Hem# 8-3

City of Carson City Agenda Report

Date Submitted: July 7, 2009 Agenda Date Requested: July 16, 2009

Time Requested: Consent

To: Mayor and Supervisors From: Purchasing & Contracts

Type of Action Requested: (check one)

Subject Title: Action to accept Public Works recommendation to approve Amendment No. 1 to Contract No. 0708-150 with Resource Concepts, Inc., titled "Professional Services for Morgan Mill River Access Facilities Phase I" to expand the scope of work, increase the contract in the amount of \$3,880.00, and include a contingency amount of \$5,000.00, to be funded from the Morgan Mill Road River Bank Fund as provided in FY 2009/2010. (Sandy Scott)

Staff Summary: The project has received all necessary federal, state, and local permits, enabling the City to begin the bidding process for the construction portion of this project. However, the Nevada Department of Environmental Protection, as part of the permitting process, has identified the need for additional mercury testing at the project site during construction. Unfortunately this additional testing requires an amendment to the scope of work and contract amount.

Type of Action Requested. (Check one)	
() Resolution (_X) Formal Action/Motion	() Ordinance () Other (Specify)
Does This Action Require A Business In	npact Statement: () Yes (_X) No

Recommended Board Action: I move to accept Public Works recommendation to approve Amendment No. 1 to Contract No. 0708-150 with Resource Concepts, Inc., titled "Professional Services for Morgan Mill River Access Facilities Phase I" to expand the scope of work, increase the contract in the amount of \$3,880.00, and include a contingency amount of \$5,000.00, to be funded from the Morgan Mill Road River Bank Fund as provided in FY 2009/2010. (Sandy Scott)

Explanation for Recommended Board Action: This is a professional services contract and consultant was selected using the guidelines of NRS as indicated below. Although not required by law, a Statement of Qualification process was used to select this consultant.

Applicable Statute, Code, Policy, Rule or Regulation: Architects, Engineers and Surveyors are considered professional services contracts pursuant to the requirements of NRS 332 and 625 therefore, a formal bidding process is not required.

Fiscal Impact: An additional contract amount of 3,880.00 plus a contingency amount of \$5,000.00 for a total amount of \$98,380.00. The original contract amount previously awarded is \$89,500.00

Funding Source: 275-5017-452-7801 Morgan Mill Road Riverbank Fund as provided in FY 2009/2010.

Alternatives: Provide other direction pursuant to Board Action

Tatter matrices. The vites of the another parameters	
Supporting Material: Contract Amendment No.1	1.
Prepared By: Sandy Scott, Purchasing & Contract	
Reviewed By: (Parks & Reviewin)	Date: 7/7/09
Makel	Date: 7-7-09
(Public Werk) All for UN (City Manager)	Date: 7-7-09 Date: 7-7-09
nx care Ruketto	Date: 7-7-09
(District Attorney) Nate Paulso (Finance Director)	Date: 7-7-09
Board Action Taken:	
Motion:	1) Aye/Nay 2)
(Vote Recorded By)	

CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR AMENDMENT No. 1

Contract No. 0708-150

Professional Services for Morgan Mill River Access Facilities Phase I

THIS AMENDMENT is made and entered into this 16th day of July, 2009, by and between the City and County of Carson City, a political subdivision of the State of Nevada, hereinafter referred to as the "CITY", and Resource Concepts, Inc., hereinafter referred to as the "CONSULTANT", and is made to amend the existing contract known as CONTRACT # 0708-150 Professional Services for Morgan Mill River Access Facilities Phase I.

WITNESSETH:

WHEREAS, the CITY desires to amend sub-sections of Sections four (4) and five (5) of the original contract to include that which is contained herein; and

WHEREAS, it is deemed that said amendment is both necessary and in the best interests of the CITY.

NOW, THEREFORE, in consideration of the aforesaid promises, the parties agree as follow:

1. Amend Paragraph 4.1 of **CONTRACT 0708-150** to provide in its entirety as follows:

CONSULTANT shall provide and perform the following services as set forth in Exhibit A to this agreement and Exhibit B to this Amendment to **CONTRACT 0708-150** attached hereto and incorporated herein by reference for and on behalf of the **CITY** herein referenced as "**Services**."

2. Amend Paragraph 5.1 of CONTRACT 0708-150 to provide in its entirety as follows:

City agrees to pay **CONSULTANT** the **CONTRACT SUM** based upon time and materials for a not to exceed amount of Ninety-Three Thousand, Three Hundred Eighty Dollars and No Cents (\$93,380.00), which is an increase to the original contract amount by Three Thousand, Eight Hundred Eighty Dollars and No Cents (\$3,880.00),

This Amendment shall not become effective until and unless approved by the Carson City Board of Supervisors, anticipated to be July 16, 2009.

IT IS ALSO AGREED, that all unaffected conditions, requirements, and restrictions of the Original Contract document remain in full force and effect for the duration of the Contract term.

CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR AMENDMENT No. 1

Contract No. 0708-150

Professional Services for Morgan Mill River Access Facilities Phase I

ACKNOWLEDGMENT AND EXECUTION:

In witness whereof, the parties hereto have caused this Amendment to be signed and intend to be legally bound thereby.

CARSON CITY

Finance Director

Attn: Sandy Scott, Purchasing &

Contracts Coordinator

201 North Carson Street Suite 3

Carson City, Nevada 89701

Telephone: 775-887-2133 ext. 30137

Fax: 775-887-2107

SScott@ci.carson-city.nv.us

By:

DATED フ-ワー1

CITY'S LEGAL COUNSEL

Neil A. Rombardo, District Attorney

I have reviewed this Contract and approve as to its legal form.

DATED 7-7-(

CITY'S ORIGINATING DEPARTMENT

BY: Roger Moellendorf, Director Parks and Recreation Department 3303 Butti Way, Building 9

Carson City, NV 89701

Telephone: 775-887-2262 Ext. 30345

Fax: 775-887-2145

RMoellendorf@ci.carson-city.nv.us

CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR AMENDMENT No. 1

Contract No. 0708-150

Professional Services for Morgan Mill River Access Facilities Phase I

John L. Mc Lain deposes and says: That he is the **CONSULTANT** or authorized agent of the **CONSULTANT**; that he has read the foregoing Amendment; and that he understands the terms, conditions, and requirements thereof.

CONSULTANT	
BY: John L. Mc Lain	
TITLE: Principal	
FIRM: Resource Concepts, Inc.	
CARSON CITY BUSINESS LICENSE #: 09-473	
Address: 340 N. Minnesota Street	
City: Carson City State: NV Zip Code: 89703	
Telephone: 775-883-1600/ Fax # : 775-883-1656	
E-mail Address: john@rci-nv.com	
(Signature of CONSULTANT)	
(Signature of CONSULTANT)	
DATED 7-8-09	
STATE OF	
STATE OF	
County of) ss	
ounty or	
Signed and sworn (or affirmed) before me on thisday of	, 2009, by
(Signature of Notary)	
(Notary Stamp)	

CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR AMENDMENT No. 1

Contract No. 0708-150

Professional Services for Morgan Mill River Access Facilities Phase I

CONTRACT ACCEPTANCE AND EXECUTION:

The Board of Supervisors for Carson City, Nevada at their publicly noticed meeting of July 16, 2009 approved Amendment No. 1 for **CONTRACT No. 0708-150**. Further, the Board of Supervisors authorizes the Mayor of Carson City, Nevada to set his hand to this document and record his signature for the execution of this contract in accordance with the action taken.

	CARSON CITY, NEVADA
_	ROBERT L. CROWELL, MAYOR
	DATED this 16th day of July, 2009.
ATTEST:	
ALAN GLOVER, CLERK-RECORDER	
DATED this 16th day of July, 2009.	

EXHIBIT A



ENGINEERING • SURVEYING • RESOURCES & ENVIRONMENTAL SERVICES

RESOURCE CONCEPTS, INC.

April 17, 2008

Mr. Vern Krahn, Park Planner CARSON CITY PARKS & RECREATION DEPARTMENT 3303 Butti Way, Building #9 Carson City, Nevada 89701

Re: Scope of Work for Professional Services for Morgan Mill River Access Facilities Phase I, Carson City, Nevada

Dear Mr. Krahn:

Per our recent discussions with you, we propose to render professional services related to the City's project on the Carson River. As you know, the Morgan Mill site presents special design, permitting, and construction challenges as described below:

- Design for river banks require a high level of expertise as well as an above-average amount of time in preparation of the designs. The designs require special details and technical specifications particular to the Morgan Mill site. Special sites, such as Morgan Mill, require a larger amount of time for design than parking lots, or other standard structures.
- ➤ River projects require a high level of effort and coordination with the permitting agencies. Even though Paul Pugsley will be obtaining the Section 404 permit, the Section 401 certification, the Temporary Working in Waterways Permit, and the State of Nevada Division of State Lands Permit, there will be a significant level of necessary coordination with Paul Pugsley and the agencies by Resource Concepts, Inc. (RCI).
- ➤ River projects require a higher level of input during the pre-bid process as well as during construction. RCI has seen river projects improperly implemented. It is critical that RCI inspectors, engineers, hydrologists, and revegetation specialists work with the contractor to make sure the river portion of the project is constructed properly.
- Morgan Mill is in a Superfund Site: There is a concern that high mercury concentrations may be discovered in the areas to be graded and a particular concern that the materials that need to be removed from the site could qualify as hazardous materials. At this point, the mercury issue is a wild card. If the mercury test results are low concentrations, then procedures for fill removal will be the same as any other project. If the mercury test

2008-04-17 ltr Krahn BD Carson City Parks BRS-sta-jm L4-44 v2.doc

results are high and leach ability is high, then the project design, construction, and possibly permitting will be more complex. We assume in our cost estimate that some contaminated soil will be discovered.

> The project has an extremely aggressive timeline. We have found that fast-track projects often result in higher project costs than more normal-paced projects.

RCI understands that numerous grants were obtained by the City for project design and construction. RCI will provide monthly progress reports to the City for their use and to facilitate project coordination for this project during the aggressive schedule.

Over the past 30 years, RCI has designed many stream, river, and recreation projects. The average costs for design, permitting, construction inspection, geotechnical, etc. is roughly 30% of the total project cost. Our scope, presented below, totals 18% of the total project cost.

The following items of work are general guidelines describing the work required to provide submittal documents for a Special Use Permit, detailed site improvement plans, technical specifications, a drainage report, and related services:

1. SITE CIVIL DESIGN AND PREPARATION OF PLANS:

Site design will include:

- > Assist the City staff to determine the preferred design specifics
- > Preparation of a site clearing plan
- > A site horizontal control plan
- > A parking lot striping and signage plan
- > An ADA routing plan if determined necessary
- > A grading and drainage plan for the parking lot, river bank stabilization, the boat ramp, and Morgan Mill Road improvements if determined necessary by City staff
- > A revegetation and planning plan
- > Special details for river bank stabilization and revegetation treatments
- > A river diversion plan
- > Special details for river diversion and Standard details for parking lot improvements
- > Preparation of special technical specifications for river work
- > Assist City with special conditions
- Calculation of quantities
- > Preparation of the bid schedule; and a final engineer's estimate of probable construction costs. The specifications, quantities, measurement and payment descriptions, bid schedule, and engineer's estimate are typically required by City staff preparing the bid packages to go out to bid.

- > The elevation of flood flows in the river will be correlated to various flood events so as to determine water surface elevations relative to the locations of new improvements. A technical memo will be provided to the City.
- > The design team will coordinate with the Parks Department staff and the permitting coordinator (Paul Pugsley). RCI will provide monthly project status updates with the monthly invoicing, and project status updates. RCI will provide information as requested as the project moves from conceptual layouts to final design, coordinating needs to acquire basic design information, and presentation of information to advisory committees and parks department staff members.
- > Two meetings with the Technical Advisory Committee and one meeting with Nevada State Lands are anticipated.

Note per Parks Department staff: A utility plan will not be needed; the City will prepare the special conditions; a full drainage analysis and report will not be necessary because the project is adjacent to the river; meetings other than those listed above and in Task 2 below are not included in this scope.

2. ENVIRONMENTAL TESTING FOR MERCURY:

- ➤ A sampling and analysis plan will be prepared identifying the initial locations for collection of site soils to be tested for mercury concentration. This testing plan will be prepared for testing soils prior to final design to determine the potential for mercury contamination above the 300 mg/kg action standard.
- > The NDEP suggested 20 sample locations for initial mercury testing. The two samples with the highest mercury contents will be tested for leaching using Total Contaminated Leaching Potential (TCLP) to determine if the mercury-contaminated soil may qualify as a hazardous waste. These samples will be collected at the time that the geotechnical subconsultant is on-site with a backhoe.
- Mercury contaminated soils with less than 80 mg/kg concentrations can be used or disposed of with no restrictions. Mercury contaminated soils with less than 300 mg/kg can be used on site at any depth.
- Mercury contaminated soils with greater than 300 mg/kg concentrations may be used at the Morgan Mill site if it is buried by 24 inches of soil with concentrations less than 300 mg/kg.
- Mercury contaminated soils that fail the TCLP test and need to be shipped off-site must be handled as a hazardous waste. If it is not shipped off-site, it can be buried on-site.
- ➤ A more detailed Sampling and Analysis Plan (SAP) will be prepared and submitted to the State of Nevada for approval. This SAP will sample the top two feet of exposed soils at final grade to verify compliance with the 300 mg/kg mercury soil

standard for recreation areas. The NDEP has suggested 15 sample locations for verification testing.

- > All results will be provided to park staff with recommendations related to any special requirements for disposal of the soils.
- > Special requirements relating to Best Management Practices (BMP) will be noted on the improvement plans and provided to the contractor for inclusion in the contractor's Stormwater Pollution Prevention Plan for their NPDES permit.
- > Two meetings with the NDEP are anticipated.

3. CONSTRUCTION:

We assume the construction will require 8 weeks for the river work. The parking area grading and asphalt work will be overseen by the City. Construction services will not include testing services or preparation of change orders.

- > RCI will assist the City with responses to contractor's questions during the bidding process, attend the prebid conference, and prepare addenda if determined necessary. This item assumes only one addendum will be required, and if additional addenda are necessary, these will be billed for by time and materials expended.
- > During construction, we will be available to respond to questions as needed.
- > For all work involving the river bank and ramp, RCI will attend one weekly construction meeting. RCI will provide up to three inspections per week contingent on the work occurring during the week. This assumes 10 hours per week for 8 weeks by a staff engineer with special inspections by a senior engineer.
- > The RCI revegetation specialist will work with the City regarding revegetation efforts. This assumes two days of assistance.
- > Upon completion of all work, one set of final record drawings will be prepared.

Note per Parks Department staff: the City will prepare the weekly inspection reports and photo documentation; the contractor will provide the construction staking.

Mr. Vern Krahn, Park Planner April 17, 2008 Page 5

4. GEOTECHNICAL:

Black Eagle will provide a geotechnical report per their scope and cost estimate. This information is cricital in order to complete the project design. Please note, soils samples will be taken by RCI staff at the time the geotechnical investigations take place to take advantage of the backhoe and operator. The following is pertinent information from their scope of work:

Black Eagle consulting will obtain utility clearance for the entire project area prior to exploration. Exploration of the site would be performed by excavating 3 to 4 backhoe test pits to sufficient depths to adequately reveal subsurface soil and ground water conditions. We anticipate that our exploration will only take 3 to 4 hours to complete. We have budgeted the backhoe and operator for 8 hours so that he will be available to excavate additional mercury sampling test pits for RCl staff. We will make our test pits available to RCl staff as well. Our geotechnical personnel would log all exploration in the field. Test pits would be backfilled immediately after the exploration. Backfill will be loosely placed and the area re-graded to the extent possible with equipment on hand.

Representative samples of each significant soil type / significant soil types would be tested in the laboratory to characterize the foundation soils' index properties, such as moisture content, grain size distribution, and plasticity. Index properties are indicative of the mechanical behavior of the soils.

The results of our research, site exploration, laboratory testing, and engineering analyses would allow formulation of geotechnical recommendations for the design and construction of this project. These recommendations would be summarized in a geotechnical report for this project covering:

- site description and history
- · summary of research performed
- summary of site exploration
- summary of laboratory testing
- site and regional geology
- site seismicity
- geologic hazards, including preliminary liquefaction opinion
- seismic design criteria (2006 IBC)
- site soil and ground water information
- corrosion potential
- excavation characteristics
- site preparation/stabilization
- grading
- structural backfill requirements
- cut and fill slopes
- foundation preparation
- allowable bearing capacities
- settlement characteristics
- lateral earth pressures
- coefficient of base friction factors
- aggregate base sections for concrete slabs and boat ramps
- structural section for asphalt concrete
- site drainage
- erosion control
- · identification of recognizable construction problems

Note: Geotechnical services may be provided by the City instead of using this subconsultant.

Mr. Vern Krahn, Park Planner April 17, 2008 Page 6

TIMING AND COORDINATION

The above services are the only services that will be provided under this scope of work. Additional services may be provided if requested but will be extra work and not covered under the cost of these services. RCI requires a fifteen percent mark-up on subconsultants to cover our accounting services.

The schedule is dependent on many other parties and will be subject to the direction of the owner and the timing of others. Work is currently on-going under and extended contract through Hansen Landscape Architects. A meeting with the ACOE on April 24th is included in this on-going work. It is anticipated that a new contract will be approved by the Board of Supervisors on or around May 1, 2008. The goal is to have the design and bid package complete by July 14th.

It is RCI's understanding that the City or other consultant are responsible for the Section 404 permit, Section 401 certification, Temporary Working in Waterways Permit, State of Nevada Division of State Lands permit, and all City permits.

RCI understands that the City will make available to us pertinent existing data and furnish us with full information as to requirements including any special considerations or special services needed.

RCI will invoice the City for services on a monthly basis up to the total amount shown herein. Should the conditions or requirements of the project change causing us to spend additional time, provide additional services, or acquire outside assistance, RCI will so inform the City and stop work until City approval to proceed with the additional work is received.

Mr. Vern Krahn, Park Planner April 17, 2008 Page 7

COST ESTIMATE

Our estimate of fees for the above tasks is as follows.

Task	Cost Estimate \$
1. Site Civil Design And Preparation Of Plans	64,000
2. Environmental Testing For Mercury	10,000
3. Construction	10,110
4. Geotechnical Investigations	5,390
Sub Total	\$ 89,500

This is a cost estimate. Please note that all tasks listed above will be billed monthly on a time and materials and will not be exceeded without prior written authorization from the City.

We are looking forward to working with you and please feel free to call with any questions or concerns.

Sincerely,

John L. McLain, Principal

JLM:sta

Enclosures: Resource Concepts, Inc. Insurance Coverage Documents

2008 Fee Schedule

FEE SCHEDULE

		HOURLY BILLING RATE
ENGINEERING	Principal Engineer	130.00
SERVICES	Project Manager	
	Senior Engineer	
	Staff Engineer	100.00
	Engineering Intern	85.00
	Senior Engineering Technician	72.0 0
-	Engineering Technician	67.00
SURVEYING	Survey Director	120.00
SERVICES	Senior Land Surveyor	105.00
	Licensed Land Surveyor	95.00
-	Survey Party Chief	85.00
	Survey Technician	80.00
	1-Man Survey Crew 4 (GPS/Robotic Total Station)	115.00
	2-Man Survey Crew " (GPS/Robotic Total Station)	150.00
WATER	Principal Water Rights Specialist	150.00
RIGHTS	Senior Water Rights Specialist	125.00
	Water Rights Specialist	85.00
	Water Rights Technician	65.00
MAPPING	Senior GIS Specialist	90.00
SERVICES	GIS Specialist	85.00
	GIS Technician	65.00
	CAD Specialist	85.00
	CAD Technician	65.00
PLANNING	Senior Planner	115.00
SERVICES	Planner	95.00
Inspection & Testing Services	Senior Inspector	85.00

¹¹ Includes four wheel drive vehicle, robotic total station, RTK GPS equipment, field data collection system, and 2-way radios for 2-man.



"This confidential information is intended only for the use of Carson City Parks & Recreation Dept.

This information should not be distributed without the written authorization of Resource Concepts, Inc."

Effective: January 2008

CARSON CITY OFFICE 340 North Minnesota St. + Carson City, NV 89703-4152 office: 775-883-1600 + fax: 775-883-1656 ZEPHYR COVE OFFICE 212 Elks Point Rd., Ste 443 + PO Box 11796 + Zephyr Cove, NV 89448 office: 775-588-7500 + fax: 775-589-6333

www.rci-nv.com

FEE SCHEDULE

		HOURLY BILLING RATE
RESOURCE	Principal Resource Specialist	130.00
SERVICES	Resource Project Manager	
	Senior Resource Specialist	
	Resource Specialist	
	Senior Resource Technician	
	Resource Intern	
	Resource Technician	65.00
	Wetlands Specialist	100.00
	Field Biologist	
	Senior Biologist	
	Fluvial Geomorphologist	
	Forester	
	Professional Forester	
RANGE	Principal Range Specialist	105.00
SERVICES	Range Conservationist	
	Senior Range Specialist	
ENVIRONMENTAL	Principal Environmental Specialist	130.00
SERVICES	Environmental Manager	
	Environmental Project Manager	115.00
	Senior Environmental Specialist	105.00
	Environmental Engineer	120.00
	Environmental Specialist	90.00
	Senior Environmental Technician	70.00
	Environmental Technician	65.00
	Water Quality Technician	70.00
	ENVIRONMENTAL EQUIPMENT	
	GPS (hand unit)	50.00/đay
	Bailers (disposable)	
	pH/Temp/Conductivity/Meter/Filter	-
	Health/Safety Equipment	
	Hand Held Portable Auger	15.00/day

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Effective: January 2008

CARSON CITY OFFICE ZEPHYR COVE OFFICE

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FEE SCHEDULE

ADMINISTRATIVE SERVICES

		BILLING RATE
Accounting	Manager	90.00
Computer 7	Technician	75.00
Accounting	Staff	65.00
Desk Top P	ublishing	70.00
Word Proces	ssor	65.00
Secretary	·····	55.00
Technical A	ide II	40.00
Technical A	ide	35.00
	(4-Wheel Drive)	
Plots 11 x Color Plot Large Doc Color Larg	Out of State)	

HOURLY

> Preparation for and Expert Witness Testimony will be hilled at an adjusted rate established on a case by case basis with the client,

Invoices are due upon presentation, and are past due after 30 days. A finance charge of 1½ % per month or the maximum rate allowed by law will be charged on outstanding balances over 30 days.

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Exhibit B



ENGINEERING • SURVEYING • RESOURCES & ENVIRONMENTAL SERVICES

RESOURCE CONCEPTS, INC.

RECEIVED

May 11, 2009

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MAY 14 2009

CARSON CITY PARKS DEPT.

Thomas B. Grundy P.E.
Project Manager
Carson City Public Works Department
Capital Projects
3505 Butti Way
Carson City, NV 89701

Subject: Morgan Mill River Access Mercury Testing

Dear Mr. Grundy:

Resource Concepts, Inc. (RCI) is providing Carson City with the following Scope of Work and Cost Estimate for mercury testing for the Morgan Mill River Access Project. The following paragraphs describe the cost breakdown for Mercury Testing:

Item	Cost Each (including expedited analyses)	Total
7 composite samples for Total Mercury	\$ 60	\$ 420
7 composite samples for TCLP	\$180	\$ 1260
Sample Collection and transfer to Lab		\$ 1500
Summary report prep and NDEP Coordination		\$ 700
Total		\$ 3880

We look forward to continuing our work with the Carson City team for this very worthwhile project. Please call me if you have any questions.

Sincerely

George Mahe Senior Engineer

GM:am

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