



County of San Mateo

Inter-Departmental Correspondence

Department: PUBLIC WORKS

File #: 22-854

Board Meeting Date: 11/1/2022

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Ann M. Stillman, Director of Public Works

Subject: **Measure K:** Amend the Construction Agreement with Granite Rock Company for the Middlefield Road Improvement Project in the North Fair Oaks Area
[County Project No. OD420, Project File No. E4931]

RECOMMENDATION:

Measure K: Adopt a resolution increasing the Director of Public Works' authority to execute change orders to the construction agreement with Granite Rock Company, for the Middlefield Road Improvement Project in the North Fair Oaks Area, to increase the not-to-exceed amount of \$21,044,550 by an additional amount of \$2,500,000 to a new not-to-exceed amount of \$23,544,550.

BACKGROUND:

On October 20, 2020, this Board adopted Resolution No. 077819, which adopted plans and specifications, including conformance with general prevailing wages, as established by the Department of Industrial Relations, in the locality in which said work is to be performed for each type of workman needed to execute the contract and calling for sealed bids for the Middlefield Road Improvement Project (Project).

On February 9, 2021, this Board adopted Resolution No. 078007, which authorized an agreement with Granite Rock Company (Graniterock) for construction of the Project in the amount of \$19,131,379 and authorized the Director of Public Works to execute contract change orders to grant time extensions for project completion and payment up to a maximum agreement amount not to exceed \$21,044,550.

DISCUSSION:

Unanticipated conditions encountered during construction of the Project have led to a determination that the original "not-to-exceed" amount of the agreement with not be sufficient to appropriately compensate Graniterock for the Project based on the following factors:

- 1) Additional costs have been incurred to accurately locate, by potholing, the existing underground utilities to determine whether conflicts with the proposed SS pipes, joint trench, Green Infrastructure (GI) pipes, and other facilities to be constructed exist. During construction

the Contractor has discovered additional conflicts between existing utilities not adequately shown in the utility's plans and the proposed Project work. The Contractor identified a potholing plan with an additional three hundred and thirty (330) potholes. The cost for this additional work was approximately \$358,050.

- 2) Additional costs associated with modifications to the proposed Sanitary Sewer (SS) line during construction. The SS line along the north side of Middlefield Road from Dumbarton Avenue to south of Sixth Avenue was lowered 12 inches from the design to avoid unanticipated conflicts with California Water Service, Pacific Gas and Electric Company (PG&E), and other utilities. This resulted in additional excavation, off haul of additional soil, and increased SS manhole heights. Additional work also included removal and disposal of an 8-inch PG&E abandoned gas line, which conflicted with the proposed SS line. This abandoned line was not depicted by PG&E on the Project plans or marked in the field by PG&E prior construction of the SS line. The cost for this additional work was approximately \$326,452.
- 3) Additional costs associated with procuring and installing a welded wire mesh in the new concrete sidewalk. The Department determined during construction that incorporating a welded wire mesh into the proposed sidewalks will provide additional reinforcement and strength to the concrete. The cost of this additional work is approximately \$107,333.
- 4) Additional unanticipated costs associated with encasing PG&E's high voltage conduits with red concrete as part of the joint trench have been incurred. PG&E required that the joint trench main line containing three (3) or more primary conduits be encased with red concrete for safety reasons. Red concrete was not originally required by PG&E as part of the final Project plans, but this became a new requirement by the PG&E field inspector during construction. The cost of this additional work is approximately \$299,200.
- 5) Additional costs associated with incorporating Smart Street Elements to the Project after the start of construction will be incurred. The Project plans were updated to include several smart street elements to enhance the Project including, digital kiosks, street light control sensors, solar benches, traffic analytics, and smart street parking analytics. The work involves procuring and installing additional conduits, vaults, and equipment needed to support the Smart Street Elements. The costs of this additional work and appurtenances are anticipated to be approximately \$570,220. This amount is already budgeted in the Capital Improvement Program (CIP) Budget and will be transferred to the construction project to cover these costs.
- 6) Additional costs associated with installing conduits in the joint trench and boxes as requested by Open 5g/Atherton Fiber (Atherton Fiber). Atherton Fiber contacted the County and requested to be a part of the joint trench after the Project was awarded. The joint trench plans were revised to include Atherton Fiber facilities. The cost of this additional work is approximately \$91,149.
- 7) It is anticipated that additional conflicts will be encountered during the remaining work to be completed on the Project. Middlefield Road contains a myriad of unmarked, abandoned, and unforeseen underground conflicts. The Department is requesting additional funds in addition to those outlined above in the sum of \$747,596 to be prepared to address these unknown issues and not delay the completion of the Project.

The Department recommends that this Board consider these unanticipated conditions for this Project, and approve the recommended contract increase amount to facilitate completion of the Project. Construction issues or conflicts arise during construction, which must be addressed immediately to keep the Project moving forward. In some cases, these issues require additional compensation. The Department is working diligently through construction of the Project to minimize additional costs and develop solutions that were timely, effective, and financially responsible.

County Attorney has reviewed and approved the resolution as to form.

FISCAL IMPACT:

The new not-to-exceed amount of Granite Rock Company construction contract is \$23,544,550. The recommended increase of the Project contract by \$2,500,000 will allow for payment to the Contractor for the above-described unanticipated work.

Several of the additional costs as identified below are shared between various utilities and funding sources. The Department will seek reimbursement these costs based on existing cost share agreements, as listed below:

Measure K (Items 2, 3 and 7)	\$969,845
Utility Companies (Items 1, 4, and 6)	\$461,485
Fair Oaks Sewer Maintenance District (Items 1, 2 and 7)	\$498,450
CIP Budget (Item 5)	<u>\$570,220</u>
Total Cost	\$2,500,000