



City of Rialto

Legislation Details (With Text)

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Title: Request City Council to Authorize a "Month-to-Month" Amendment to the Professional Services Agreement with Willdan Engineering and Authorize the Issuance of a Purchase Order in the amount of \$250,000 for "On-Call" Public Works Construction Management and Inspection services for the first 8 months of Fiscal Year 2018/2019.
(ACTION)

Sponsors:

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Attachments: 1. Attachment 1 - PSA, 2. Attachment 2 - Amendment to PSA, 3. Attachment 3 - Disclosure Form

Date	Ver.	Action By	Action	Result
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For City Council Meeting [November 27, 2018]

TO: Honorable Mayor and City Council

APPROVAL: Ahmad R. Ansari, Interim City Administrator

FROM: Robert G. Eisenbeisz, P.E., Public Works Director/City Engineer

Request City Council to Authorize a "Month-to-Month" Amendment to the Professional Services Agreement with Willdan Engineering and Authorize the Issuance of a Purchase Order in the amount of \$250,000 for "On-Call" Public Works Construction Management and Inspection services for the first 8 months of Fiscal Year 2018/2019.

(ACTION)

BACKGROUND:

An important function of the Public Works Department is to perform construction management and inspections related to permitted work within the public right-of-way, City-approved Private Land Development projects, and Capital Improvement Program (CIP) projects. The City Engineer has the responsibility to ensure that construction of public improvements meets City standards, in compliance with City-approved plans related to permitted work in the public right-of-way, public improvements for private land development and capital projects.

ANALYSIS/DISCUSSION:

The City of Rialto entered into an agreement with Willdan Engineering (Willdan) for "On-Call" Construction Management and Inspection services on May 28, 2013. The term of the agreement was for three (3) years commencing on May 28, 2013 and allowed for two (2) additional one-year extensions which were approved by City Council on May 22, 2016 for FY 2015/2016 and June 13, 2017 for FY 2016/2017. The final extension for the contract expired on June 30, 2018. A copy of the

PSA is provided as **Attachment 1**.

At the time of contract expiration, Willdan was providing construction management and inspection services for a number of Capital Improvement and Land Development projects as well as encroachment permits for various permitted utility work. A halt in receiving services for the ongoing construction activities would result in significant impacts to new development and capital projects that are in the construction phase. A list of the projects that Willdan is currently providing services for along with their status is indicated in **Table 1** and **Table 2** below:

Table 1

CIP Projects	Status
Rialto Park Announcers Booth	Under Construction
Frisbie Park Field Lights Project	Substantially Complete
Rialto Booster Pump Station Project	Under Construction

Table 2

Land Development Projects	Status
Renaissance Parkway and Linden Avenue Street Improvements (Renaissance Marketplace)	Under Construction
Renaissance Parkway west of Alder Avenue Street and Sewer Improvements; AT&T service line extension (Proficiency Capital)	Under Construction

Additionally, Willdan provides inspection services on an as-needed basis for permitted construction work within the public right-of-way, primarily consisting of projects by or for utility companies, most of which is in response to new development needs. In FY 2018/2019 to date, the Public Works Department has issued 242 encroachment permits for work in the public right-of-way, requiring inspection services. The permitted work is for utility service providers such as Southern California Edison, Verizon, AT&T, Fontana Water Company, Southern California Gas Company and Rialto Water Services (Veolia). The increase in utility encroachment permits is due to service demand for new infrastructure driven by continued new development activity within the City.

Willdan also assisted City staff during the Caltrans audit recently conducted by Caltrans for the federally funded Ayala Drive Widening Project. Willdan's assistance in this effort was beneficial to the City and resulted in a successful outcome. Their detailed and organized inspection records were a key component used in the audit process.

Construction Inspector Recruitment

The City has advertised recruitment for the position of construction inspector, with the first round of interviews held on November 21, 2018. The primary duties of the construction inspector will initially consist of encroachment permit inspection for work in the public right-of-way. The City anticipates hiring the new staff member as soon as early January but no later than mid-February (dependent on the background process) allowing a transition process from consultant to the City employee. In addition, the City has started the recruitment for a Senior Construction Inspector position that will assume more of the ongoing inspection duties currently provided by outside consultants.

Request for Proposals - "On-call" Inspections for CIP and Development projects

City staff is preparing a Request for Proposals (RFP) for on-call professional services related to Construction Management, Inspection, and Testing services and anticipates advertising the RFP by late November of 2018. The scope of services will consist of Construction Management, Inspection, and Testing Services in support of various CIP and Land Development projects and the tentative schedule for award of the related Professional Services Agreement is as follows:

Notice requesting Proposals posted and issued Monday, November 26, 2018
Deadline for receipt of questions Monday, December 10, 2018, 3:00 P.M.
Deadline for receipt of proposals Monday, December 17, 2018, 3:00 P.M.
PSA award by City Council Tuesday, February 26, 2018

Staff has prepared an amendment to the PSA with Willdan to extend the term on a month-to-month basis through March 1, 2019. A copy of the proposed amendment to the PSA with Willdan is included as **Attachment 2**.

ENVIRONMENTAL IMPACT:

The requested City Council action is not a “Project” as defined by the California Environmental Quality Act (CEQA). Pursuant to Section 15378(a), a “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. According to Section 15378(b), a Project does not include: (5) Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

GENERAL PLAN CONSISTENCY:

This action is consistent with Guiding Principle 3A in the General Plan:

Our City government will lead by example, and will operate in an open, transparent, and responsive manner that meets the needs of the citizens and is a good place to do business.

LEGAL REVIEW:

The City Attorney has reviewed and approved the staff report and Amendment to the PSA.

FINANCIAL IMPACT:

Operating Budget Impact - Development/Encroachment

With ongoing development activity and the associated utility infrastructure improvements, the City requires Willdan to perform inspection services for encroachment permits issued for work within the public right-of-way. Staff estimates the total costs for these services to be approximately \$250,000 for the first 8 months of Fiscal Year 2018/2019, consisting of \$127,156.80 for services already provided and \$122,843.20 for services that will be provided through March 1, 2018. Revenues received through March 1, 2018 along with salary savings from the construction inspector will offset expenditures for the subject services. The City is actively recruiting for a full time construction inspector and anticipates transitioning from consultant staff to City staff; however, staff anticipates that there will likely be a continuing need for consultant services considering the current pace of development and encroachment permit issuance.

Implementation of the “on-call” agreement for development and/or utility permits is on a “pass-through” basis, whereby the City collects inspection fees sufficient to cover the inspection fees paid to the consultant. Upon receipt of payment from a utility or developer, inspection fees for encroachment permit inspection will be recognized in General Fund-Engineering Services Account No. 010-400-7265/7625. These revenues will offset the expenditure for inspection services to be paid from the General Fund- Engineering Services Account No. 010-500-7265-2011.

Capital Budget Impact

The costs for the proposed services related to the capital projects identified in **Table 1** are charged to each individual capital project account.

Licensing

Prior to execution of the Professional Services Agreement and associated Purchase Orders, the vendor shall submit a business license application and pay a Business License tax at the Professional Services rate of \$179.00.

RECOMMENDATION:

Staff recommends that the City Council

- Approve a Month-to-Month Amendment to the Professional Services Agreement with Willdan Engineering for the first 8 months of Fiscal Year 2018/2019.
- Authorize the Issuance of a Purchase Order in the amount of \$250,000 for “On-Call” Public Works Construction Management and Inspection services.