



STAFF REPORT

DATE: July 26, 2021
TO: Sacramento Regional Transit Board of Directors
FROM: Laura Ham, VP, Planning and Engineering
SUBJ: RATIFYING THE GENERAL MANAGER/CEO'S EXECUTION OF THE FIRST AMENDMENT TO WORK ORDER NO. 2 TO THE CONTRACT FOR GENERAL CONSTRUCTION MANAGEMENT SUPPORT SERVICES (GCMSS) WITH 4LEAF, INC.

RECOMMENDATION

Adopt the Attached Resolution.

RESULT OF RECOMMENDED ACTION

The recommended action will approve the General Manager/CEO's execution of a Contract that would otherwise be in excess of his delegated authority and allow payment to a consultant for work already performed.

FISCAL IMPACT

The First Amendment to Work Order No. 2 provided funding to extend construction inspection and construction management services through the final completion of the Morrison Creek Light Rail Station Construction Contract. The increase in the total consideration for the First Amendment is an additional \$44,559.25 for the South Sacramento Corridor Phase 2 Light Rail Extension, (SSCP2), SacRT project 410. This project is funded by the Traffic Congestion Relief Program (TCRP) and Federal New Starts funding.

DISCUSSION

As a part of the original SSCP2 civil, track, systems, structures and station construction, the Morrison Creek Station light rail station platform and park and ride lot were constructed, but the amenities and utility services were deferred due to the lack of development surrounding the light rail station. While the adjacent land remains undeveloped, the Federal Transit Administration (FTA) set a deadline for Sacramento Regional Transit District (SacRT) to complete the station so that the New Starts grant for the SSCP2 project can be closed out.

On October 26, 2020, the Board delegated authority to the General Manager/CEO to award of the Contract for Completion of Morrison Creek Light Rail Station to Swierstok Enterprise, Inc. The scope of work included installing shelters, site furniture, utility services, walk-on access, landscape, and irrigation.

To support the Completion of Morrison Creek Light Rail Station, on November 20, 2020 the General Manager/CEO executed Work Order No. 2 to the Contract for General Contract Management Support Services with 4Leaf Inc. The total compensation for the Work Order was not to exceed \$149,113.87. Under the Work Order, 4Leaf contracted to provide construction inspection and construction management services through completion of construction.

As construction progressed, there was additional work added to the construction contract and delays in providing owner-furnished material that extended the construction duration. The additional work included: providing primary SMUD service conduit from a SMUD service pole to the transformer pad, which resulted in significant delays energizing the SMUD electrical service and delayed testing for amenities requiring electrical power. In addition, there was a delay in delivery of pedestrian pathway light poles and fixtures. The additional work and delays resulted in 4Leaf exhausting the estimated hours of work before completion of the station construction.

4Leaf provided SacRT with a proposal to include the estimated additional hours of work through completion of construction. The total estimate was for a not to exceed amount of \$44,559.25. The amendment increased the total amount of the Work Order from \$149,113.87 to \$193,673.12. The amended Work Order exceeded the delegated authority of the General Manager/CEO.

Without construction management services available, SacRT would have had to halt construction work. Consequently, delaying execution of the Work Order amendment until the next Board meeting would have caused additional delays to the project and jeopardized commencing revenue service by the end of August, as committed to the FTA. To avoid this outcome, the General Manager/CEO executed the amendment to Work Order No. 2 to add the required additional funds.

Staff recommends the Board ratify the General Manager/CEO's execution of the First Amendment to Work Order No. 2 of the GCMSS contract with 4Leaf Inc., which increased the total not to exceed consideration by \$44,559.25, from \$149,113.87 to \$193,673.12.

RESOLUTION NO. 21-07-0079

Adopted by the Board of Directors of the Sacramento Regional Transit District on this date:

July 26, 2021

RATIFYING THE GENERAL MANAGER/CEO'S EXECUTION OF THE FIRST AMENDMENT TO WORK ORDER NO. 2 TO THE CONTRACT FOR GENERAL CONSTRUCTION MANAGEMENT SUPPORT SERVICES (GCMSS) WITH 4LEAF, INC.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO REGIONAL TRANSIT DISTRICT AS FOLLOWS:

THAT, pursuant to Section 1.105 of the Procurement Ordinance (18-08-01), the action of the General Manager/CEO in executing the First Amendment to Work Order No. 2 to the Contract for General Construction Management Support Services (GCMSS) between the Sacramento Regional Transit District (therein "SacRT") and 4Leaf, Inc. (therein "Consultant"), whereby the total not to exceed consideration was increased by \$44,559.25, from \$149,113.87 to \$193,673.12, to provide sufficient funds for services to continue through completion of construction as originally contemplated, is hereby ratified.

STEVE MILLER, Chair

A T T E S T:

HENRY LI, Secretary

By: _____
Tabetha Smith, Assistant Secretary