnical engineer review of data and preparation of letter recommending final sheet pile lengths.
- d. Revisions to drawings, if required.

Our proposed fee to perform these services is \$ 13,000. The following table contains a breakdown of the fee by task.

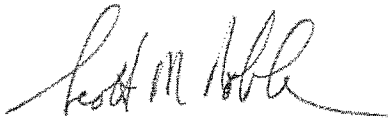
Engineering Fees by Task

Task	Fee
1. Drainage System Design	\$ 5,000
2. Prebid Weekly Meetings	\$ 3,000
3. Test Pile Program Observation	\$ 5,000
Total	\$13,000

We appreciate the opportunity to work with the City on this project. If you have any questions regarding this request please call.

Sincerely,

Noble Consultants, Inc.



Scott M. Noble, P.E.

cc: Todd Teachout, City of Sausalito

Allowance for subconsultant Geotechnical testing, and Noble oversight and administration  
\$20,000

Total proposed budget for Amendment No. 2: \$33,000