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Title: Action on Agreements for Materials Testing and Special Inspection Services for Public Works Projects

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Attachments: 1. Agreement with Construction Testing Services, Inc., 2. Agreement with Ninyo and Moore Geotechnical and Environmental Sciences Consultants, 3. Agreement with Quality Assurance Engineering, Inc.

Date	Ver.	Action By	Action	Result
5/21/2019	1	City Council and Authorities Concurrent	Approved	

REPORT TO COUNCIL

SUBJECT

Action on Agreements for Materials Testing and Special Inspection Services for Public Works Projects

BACKGROUND

The Department of Public Works oversees construction management and inspection for various capital projects including pavement rehabilitation, traffic signal and transportation infrastructure, parks, storm drain and sanitary sewer improvements, building renovations, and capital maintenance. Inspection includes quality assurance activities for materials used in construction and special inspections as required by the California Building Code. The City does not have in-house staff to perform these tasks and relies on consultant resources to perform the materials testing quality assurance and special inspections.

The agreements (Attachments 1, 2 and 3) recommended for approval provide on-call materials testing and special inspection services in support of Public Works projects.

DISCUSSION

A Request for Qualifications (RFQ) process was utilized to solicit proposals for on-call materials testing and special inspection services. The RFQ was advertised March 2019 and seven proposals were received on April 1, 2019. Public Works staff evaluated the qualifications of the proposers and Construction Testing Services, Inc., Ninyo and Moore Geotechnical and Environmental Sciences Consultants, and Quality Assurance Engineering, Inc. were selected as the top three ranked firms due to their respective performance track record, qualified staffing, and experience.

Based on Capital Improvement Plan projections and the volume of projects that will be in the construction phase, the estimated need for on-call consultant services for the remainder of the

current fiscal year and the next two fiscal years is approximately \$220,000. Additionally, Staff requests further agreement capacity of \$50,000 to account for unforeseen needs that may arise (new projects and projects not currently detailed). Staff requests the approval of agreements with three different consultants so there is flexibility in case one or two of them cannot provide timely services to the City based on workload. Because of this, Staff also requests approval for City Manager authority to shift funding between the agreements as long as the total aggregate of \$270,000 for all agreements is not exceeded.

Staff recommends approval of three, three-year agreements, each with a not-to-exceed amount of \$90,000, for a total aggregate not-to-exceed amount of \$270,000.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

FISCAL IMPACT

The amount to be paid to consultants for materials testing and special inspection services over the three-year term of the agreements is estimated to be \$270,000, subject to future budget appropriations. The amounts to be paid to each of the three consultants (Construction Testing Services, Inc., Ninyo and Moore Geotechnical and Environmental Sciences Consultants, and Quality Assurance Engineering, Inc.) will not exceed \$90,000 over the three-year term of each respective agreement, unless amendments are approved. Sufficient funding for the remainder of the current fiscal year in the amount of \$35,000 was included in the FY 2018/19 Adopted Operating Budget. Funding in the amount of \$95,000 and \$90,000 for FY 2019/20 and FY 2020/21 respectively has been included in the Proposed FY 2019/20 and FY 2020/21 Biennial Operating Budget. Funding beyond FY 2020/21 will be included as part of future year’s budget development process.

COORDINATION

This report has been coordinated with the Finance Department and the City Attorney’s Office.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

RECOMMENDATION

1. Approve and authorize the City Manager to execute an agreement for the Performance of Services with Construction Testing Services, Inc. (\$90,000), Ninyo and Moore Geotechnical and Environmental Sciences Consultants (\$90,000) and Quality Assurance Engineering, Inc. (\$90,000) to perform on-call materials testing and special inspection services for a combined amount not-to-exceed \$270,000 over the three-year terms of the agreements;
2. Authorize the City Manager to amend agreement not-to-exceed amounts as long as the cumulative total does not exceed \$270,000 subject to annual appropriations; and
3. Authorize the City Manager to exercise up to two one-year extensions for each agreement with no

increase in compensation in the event that the work is not completed by the Agreement end dates and make minor modifications to the agreements, if necessary.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Agreement with Construction Testing Services, Inc.
2. Agreement with Ninyo and Moore Geotechnical and Environmental Sciences Consultants
3. Agreement with Quality Assurance Engineering, Inc.