



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: John Stufflebean

SUBJECT: SEE BELOW

DATE: 11-23-09

Approved

Deana Feltre

Date

12/1/09

COUNCIL DISTRICT: City-Wide

SUBJECT: APPROVAL OF CONTINUATION TO THE AGREEMENT WITH AEPC GROUP, LLC

RECOMMENDATION

Approval of a Continuation Agreement with AEPC Group, LLC for consultant services for the preliminary design of the project entitled, "San José/Santa Clara Water Pollution Control Plant (Plant), Fiscal Year 2006-2007 Capital Improvement Program, Switchgear M5, Ring Bus, and Cable Replacement," to continue and extending the term of the agreement which expired on March 31, 2009 to June 30, 2010 at no additional cost to the City.

OUTCOME

Council approval of this Continuation Agreement will allow this Consultant to continue to provide construction support and documentation services for the Switchgear M5, Ring Bus, and Cable Replacement project.

BACKGROUND

On February 13, 2007 Council approved the agreement with AEPC Group in the amount of \$411,488 for engineering consultant services for the San José/Santa Clara Water Pollution Control Plant (Plant). The scope of work included engineering service to provide bid specifications & plans and construction support for the Switchgear M5, Ring Bus, and Cable Replacement project. Construction of the project was started in July of 2008 and is expected to be completed by April of 2010.

ANALYSIS

Some of the elements of the scope of the project under “support services during construction” have not been provided yet, since the construction is still in progress. As the design-build construction of the Switchgear M5, Ring Bus, and Cable Replacement project has progressed, staff has analyzed the integration of the current project into the Plant’s electrical system and determined that existing Plant documents that are being impacted by the installation of the Switchgear M5 need to be updated. The term of the original agreement was set from the execute date of February 13, 2007 through March 31, 2009. When the original consultant agreement was approved, the start and completion date of the Switchgear M5, Ring Bus, and Cable Replacement project was not known.

By extending the term of the agreement from March 31, 2009 to June 30, 2010, it will allow the engineering consultant sufficient time to update the Plant documentation to reflect changes resulting from the implementation of the Switchgear M5.

POLICY ALTERNATIVES

Alternative # 1: Reject the amendment to the Agreement and have the Plant staff update the Plant documentation.

Pros: The Plant staff is knowledgeable of all the Plant changes and Plant Drafting practices.

Cons: The Plant staff will be strain to manage these document updates and still manage their other duties.

Reason for not recommending: Having the engineering consultant, AEPC Group, incorporating the changes to the Plant documentation will assure that the documents will be updated in timely fashion.

PUBLIC OUTREACH/INTEREST

- Criterion 1: Requires Council action on the use of public funds equal to \$1 million or greater; **(Required: Website Posting)**
- Criterion 2: Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3: Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

HONORABLE MAYOR AND CITY COUNCIL

12-15-09

Subject: Approval of First Amendment to the Agreement with APEC Group, LLC

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This action does not meet any of the criteria listed above. This award memo will be posted on the City's website for the December 15, 2009 Council Agenda.

COORDINATION

This project and memorandum have been coordinated with the City Attorney's office and the City Managers Budget Office. This item is scheduled to be heard at the December 10, 2009 Treatment Plant Advisory Committee (TPAC) meeting.

FISCAL/POLICY ALIGNMENT

The amendment to this Agreement does not change the original fiscal/policy alignment of the original Agreement.

COST SUMMARY/IMPLICATIONS

The amendment to this Agreement does not change the amount of the Agreement.

CEQA

Not a project.

/s/

JOHN STUFFLEBEAN

Director, Environmental Services

For questions, please contact Bhavani Yerrapotu, Division Manager, Environmental Services, at 945-5321.