

**City of Culver City, California
Agenda Item Report**

Meeting Date: 06/04/12		Item Number: <u>C-9</u>	
CITY COUNCIL AGENDA ITEM: Approval of an Amendment to the Existing Professional Services Agreement with The Nickerson Company for General Public Works Inspection Services Support for the Public Works Department/Engineering Division Related to the Exposition Light Rail Transit Project.			
Contact Person/Dept.: John Rivera / PWD		Phone Number: 310-253-5616	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Meetings and Agendas – City Council (05/30/12) and The Nickerson Company (05/31/12)			
Department Approval: Charles D. Herbertson (05/30/12)		City Attorney Approval: Carol Schwab (by H. Baker) (05/30/12)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (05/30/12)		Executive Director Approval: John M. Nachbar (05/30/12)	
<u>RECOMMENDATION:</u> Staff recommends the City Council approve an amendment to the existing Professional Services Agreement with The Nickerson Company for a not-to-exceed additional fee of \$40,000 to provide on an as-needed basis, continued support to the Public Works Department/Engineering Division for general public works inspection on the Exposition Light Rail Transit Project. <u>BACKGROUND:</u> The Metropolitan Transportation Authority (Metro) is constructing the 9.6-mile light rail transit line along the Metro-owned Exposition Right-of-Way from the existing Metro Light Rail Transit (LRT) station at 7th/Metro Center in downtown Los Angeles to the Venice/Washington Boulevard area in Culver City. This is known as Phase 1 of the project. The Exposition Metro Line Construction Authority (Authority) was created by the California State Legislature to oversee the final design and construction of the Exposition Light Rail Transit Project (Expo LRT). Phase 1 of the Expo LRT consists of 3 segments (A, B, and C). Segments A and B are open for revenue operation and Segment C is in the final stages of construction and testing. Segment “C” includes the Culver City component of the project. The portion of the project in the City is currently in the final stages of completion. This portion of the project involves the realignment and reconstruction of Washington and National			

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Boulevard and related facilities between Schaefer Street and the City's western boundary south of Venice Boulevard. This work is occurring primarily in the City's public right-of-way and along the northern side of the Expo right-of-way, between Washington Boulevard and Ballona Creek. The work in the City's right-of-way and on the Expo Bike Path requires continued inspection by a public works inspector to ensure the work is being done in a manner acceptable to the City and to develop a project "punch list" as necessary to correct any deficiencies. In addition, the public works inspector is vital in reviewing and approving the project final "red-line" drawings of the project improvements to ensure that they accurately identify the improvements as they have been constructed, including any necessary field modifications.

The Public Works Department/Engineering Division has one full-time Public Works Inspector and relies on consultant support for public works inspection on special projects such as this. The Nickerson Company has been providing the necessary inspection services for the Expo LRT project since 2008.

DISCUSSION:

The City and the former Culver City Redevelopment Agency (former Agency) have taken actions to ensure that design and development of the Expo LRT project is accomplished in a manner that mitigates the impacts to the community and public facilities.

As part of the City's strategy regarding the Expo LRT project, the City/former Agency have retained consultants to provide specialized expertise and services. In order to determine if the project related improvements affecting the public rights-of-way are constructed according to approved plans and to adequately ensure that field conditions are accurately assessed, knowledgeable and reliable ongoing City representation at the construction site is necessary. Due to City existing and anticipated public works inspection work load on other projects, we continue to believe it is necessary to rely on consultant assistance. Our belief is based on the complexities of the project and the need to meet the project's design/construction schedule requiring timely and quick response to inspection requests and response to unanticipated conditions.

In October, 2004, the City Council approved a contract with The Nickerson Company for general public works inspection services. Vern Nickerson of The Nickerson Company is a retired Culver City Senior Public Works Inspector, who has over twenty-two years of experience inspecting public works projects in the City. The current agreement with The Nickerson Company was amended for the third time in January 2012 to increase the contract amount to reflect increased inspection requirements and provide reimbursement for additional geotechnical analysis. The 2011 Financial Contribution Agreement for the Phase 1 Metro Exposition Light Rail Transit Project, between the City and Metro, provides that the portion of the Expo

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Bike Path constructed on City and Metro rights-of-way that is located within Culver City will be maintained by the City. This was not originally anticipated and has necessitated the need to expand the scope of inspection services.

The project design plans have proven to contain some errors and, as a result, the City has been required to have full-time inspection on site to respond to unforeseen situations. The City will also need the Nickerson Company to prepare a project punch list, review as-built plans and provide general project close-out support. The increased full-time inspection has necessitated the need for additional funding. The monies we obtained in January 2012, have been expended due to the required increased inspection.

FISCAL ANALYSIS:

As stated above, The Nickerson Company is currently under contract with the City to provide general public works inspection support to the Public Works Department/Engineering Division. Staff recommends amending the City contract with The Nickerson Company for a fourth time in a not to exceed additional amount of \$40,000, over the remainder of the Expo Phase 1 construction and project close-out period, in order to pay on an as-needed basis for the additional work to perform inspection of the construction of Phase 1 Expo Project public rights-of-way and Expo Bike Path improvements. The Nickerson Company billing rate is \$85.00 per hour.

There are sufficient funds through Engineering Division salary savings to fund the not to exceed \$40,000 contract with The Nickerson Company.

ATTACHMENTS:

None

MOTIONS:

That the City Council:

- 1) Approve an amendment to the existing Professional Services Agreement with The Nickerson Company to provide continued as-needed general public works inspection support for the Public Works Department/Engineering Division's on the Exposition Light Rail Transit Project at an additional not-to-exceed fee of \$40,000; and,
- 2) Authorize the City Attorney to review/prepare the necessary documents; and
- 3) Authorize the City Manager to execute such documents on behalf of the City.