City of Culver City

Mike Balkman
Council Chambers
9770 Culver Blvd.
Culver City, CA 90232
(310) 253-5851

Staff Report Details (With Text)

File #:	20-1008	**Version:**	2	**Name:**	
Type:	Minute Order			**Status:**	Consent Agenda
File created:	5/26/2020			**In control:**	City Council Meeting Agenda
On agenda:	6/8/2020			**Final action:**	

Title: CC- (1) Approval of an Amendment to the Existing Professional Services Agreement with Michael Baker, International for Additional Labor Compliance Services and Monitoring Services for the Culver Boulevard Stormwater Treatment Project, PR-002 (the "Stormwater Treatment Project") in an Amount Not-to-Exceed $218,672; and (2) Authorization to the Public Works Director/City Engineer to Approve Amendments to the Agreement in an Additional Amount Not-to-Exceed $21,867.20 (10% Contingency) for Unanticipated Costs.

Sponsors:

Indexes:

Code sections:

Attachments: 1. staff report MBI Attachment 1 - Culver Blvd Stormwater Treatment Project - Proposition 84 Labor Compliance Services.pdf, 2. staff report MBI Attachment 2 - Culver Blvd Stormwater Treatment Project - Monitoring and Reporting Services.pdf

Date	Ver.	Action By	Action	Result

CC- (1) Approval of an Amendment to the Existing Professional Services Agreement with Michael Baker, International for Additional Labor Compliance Services and Monitoring Services for the Culver Boulevard Stormwater Treatment Project, PR-002 (the "Stormwater Treatment Project") in an Amount Not-to-Exceed $218,672; and (2) Authorization to the Public Works Director/City Engineer to Approve Amendments to the Agreement in an Additional Amount Not-to-Exceed $21,867.20 (10% Contingency) for Unanticipated Costs.

Meeting Date: June 8, 2020

Contact Person/Dept: Lee Swain, Public Works Department

Phone Number: 310-253-6457

Fiscal Impact: Yes [] No [x] **General Fund:** Yes [] No [x]

Public Hearing: [] **Action Item:** [] **Attachments:** [x]

Commission Action Required: Yes [] No [x] **Date:**

Public Notification: (E-Mail) Meetings and Agendas - City Council (06/04/2020);

Department Approval: Charles D. Herbertson, Public Works Director/City Engineer (06/02/2020)

RECOMMENDATION

Staff recommends the City Council (1) approve an amendment to the existing professional services agreement with Michael Baker, International for additional labor compliance services and monitoring services for the Culver Boulevard Stormwater Treatment Project, PR-002 (the "Stormwater Treatment Project") in an Amount Not-to-Exceed $218,672; and (2) authorize the Public Works Director/City Engineer to approve amendment(s) to the agreement in an additional amount not-to-exceed $21,867.20 (10% contingency) for unexpected costs.

BACKGROUND/DISCUSSION

On September 23, 2019, City Council approved a professional services agreement with Michael Baker International for construction management and inspection services in an amount not-to-exceed $1,248,951.

Stormwater Treatment Project Scope of Work

The Stormwater Treatment Project will consist of a retention basin and filtration system to capture and treat stormwater/urban runoff from approximately 297 acres of drainage area. The Stormwater Treatment Project proposes to utilize this opportunity to construct a retention basin and a filtration system underneath the new landscaped median and bikeway between Sepulveda Boulevard and Harter Avenue which is part of the Realignment Project. A portion of the captured run-off is proposed to be stored in an underground retention basin and will be used to supplement the required irrigation for the proposed landscaping along Culver Boulevard. The excess captured run-off will be filtered and discharged back into the Harter Avenue storm drain downstream of the project as treated water.

In addition, the Stormwater Treatment Project was also designed to send captured runoff to Veteran's Park for irrigation purposes. A dedicated wet well, pump system, and an irrigation supply line that will terminate at the cul de sac of Culver Blvd (North) will be constructed to convey captured runoff to Veterans Memorial Park for future irrigation use, thereby supporting the City's water conservation efforts.

Construction Management/Inspection

The construction management, inspection, and material testing services provided by Michael Baker International, Inc. include a fulltime on-site construction inspector throughout the duration of the construction project and construction management. They are responsible to meet and/or address residents and businesses with any concerns related to construction of the Project such as traffic, street parking, accessibility, and noise. They have set up a dedicated 24-hour monitored telephone hotline, logging all calls and emails, and responding to all calls and email in a timely manner.

Their current contract also includes a Cultural Resources Monitoring Consultant which is one of the recommended mitigation measures in the City Council adopted and approved Initial Study/Mitigated Negative Declaration.

State Water Board Grant Agreement

On August 30, 2018, the State Water Board officially approved the grant award in the amount of

$3,300,000. On September 24, 2018, the State Board notified the City of the Prop 1 grant award in the amount of $4,478,796. At the January 28, 2019 City Council meeting, the City Council approved a budget amendment to appropriate Santa Monica Bay Restoration Commission Prop 84 and State of California Prop 1 Grant Funding in the Amount of $3,300,000 and $4,478,796, respectively, for the Project. The State Water Board finalized the Grant Agreement and the agreement was executed by the City on October 17, 2019 and the State Water Board on December 18, 2019.

The State Water Board Grant Agreement (Grant Agreement) includes many requirements of the City including preparation of a Labor Compliance Monitoring and Reporting Plan (MRP) and preparation, maintenance and implementation of a Quality Assurance Project Plan (QAPP). The Grant Agreement also requires a final report that assesses the effectiveness of the facility. Michael Baker International's Professional Services Agreement was awarded on September 23, 2019, one month prior to the City signing the Prop 84 grant agreement with the State of California. This Professional Services Agreement provided monitoring services, including collecting certified payrolls, monitoring employer payroll, performing spot audits and providing random onsite interviews with representative crafts for construction of the project. However, it wasn't until City staff actually submitted requests for reimbursement to the State that it was determined that more in depth Labor Compliance Monitoring and reporting was required. The Proposition 84 Grant requires that the City have an approved Labor Compliance Program (LCP) in place. This requires the City submit evidence of its capacity and ability to operate an effective Labor Compliance Program. The LCP must present experienced team members and training of the staff that implement the LCP and possess a quality, up-to-date enforcement manual. Michael Baker International can provide these additional services which will include implementation and operation of the Labor Compliance Program; provide a Labor Compliance Inspector; develop a Labor Compliance Manual; provide monthly Labor Compliance Reports and Annual Reporting. The reports will notify the General Contractor and all subcontractors with a summary of any issues that require responses to be in conformance with State Labor Code.

The Proposition 84 Grant Funding also required that the City develop a Quality Assurance Project Plan (QAPP); which requires the City to develop a Sampling and Analysis Plan (SAP), development of a Health and Safety Plan (HSP), identification of monitoring equipment procurement and installation responsibilities, implementation and maintenance visits, dry weather and wet weather monitoring and sampling, procurement of laboratory services, preparation of quarterly updates, semi-annual analytical data reports, and annual monitoring reports. This QAPP was not completed until after the grant was awarded. The QAPP was submitted to the State in March 2020 per the grant timeline. City staff could not include any water quality monitoring services in the original bid specifications as the QAPP providing the scope of services was not developed at that time and scope of services was unknown. Michael Baker International, International has the expertise and staff with the knowledge of the project to best assist the City in meeting the water quality monitoring requirements established by the QAPP. All laboratory testing costs and equipment is included in the proposal. Once the monitoring system is in place and the effectiveness of the Stormwater Treatment Project has been verified, the City will be able to utilize the monitoring system to collect operational data which will be critical for compliance reporting.

Staff recommends the City Council approve an amendment to the existing agreement in order to assist with these additional labor compliance and water quality monitoring services.

FISCAL ANALYSIS

Funding for the Culver Boulevard Stormwater Treatment Project PR-002 in the amount of $218,672 for the labor compliance reporting services and the stormwater monitoring services is available in account 434.80000. 730100.PR-002. Funding for the 10% contingency in the amount of $ 21,867.20 is also available in account 434.80000.730100 PR-002.

ATTACHMENTS

1. 2020-05-04 Culver Blvd Stormwater Treatment Project - Proposition 84 Labor Compliance Services
2. 2020-05-10 Culver Blvd Stormwater Treatment Project - Monitoring Services

MOTION

That the City Council:

1. Approve an amendment to the existing professional services agreement with Michael Baker, International for additional labor compliance services and monitoring services for the Culver Boulevard Stormwater Treatment Project, PR-002 (the “Stormwater Treatment Project”) in an amount not-to-exceed $218,672;

2. Authorize the Public Works Director/City Engineer to approve amendments to the agreement in an additional amount not-to-exceed $21,867.20 (10% contingency) for unanticipated costs.
3. Authorize the City Attorney to review/prepare the necessary documents; and
4. Authorize the City Manager to execute such documents on behalf of the City.