

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS  
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE August 22, 2006	(3) CONTACT/PHONE Rosemarie Gaglione, Project Manager (805) 788-2318	
(4) SUBJECT Request to Approve a Contract Amendment – TY Lin, International, San Luis Bay Drive Bridge Widening Project 300181 to increase the amount of the contract by \$256,013.			
(5) SUMMARY OF REQUEST Action will revise the existing agreement to extend the contract duration and cover work required under the Federal Bridge Replacement Program (HBRR). 88.57% of project costs can then be reimbursed under the Federal Program.			
(6) RECOMMENDED ACTION We recommend that your Honorable Board approve the amendment of our existing design contract with TY Lin, International. This amendment will increase the amount of the contract from \$544,250 to \$800,263 and extend the term of the contract to December 30, 2007.			
(7) Funding Sources HBRR, RSHA, Avila Road Impact Fees	(8) CURRENT YEAR COST Current Contract Cost: \$800,263	(9) ANNUAL COST -0-	(10) BUDGETED? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): Caltrans, Federal Highway Administration, State Water Resources Control Board, Army Corps of Engineers, National Marine Fisheries Service, U.S. Fish and Wildlife Service, Avila Valley Advisory Committee			
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____			
(13) SUPERVISOR DISTRICT(S) <input type="checkbox"/> 1st, <input type="checkbox"/> 2nd, <input checked="" type="checkbox"/> 3rd, <input checked="" type="checkbox"/> 4th, <input type="checkbox"/> 5th, <input type="checkbox"/> All	(14) LOCATION MAP <input checked="" type="checkbox"/> Attached <input type="checkbox"/> N/A	(15) Maddy Act Appointments Signed-off by Clerk of the Board <input type="checkbox"/> N/A	
(16) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)	(17) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions (Orig + 4 copies) <input checked="" type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input checked="" type="checkbox"/> Number: <u>1</u> <input checked="" type="checkbox"/> Attached <input type="checkbox"/> N/A	(19) BUDGET ADJUSTMENT REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A		
(20) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A	(21) W-9 <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	(22) Agenda Item History Date: 6-7-05	
(23) ADMINISTRATIVE OFFICE REVIEW  <p align="center" style="font-size: 2em;"><i>OK Justin Brown</i></p>			

Reference: 06AUG22-C-11

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*8-22-06  
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# SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Noel King, Director

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County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

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Fax (805) 781-1229

email address: [pwd@co.slo.ca.us](mailto:pwd@co.slo.ca.us)

**TO:** Board of Supervisors

**FROM:** Rosemarie Gaglione, Project Manager *RG*

**VIA:** Glen L. Priddy, Deputy Director of Public Works - Engineering Services *GP*

**DATE:** August 22, 2006

**SUBJECT:** Request to Approve a Contract Amendment – TY Lin, International, San Luis Bay Drive Bridge Widening Project P12A702 in the amount of \$256,013

## Recommendation

We recommend that your Honorable Board approve the amendment of our existing design contract with TY Lin, International. This amendment will increase the amount of the contract from \$544,250 to \$800,263, and extend the term of the Contract to December 30, 2007.

## Discussion

The Department of Public Works is developing this project to widen San Luis Bay Drive over San Luis Creek and improve the intersection with Avila Beach Drive. This project is contained in the adopted Avila Circulation Study and is the highest priority for Avila Valley Advisory Committee. The project is being funded by a combination of Highway Bridge Replacement and Rehabilitation (HBRR), Regional State Highway Account (RSHA) and Road Impact Fee (RIF) monies.

Numerous issues and hurdles have been encountered due to environmental restrictions and segregated work items based on various funding sources.

The increased costs are itemized and explained below (also see attachment).

1. The decision was made by the Project Manager for the County to remove Garing Taylor (a subcontractor for TY Lin), from their civil design responsibilities. This decision was based on a seeming lack of ability on the part of the subcontractor to deliver the necessary work in a timely manner and in accordance with the level of quality required. There were contractual issues, and a perceived lack of commitment to work towards a common goal.

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The overriding concern was that, given the problems being encountered with consistency and quality control, worse problems could result when a contractor actually went out and tried to build to lines and grades that were not accurate. While the County could have insisted that the prime consultant work with the subconsultant to remedy the various issues, it was deemed to be more cost effective to throw out the poor quality material and to direct the prime to redesign what had already been done by the subconsultant. This was done to ensure good quality road design and to prevent delays and claims from a construction contractor if problems were encountered in the field; these problems would have been far more expensive to solve. Also, if the work did not proceed more quickly, the County would miss the opportunity to get the contract out to bid in the summer of 2006. The work turned out to be more expensive than anticipated, because the subconsultant had used a software program that is not widely used and is considered somewhat archaic. (\$192,443)

2. The bike path was designed to fit within the project limits and to conform with the existing lines and grades at the end of those limits. Given these limits, the redesigned bike path was too steep to meet ADA standards. To make the connection to the westerly side of San Luis Bay Drive it was determined that the path would have to meander through adjacent property to an outlet in the parking lot at Laurel Lane and San Luis Bay Drive. New Right of Way maps and construction easements had to be prepared. The grade also had to be eased where the bike path will go through the abutment of the bridge. Doing so required that the hydraulic model be run again to ensure that the changes could be made without increasing the potential for flooding. (\$31,330)
3. All of these issues resulted in increased project management time. In the spirit of cooperation, Craig Drake is not charging the County for approximately 100 hours of additional project management time. (\$32,240)

### **Other Agency Involvement/Impact**

Caltrans is processing the funding and acting as lead federal agency. Federal Highway Administration, State Water Resources Control Board, Army Corps of Engineers, National Marine Fisheries Service, U.S. Fish and Wildlife Service will be regulatory agencies from which the County will seek approval. The Avila Valley Advisory Committee will be consulted as the project is developed.

### **Financial Considerations**

This is a multi-year project budgeted through Environmental Mitigation at \$4,694,284. This increase in cost for the Design Contract was not anticipated when the Fiscal Year 2006/07 Road Budget was prepared; however, we will wait to adjust the budget at the time of construction award when actual project costs are known. No budget adjustment is necessary at this time.

Please see Exhibit A for an estimated cost breakdown for the project.

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## Results

Amending this contract will allow the County to be reimbursed at 88.57% for all design engineering and construction costs related to the bridge widening. Construction of the project will result in a safer community by improving intersection operations at San Luis Bay Drive and Avila Beach Drive.

Attachments:       Vicinity Map  
                          Exhibit A Project Estimated Costs  
                          Project Schedule  
                          Amendment  
                          W-9

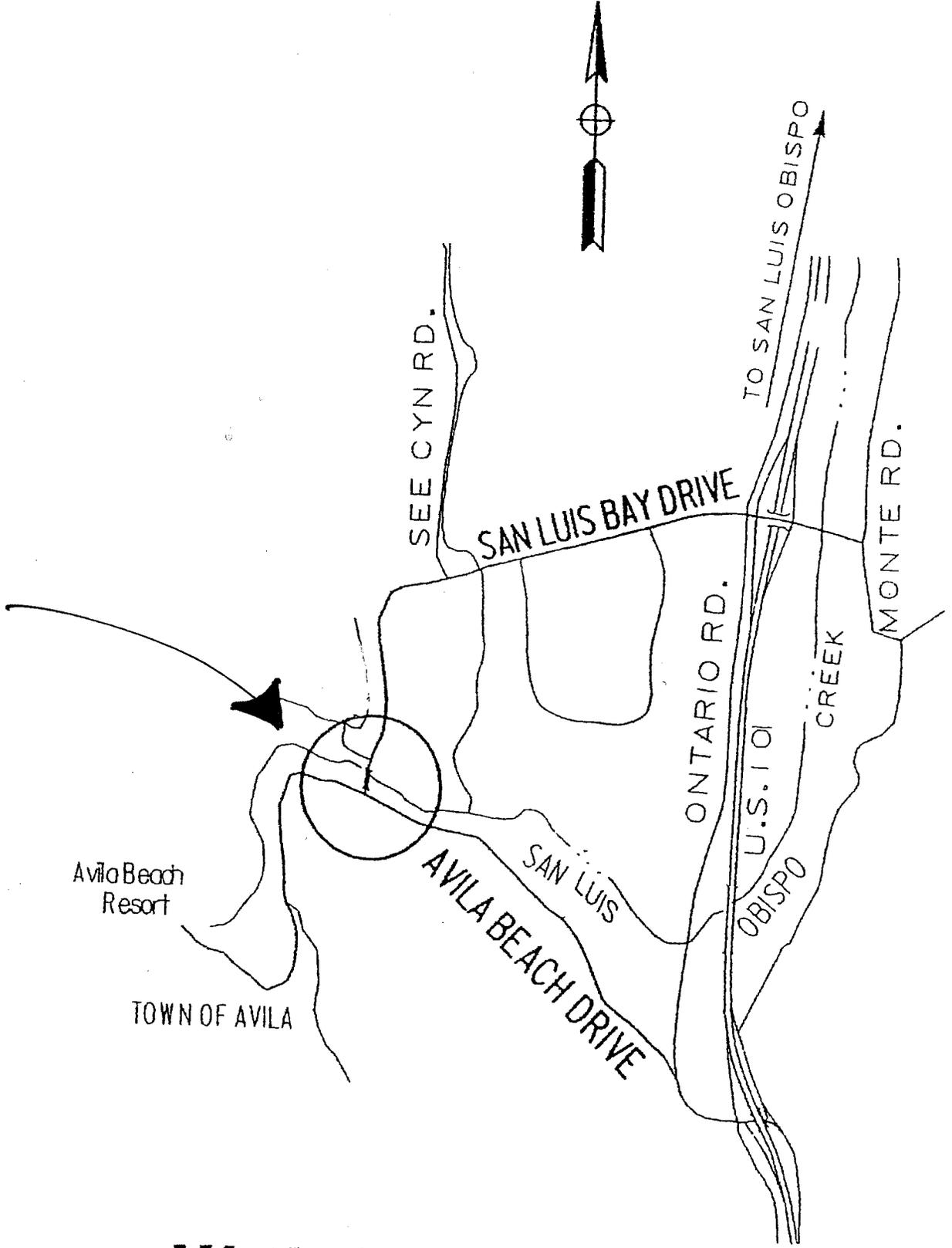
File: Contract No. P12A702

Reference: 06AUG22-C-11

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Project



# Vicinity Map

No Scale

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TO PISMO  
BEACH

## EXHIBIT A

Project Cost Estimates for  
San Luis Bay Drive Bridge Widening  
WBS 300181

Expenditures:	Prior Years Costs	2006/07 Project Budget	Total Project Budget	Estimated Project Costs
Preliminary Engineering	\$239,383	\$0	239,383	239,383
Environmental Document	119,850	0	119,850	124,850
Design *	336,000	0	336,000	600,717
Right of Way	41,118	97,495	138,613	166,613
Utility Coordination		20,000	20,000	22,000
Environmental Permitting		40,350	40,350	30,350
AD-15		33,035	33,035	44,285
Construction **		3,829,250	3,829,250	5,150,950
Environmental Mitigation		15,000	15,000	50,000
Total Expenditures	<b>\$736,351</b>	<b>3,957,933</b>	<b>4,694,284</b>	<b>6,429,148</b>
<b>Budget Funding Sources:</b>				
HBRRP*	503,798	3,031,401	\$3,535,199	\$4,701,462
RSHA	150,000		150,000	150,000
TEA		100,000	100,000	100,000
Avila Road Imp Fees	82,553	826,532	909,085	1,477,686
Total Funding	<b>\$736,351</b>	<b>3,957,933</b>	<b>\$4,694,284</b>	<b>\$6,429,148</b>

\*Estimated Design cost includes the contract increase of \$256,013 and the vendor overhead to be applied.

\*\* The budget will be adjusted at the time of award of construction when bids are in. The Department of Transportation has awarded advanced construction funds showing an increase in construction cost estimate. We will at that time also increase the associated HBRRP Revenue budgeted to that of expected.

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# P12A702 San Luis Bay Drive Bridge

ID	Project Number	Project Name	Task Name	Start	Finish	Duration	Predecessors
29	300181.06	San Luis Bay Drive	Relocation Scheduled	Thu 10/20/05	Fri 1/20/06	67 days	
30	300181.06	San Luis Bay Drive	Relocation of Utilities	Fri 1/20/06	Fri 1/20/06	0 days	29
31	300181.07	San Luis Bay Drive	AD-15 Processing	Tue 8/15/06	Thu 4/12/07	173 days	
32	300181.07	San Luis Bay Drive	Ready to Advertise Checklist	Tue 8/15/06	Tue 8/15/06	1 day	8,14,20
33	300181.07	San Luis Bay Drive	Contract Approved	Wed 8/16/06	Tue 8/29/06	10 days	
34	300181.07	San Luis Bay Drive	Board Letter	Tue 8/15/06	Tue 9/26/06	31 days	
35	300181.07	San Luis Bay Drive	Advertise	Tue 10/3/06	Thu 11/30/06	43 days	34
36	300181.07	San Luis Bay Drive	Notice of intent Filed	Mon 4/2/07	Thu 4/12/07	9 days	20,32
37	300181.07	San Luis Bay Drive	Bids Open/Board Letter	Fri 12/1/06	Thu 12/14/06	10 days	35
38	300181.07	San Luis Bay Drive	Bonds and Insurance	Wed 2/14/07	Tue 2/27/07	10 days	
39	300181.07	San Luis Bay Drive	Notice to Proceed	Tue 2/27/07	Tue 2/27/07	0 days	38
40	300181.08	San Luis Bay Drive	Construction	Wed 2/28/07	Tue 2/19/08	255 days	
41	300181.08	San Luis Bay Drive	Pre Construction Meeting	Wed 2/28/07	Wed 2/28/07	1 day	39
42	300181.08	San Luis Bay Drive	SWPPP Approved	Wed 3/28/07	Tue 4/10/07	10 days	
43	300181.08	San Luis Bay Drive	Construct	Wed 4/11/07	Tue 2/19/08	225 days	41,42
44	300181.08	San Luis Bay Drive	Notice of Completion	Tue 2/19/08	Tue 2/19/08	0 days	43
45	300181.09	San Luis Bay Drive	Environmental Mitigation	Wed 2/20/08	Tue 3/25/08	25 days	
46	300181.09	San Luis Bay Drive	Mitigation/Reveg Plan	Wed 2/20/08	Tue 3/25/08	25 days	44
47	300181.09	San Luis Bay Drive	Mitigation Complete	Tue 3/25/08	Tue 3/25/08	0 days	46

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**Project:** P12A702 San Luis Bay Drive  
**Date:** Thu 7/27/06

<b>Task</b>		<b>Summary</b>		<b>External Milestone</b>	
<b>Split</b>		<b>Rolled Up Task</b>		<b>External Tasks</b>	
<b>Progress</b>		<b>Rolled Up Split</b>		<b>Project Summary</b>	
<b>Milestone</b>		<b>Rolled Up Milestone</b>		<b>External Milestone</b>	

Rosemarie Gaglione, Project Manager

**AMENDMENT NO.2**

**TO**

**AGREEMENT FOR ENGINEERING, DESIGN AND ENVIRONMENTAL SERVICES  
CONTRACT NO. P12A702**

This Amendment No. 2 executed this \_\_\_\_\_ day of \_\_\_\_\_, 2006, to the Contract Agreement (Contract made by and between the County of San Luis Obispo (County) and TY LIN, International (Engineer) at San Luis Obispo, California on July 17 2001 hereby amends said contract as follows:

- 1 Under Article 1, "Engineering Services," in addition to the services in the original contract and those listed in Amendment No. 1 of said Contract, the Engineer shall perform the additional services outlined in the attached "Request for Additional Design Budget/Extra Work."
2. Under Article 3a, "Payment for Services – Compensation" the Contract "not to exceed" sum shall be increased from \$544,250 to \$800,263.
3. The effective date of this Amendment No. 2 is immediately upon its complete execution by all of the parties.
4. All other terms and conditions of said Contract shall remain in full force and effect.

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IN WITNESS WHEREOF, this AGREEMENT is hereby amended by the parties hereto, upon the date written above.

SAN LUIS OBISPO COUNTY

\_\_\_\_\_  
Chairperson of the Board of Supervisors  
of the County of San Luis Obispo

ATTEST:

County Clerk and Ex-officio Clerk  
of the Board of Supervisors of the  
County of San Luis Obispo

By: \_\_\_\_\_  
Deputy Clerk

TY LIN, INTERNATIONAL

By: Cy. Dh

Title: VICE PRESIDENT

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.  
County Counsel

By: James B. Lindholm, Jr.  
Deputy County Counsel

Dated: 7/24/06

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