

**THIS STAFF REPORT COVERS CALENDAR ITEM NO.: 7.5
FOR THE MEETING OF: June 10, 2010**

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Authorize the Executive Director to execute Amendment No. 2 to Agreement No. 06-04-ARCH-000 (the "Agreement") between the Transbay Joint Powers Authority and Jacobs Engineering Group ("Jacobs") for Architectural and Engineering Design Services for the New Bus Storage Facilities Project for a revised total fee of \$4,450,379. Amendment No. 2 would authorize revised services and a net additional fee of \$483,379 associated with design of a new bus link ramp structure, dynamic modeling analysis and deletion of Golden Gate Transit scope from the New Bus Storage Facilities Project.

SUMMARY:

On May 17, 2007, TJPA Board awarded the Agreement to Carter & Burgess, Inc. following a competitive procurement process. On August 3, 2009, Carter & Burgess executed an assignment and novation of the contract to Jacobs, which had acquired Carter & Burgess. The Agreement provided for a total fee for Basic Services in the amount of \$3,265,000. The Agreement also includes up to \$800,000 for Additional Services. On May 15, 2008, the TJPA Board approved Amendment No. 1 to the Agreement, authorizing an increase to the Basic Services fee amount of \$300,000 for scope including a Caltrans Project Study Report (PSR) and value engineering. Additionally, Notices to Proceed for Additional Services have been issued, for bus traffic analysis and a Caltrans-required Advanced Planning Study, in the amount of \$402,000, bringing the total currently authorized contract amount to \$3,967,000.

TJPA staff has now identified additional required design services including a new bus link ramp structure, dynamic modeling analysis. TJPA also negotiated deletion of scope associated with bus storage facilities for Golden Gate Transit, which resulted in a credit to be applied against the additional services. These revisions have been negotiated for a net increase in the design services fee of \$483,379, bringing the currently authorized contract amount to \$4,450,379.

New Bus Link Ramp Structure

The Agreement between the TJPA and Jacobs provides for conceptual study of bus link ramp alternatives for connections linking the bus storage site with the new bus ramps serving the Transit Center. Design of the new bus ramp structures is under the scope of the Transit Center designer. Jacobs completed conceptual studies for re-use of an I-80 temporary ramp (ST6D) associated with the California Department of Transportation (Caltrans) West Approach project and found re-use of ST6D to be infeasible. Caltrans proceeded with the West Approach project and ultimately demolished ST6D. The Jacobs design team will be required to fully design and engineer a new permanent bus link ramp structure in lieu of re-using a temporary Caltrans structure. The new bus link ramp will be located under the Bay Bridge West Approach structure and shall be designed with review and approval from Caltrans. Final design elements of the ST6D re-use have been deleted from the Jacobs scope of services.

Dynamic Modeling Analysis

During the course of design coordination with Caltrans, the Jacobs design team was advised that a dynamic modeling analysis would be required in order to demonstrate that proposed subgrade improvements for the AC Transit bus storage facility would not adversely impact the Bay Bridge West Approach structure.

As part of this additional modeling effort the Jacobs design team will first conduct a soil structure interaction analysis to illustrate stress contours in the soil and show impacts due to proposed excavation and retaining walls. The results of the soil structure analysis will then be used to evaluate the dynamic behavior of the Frame 5U (Bents 12 – 16) of the West Approach Structure.

Deletion of Golden Gate Transit Scope

The scope of services under the Agreement included design of bus storage facilities on parcels between Second and Third streets (AC Transit) as well as Third and Fourth streets (Golden Gate Transit). Golden Gate Transit has expressed a desire to perform the design and construction of its own facility and as such this scope of work will be removed from Jacobs' scope of services. This credit is to be applied against the increase for the bus link ramp and dynamic modeling analysis, resulting in a net increase to the fee amount of \$483,379.

Amendment No. 2 revises the scope, price and deliverables under the Agreement.

ENCLOSURES:

1. Resolution
2. Agreement

RECOMMENDATIONS:

Staff recommends that the Board of Directors authorize the Executive Director to execute Amendment No. 2 to the Design Services Agreement with Jacobs for the New Bus Storage Facilities project to revise the design scope of services Agreement with: design of new bus link ramp structure; a dynamic modeling analysis of the improvements proposed as part of the new AC Transit bus storage facility; and deletion of Golden Gate Transit Scope for a net fee increase of \$483,379.

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, On May 17, 2007, the Transbay Joint Powers Authority (TJPA) Board of Directors resolved to authorize the Executive Director to execute an Architectural and Engineering Design Services Agreement (Agreement) for New Bus Storage Facilities with Carter & Burgess, Inc. for a total Basic Services fee amount of \$3,265,000; and

WHEREAS, As part of the Agreement, Carter & Burgess, Inc. agreed to provide design services for New Bus Storage Facilities project; and

WHEREAS, On May, 15, 2008, the TJPA Board of Directors authorized the Executive Director to execute Amendment No. 1 to the Agreement, increasing the Basic Services fee amount by \$300,000 for a Caltrans Project Study Report; and

WHEREAS, The Agreement also includes up to \$800,000 for Additional Services and \$402,000 has been authorized for Additional Services including Bus Traffic Analysis and a Caltrans Advanced Planning Study; and

WHEREAS, On August 3, 2009, Carter & Burgess, Inc. executed an assignment and novation of the Agreement to Jacobs Engineering Group (Jacobs); and

WHEREAS, The TJPA Executive Director and TJPA Staff, working with Jacobs, have determined that the successful completion of the Agreement requires additional design services associated with design of a new bus link ramp structure and dynamic modeling analysis of proposed bus storage improvements and deleted design scope associated with Golden Gate Transit area; and

WHEREAS, Such revised design services require an Amendment to the Agreement, to modify the scope, fee, and deliverables under the Agreement; now, therefore be it

RESOLVED, That the TJPA Board of Directors authorizes the Executive Director to execute Amendment No. 2 to the Architectural and Engineering Design Services Agreement with Jacobs for the New Bus Storage Facilities Project, to provide revised design services associated with design of a new bus link ramp structure and dynamic modeling analysis of proposed bus storage improvements and deletion of Golden Gate Transit scope for a net Basic Services fee increase of \$483,379, and a new total authorized fee under the Agreement in the amount of \$4,450,379.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of June 10, 2010.

Secretary, Transbay Joint Powers Authority

Agreement Amendment No. 02
Between
The Transbay Joint Powers Authority
and
Jacobs Engineering Group
To Furnish
Architectural and Engineering
Design Services
For
The Transbay Transit Center Program
Bus Storage Project
(Agreement No. 06-04-ARCH-000)

THIS AMENDMENT for AGREEMENT is entered into as of the _____ day of _____ 2010 by and between the TRANSBAY JOINT POWERS AUTHORITY (“TJPA”) and Jacobs Engineering Group (the “Architect”).

Recitals

A. On November 17, 2006, the TJPA issued a Request for Proposals for Design Services for the New Bus Storage Facilities Project (RFP).

B. Architect submitted a written Proposal in response to a Request for Proposals issued November 17, 2006, which was orally presented and rated highest by a selection committee comprised of technical experts.

C. On May 17, 2007, the TJPA Board of Directors adopted Resolution No. 07-016, which authorized the Executive Director to execute the original Agreement for said design services by the Architect.

D. On May 15, 2008, the TJPA Board of Directors adopted Resolution No. 08-018, which authorized the Executive Director to execute Amendment No. 1 to the Agreement for additional design services by the Architect.

Now, THEREFORE, the parties agree as follows:

Terms and Conditions

The agreement between the TJPA and the Architect is amended as follows:

1. Additional services associated with design of a new bus link ramp structure and dynamic modeling analysis of proposed bus storage improvements shall be included in “Basic Services” and shall be completed by the end of the “Construction Documents” phase. Exhibit A provides amended scoping.
2. The Agreement maximum compensation shall be increased by \$483,379.00 from \$3,967,000.00 to \$4,450,379.00 .
3. All other terms, covenants, and conditions in the original agreement shall remain in full force and effect and shall be applicable to this amendment.

The individuals executing this amendment to the agreement represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

IN WITNESS WHEREOF, the parties hereto have executed this contract Amendment No. 02 on the day first mentioned above.

TRANSBAY JOINT POWERS AUTHORITY

Maria Ayerdi
Executive Director

Transbay Joint Powers Authority
Board of Directors
Resolution No. _____
Adopted: _____
Attest:

Secretary, TJPA Board

Approved as to Form:

Dennis J. Herrera, City Attorney

By _____
Deputy City Attorney

Jacobs

Architect

By signing this Agreement, I certify that I comply with the requirements of the Minimum Compensation Ordinance, which entitle Covered Employees to certain minimum hourly wages and compensated and uncompensated time off.

I have read and understood San Francisco's statement urging companies doing business in Northern Ireland to move towards resolving employment inequities, encouraging compliance with the MacBride Principles, and urging San Francisco companies to do business with corporations that abide by the MacBride Principles.

Authorized Signature

Printed Name

Title

Jacobs

Company Name

300 Frank Ogawa Plaza, Suite 10

Address

Oakland, CA 94612

Authority, State, ZIP

(510) 457-0027

Phone Number

Federal Employer ID Number

Exhibit A

Revisions to Design Scope Services

1. Additional Services Architect Agrees to Perform

Work under this Agreement shall be performed only by competent personnel under the supervision of and/or in the employment of the Architect.

- a. **Provide a fully engineered bus link ramp structure between the bus storage facility and new bus ramps serving the Transit Center.**
- b. **Provide a complete dynamic modeling analysis for proposed bus storage improvements.**
- c. **Delete designs services associated with the proposed Golden Gate Transit bus storage facility located between Third Street, Fourth Street, Stillman Street, and Perry Street.**

This design scope is initiated by the Transbay Joint Powers Authority (TJPA) for the Bus Storage Facility Project (BSFP). The preliminary engineering includes the following two major project elements:

1. Bus Storage Facility (The storage facility will be located within the block bounded by Second Street, Third Street, Stillman Street and Perry Street)
2. Bus Link Ramp (From the Bus Storage Facilities, between Second and Third, to a conform point just north of Second Street)

The Bus Link Ramp is to be constructed beneath the I-80 approach to the Bay Bridge for use by AC Transit and other transit providers as necessary. The Architect will be responsible to provide complete design and engineering services for a new bus link ramp structure, including all required coordination with Caltrans and CCSF agencies to determine any restrictions or requirements.

The scope of work for the dynamic modeling analysis shall include all required coordination with Caltrans including any adjustments required as part of the coordination effort.

SCOPE OF WORK ASSUMPTIONS

- TJPA/Caltrans will provide encroachment permit for field activities
- Three Caltrans review cycles are anticipated – Draft, Revised Draft, and Final PSR
- Project files will be maintained in the Architect's Oakland Office
- AC Transit administration facilities will be mobile modular structures in accordance with Caltrans requirements
- Design effort associated with required noise and retaining walls shall be designed with input from community and stakeholders

Task 1 Programming, Community Involvement, and Schematic Design

ARCHITECT shall perform the following activities.

- Conduct up to ten (10) additional Project Team meetings
 - Perform project management activities required for design of bus link ramp and completion of dynamic modeling analysis
 - Perform contract administration and manage subconsultant contracts and activities
 - Update Gantt chart schedules using Microsoft Project to include key steps required to complete bus link ramp and dynamic modeling analysis and provide up to ten (10) additional schedule updates
 - Prepare and submit up to twenty (20) additional invoices and progress reports
 - Keep TJPA Project Manager informed of project progress, support TJPA Project Manager at meetings with Caltrans
 - Maintain a project file of correspondence documenting the preparation of the bus link documents and dynamic modeling analysis
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- Provide quality assurance of all work products

Task 1 Deliverables:

1. Include the bus link ramp and dynamic modeling work activities in the project schedule for the BSFP
2. Prepared Record of Project Team Meetings (ten meetings)
3. Include project status in the BSFP progress report and Invoices (monthly)

Task 2 Design Development

Delete design development services associated with the proposed Golden Gate Transit bus storage facility located between Third Street, Fourth Street, Stillman Street, and Perry Street.

Task 3 Construction Documents

Provide complete construction documents for new bus link ramp structure.

Delete construction document services associated with the proposed Golden Gate Transit bus storage facility located between Third Street, Fourth Street, Stillman Street, and Perry Street.

Task 3 Deliverables:

1. 65% CD submittal
2. 95% CD submittal
3. Final CD submittal

Task 4 Bidding Support – Not Used

Task 5 Construction Administration Support – Not Used

Provide complete construction administration support for the new bus link ramp structure.

Task 6 Warranty Support – Not Used

Task 7 Additional Services

Provide engineering services required to develop a complete dynamic modeling analysis including:

- Two (2) Caltrans PEER meetings and Ground Motion Briefing
- Ten (10) Caltrans Structures coordination meetings
- Soil Structure Interaction (SSI) analysis
- 3-D Dynamic Analysis

Task 7 Deliverables:

- Dynamic Modeling Analysis including Soil Structure Interaction (SSI) analysis and 3-D Dynamic Analysis
- Prepared Record of all Caltrans meetings