



# Board Agenda Item 44

DATE: September 27, 2016

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: First Amendment to Engineering Consultant Services Agreement for the Fancher Creek  
Bridle Trail Project.

## RECOMMENDED ACTION(S):

**Approve and authorize the Chairman to execute First Amendment to Agreement P-15-201-P for Engineering Consultant Services for the design of the Fancher Creek Bridle Trail Project (\$150,000).**

The Department of Public Works and Planning is overseeing the design of a project (the Project) to improve the Fancher Creek Bridle Trail, and various factors have led to an increase in the design cost. Approval of the recommended action will allow the execution of an amendment to the engineering consultant services agreement to provide additional funds necessary to complete the design.

## ALTERNATIVE ACTION(S):

Your Board may elect not to approve the recommended action in which case it would be necessary to either cancel the Project or to complete the design of the Project with County staff.

## FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The Project is funded by the County's allocation of Measure "C" Extension, Urban - Pedestrian/Trails funding, and sufficient appropriations for design of the Project are available in the Department of Public Works and Planning - Roads Org 4510 FY 2016-17 Adopted Budget. The Amendment increases the maximum compensation for Project design from \$99,792 to \$150,000, which includes an allocation of \$14,201.10 for extra services.

## DISCUSSION:

The Fancher Creek Bridle Trail is included in the Fresno County Bicycle and Recreational Trail Master Plan adopted by the Board on September 24, 2013. The Project consists of making improvements to the existing 1.3 mile long Fancher Creek Bridle Path easement located within a County Island in the Sunnyside neighborhood of Fresno as shown on the attached location map.

The improvements include the removal of certain trees based on species, health, anticipated lifespan, and location within the proposed trail alignment; pruning select trees to provide vertical clearance for the trail; removal of certain fencing encroaching into the trail easement; construction of a meandering equestrian and pedestrian trail within the existing easement; planting new trees appropriate for the region; and installation of a crosswalk and/or traffic warning device at the intersection of the trail with Butler Avenue. The Project may also include installation of an irrigation system to serve a portion of the trail during plant establishment and the construction of bollards at each end of the trail to prevent unauthorized vehicular access.

In order to procure engineering consultant services for the design of the Project, the Department first solicited proposals from several on-call engineering firms which already have agreements with the County; however, none of the firms responded. Thereafter, the Department worked with County Purchasing to issue a request for proposals for the required services. Two consultant firms responded and Lars Andersen and Associates, Inc. was selected to perform the work. Since their fee proposal was less than \$100,000, the agreement for engineering consultant services for the Project was executed by the Purchasing Manager.

When design commenced, Tree Fresno and the Sunnyside Property Owners Association (Association) participated actively in the review of the conceptual design of the project and their input was invaluable; however, these groups often did not concur with one another or with the County's consultant regarding a variety of project parameters such as the specific trees to be removed, the type of trees to be planted, the alignment of the trail, and the extent of the irrigation system for the project. Resolution of these different approaches to the Project required the preparation of several preliminary alignments, associated presentation drawings, and lists of trees that would remain or be removed for each alternative.

The consultant's initial proposal was based on the assumption established in the request for proposals that arriving at a preliminary design that would be acceptable to all stakeholders would require the development of a conceptual plan, two meetings to discuss the plan, and minor revisions to the original conceptual plan. Instead, the following actions were required of the consultant to arrive at a consensus:

- Conduct meeting with the County and stakeholders and develop the conceptual trail plan.
- Prepare presentation materials and conduct five meetings with the County, Tree Fresno and the Association.
- Attend one follow-up meeting with the County.
- Conduct one site review in preparation for a site walk with the stakeholders.
- Conduct one site review meeting with the County, Tree Fresno and the Association.
- Attend one site review meeting with the President of Tree Fresno.
- Prepare additional presentation materials and alternative conceptual designs for each meeting.
- Produce site drawings for the use of Tree Fresno and the Association.
- Analyze Tree Fresno correspondence, tree removal recommendations and trail layout versus the conceptual plan, and prepare associated exhibits.
- Develop alternative irrigation options and budgets.

The numerous meetings, site walks, and the preparation of various conceptual layouts significantly increased the cost of the consultant's services; however, these efforts resulted in a consensus between the various stakeholders regarding the conceptual design.

During the preliminary design of the project, it became apparent that the Project was going to be much more costly than originally anticipated, and the contract construction cost is now expected to be approximately \$1,500,000. The County currently only has approximately \$500,000 for the Project and receives about \$95,000 per year for the construction of urban trails. When the request for proposals was developed, it was anticipated that a design for the entire project would be prepared, which would be advertised for construction bids as soon as sufficient urban trails funding accumulated. Based on the current estimated cost, it has been determined that the project should be constructed in two phases, with construction of each phase taking place when sufficient urban trail funds have been accumulated. This Project is included in the County's Bicycle and Recreational Trails Master Plan and will utilize the County's entire allocation of urban trail funds for the next several years.

It has also been determined that it may be beneficial to include one or more additive alternate bid items in the first phase contract. Additive alternate bid items are items of work that are included in the contract bidding documents which may be eliminated from the project upon award of the construction contract. In the event that the lowest bid, including the additives, exceeds the budget for the Project, additive items can be excluded from the contract to the extent necessary to award a contract that is within the budget. Additive items, if used, will be portions of the work that are desirable but not essential. The planting of additional trees is an example of an

item of work that could be identified as an additive alternate. The construction of any additive items that are not awarded for construction may be deferred and included in the second phase of the project or may be eliminated depending upon budgetary constraints.

Staff has considered the significant additional effort that was required of the consultant to develop a consensus among stakeholders for the preliminary design of the Project. Staff has also reviewed the consultant's proposed fees to complete the design in two phases and to provide additive alternate bid items for the first phase of the Project. Based on this review, staff has determined that the increased consultant fees are reasonable. The amendment provides an increase of \$50,208 in the total agreement amount. Of this amount, \$14,201.10 is reserved for extra services which will only be authorized if there is another change in scope of the consultant's services.

Currently, approximately \$500,000 is available for funding the Project. Considering the estimated cost of the Project and the County's allocation of Measure "C" Extension, Urban - Pedestrian/Trails funding of approximately \$95,000 per year, it may take three or more years until the first phase of the Project can be constructed. The schedule for the improvements will be refined as the final design and cost estimates are developed.

REFERENCE MATERIAL:

BAI #12, September 24, 2013

ATTACHMENTS INCLUDED AND/OR ON FILE:

Location Map

On file with Clerk - Amendment to Agreement No. P-15-201-P

CAO ANALYST:

John Hays