



# AGENDA REPORT

## Public Works

<b>DATE:</b>	January 21, 2025
<b>TO:</b>	Mayor Martinez and Members of the City Council
<b>FROM:</b>	Daniel Chavarria, PE, Director of Public Works Robert Armijo, PE, Deputy Director of Public Works/City Engineer Hillal Hamdan, PE, Senior Civil Engineer
<b>Subject:</b>	First Amendment to Construction Agreement with W.R. Forde Associates, Inc. for the 37th Street Bicycle & Pedestrians Improvements Project to Increase Contract Amount By \$121,236.30
<b>FINANCIAL IMPACT:</b>	Staff recommends appropriating funds in the amount of \$46,288.37 in the SB1 RMRA Fund 1019. [Account String: 11931031-400645-SB101]
<b>PREVIOUS COUNCIL ACTION:</b>	6/5/2018
<b>STATEMENT OF THE ISSUE:</b>	City staff is requesting approval to amend the construction agreement with W.R. Forde Associates, Inc. to ensure all financial obligations for the project are satisfied and the project is successfully closed out.
<b>RECOMMENDED ACTION:</b>	ADOPT a resolution to APPROVE the first amendment to the construction agreement with W.R.Forde Associates, Inc. for the 37th Street Bicycle & Pedestrian Improvements Project to increase the contract amount by \$121,236.30 for the final change order that addresses unforeseen project conditions, for an amended total contract amount not to exceed \$925,777.40; and APPROPRIATE funds in the amount of \$46,288.37 in the SB1 RMRA Fund 1019; and ACCEPT the 37th street

	project as complete to enable the City to release the contractor's bonds and retention payment. - Public Works Department (Robert Armijo 510-620-5477/ Hillal Hamdan 510-621-1612).
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**DISCUSSION:**

The contract with W.R. Forde Associates, Inc. for the 37th Street Bicycle & Pedestrian Improvements Project (Project) was approved on June 5, 2018, for a total amount not to exceed \$804,541.

The Project's scope of work includes: four Type 1B signal poles; one each Type 16 and Type 19 mast arm pole with foundation; 11 signal heads with backplates; 16 pedestrian push buttons and ped countdown signal heads with wiring; 26 ADA curb ramps between Center Avenue and Cerrito Avenue; traffic striping; reducing from four to three travel lanes with bike lanes from Center Avenue to Barrett Avenue; and installation of bike lanes with no reduction in travel lanes from Barrett Avenue to Cerrito Avenue.

During construction, delays and unforeseen conditions required that additional work be performed. This work was not included in the original contract scope but was necessary to maintain accessibility, and safe conditions along the Project area and improve the finish look of the completed project. At the time, City staff had been in negotiations with W.R. Forde Associates, Inc. for the final change order for additional signal poles and controller with software and plan sheet revisions. The final negotiated amount exceeded the remaining contingency amount by \$121,237.

City staff is now recommending that the City Council approve the first amendment to the construction agreement between the City of Richmond and W.R. Forde Associates, Inc. to increase the contract amount by \$121,237, for a total contract amount not to exceed \$925,778 to cover the costs associated with the final change order and accept this Project as complete. To cover the increased contract amount, City staff is also recommending an appropriation of \$46,288.37 from SB1 Funds. This will enable the final payment to be made to W.R. Forde Associates, Inc. and for the City to accept the Project as complete.

Original Contract	\$804,541.10
Amendment #1	\$121,236.30
Final Contract	\$925,777.40
Payments made on original contract	\$795,689.62
Payment made from SB1 Funds	\$83,799.41
Total Payments	\$879,489.03
Additional Appropriation Required	\$46,288.37

**DOCUMENTS ATTACHED:**

Attachment 1 – Resolution

Attachment 2 – First Amendment to Construction Agreement

Attachment 3 – Resolution No. 38-18

Attachment 4 – Original Construction Agreement