



October 2, 2023

To: Regional Transportation Planning Committee *For*
From: Darrell E. Johnson, Chief Executive Officer *[Signature]*
Subject: Amendment to Agreement for Construction Management Support Services for the Interstate 5 Improvement Project from Alicia Parkway to El Toro Road

Overview

On April 13, 2020, the Orange County Transportation Authority Board of Directors approved a contract with Jacobs Project Management Co., to provide construction management support services for the Interstate 5 Improvement Project from Alicia Parkway to El Toro Road as part of the Interstate 5 Improvement Project between State Route 73 and El Toro Road. An amendment to the existing agreement is needed to provide additional funding for construction management support services.

Recommendation

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-9-1605 between the Orange County Transportation Authority and Jacobs Project Management Co., in the amount of \$3,740,000, for additional construction management support services for the Interstate 5 Improvement Project from Alicia Parkway to El Toro Road. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$12,092,394.

Discussion

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans), is implementing the Interstate 5 (I-5) Improvement Project between State Route 73 (SR-73) and El Toro Road (Project). The Project is part of projects C and D in the Measure M2 (M2) freeway program and is being advanced through the updated Next 10 Delivery Plan approved by the OCTA Board of Directors (Board) in November 2022.

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The Project adds improvements in each direction on I-5 between Avery Parkway and Alicia Parkway, extends the second high-occupancy vehicle lane from El Toro Road to Alicia Parkway, re-establishes auxiliary lanes, and constructs new auxiliary lanes at various locations. In addition, the Project will reconstruct the Avery Parkway and La Paz Road interchanges, reconstruct the Los Alisos Boulevard overcrossing, improve several existing on- and off-ramps, and convert existing and proposed carpool lanes to continuous access.

Construction is underway in three segments with the following Project limits:

- Segment 1 extends from SR-73 to south of Oso Parkway
- Segment 2 extends from south of Oso Parkway to south of Alicia Parkway
- Segment 3 extends from south of Alicia Parkway to El Toro Road

On April 13, 2020, the Board authorized Agreement No. C-9-1605 with Jacobs Project Management Co., (Jacobs) to provide construction management support services for Segment 3, between Alicia Parkway and El Toro Road.

Additional construction management support services are required at this time due to a variety of issues that have been encountered within the limits of Segment 3 of the Project, including delays caused by third-party utility relocations, man-made buried objects, including buried asbestos conduits, incorrect as-builts of existing facilities, and installation and removal of shoring required to protect third-party utility facilities. These issues have impacted and delayed the construction contractor's progress and are being monitored and managed with the intent to minimize further delays to the construction completion date.

The level of construction management support services needed has also risen due to an increase in the construction scope of work. The additional work associated with coordinating with third-party utilities and the installation and removal of shoring required to protect third-party utility facilities have required additional construction management support and extended the duration of the construction contract by 99 working days. Another 92 working days were granted to the contractor due to incorrect as-built plans for an existing retaining wall in proximity to the proposed foundations for the Los Alisos Boulevard overcrossing and the existence of bats within the Aliso Creek bridge. Additional construction management support services include the associated collection, processing, and maintenance of Project communications and records, management of contractor progress payments, and processing of contract change orders and claims.

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Procurement Approach

The original procurement was handled in accordance with OCTA's Board-approved procedures for architectural and engineering services, which conform to both state and federal laws. The original firm-fixed price agreement was issued on October 19, 2020, in the amount of \$8,352,394. This agreement has been previously amended as shown in Attachment A.

OCTA staff negotiated the required level of effort with Jacobs to provide construction management support. Staff found Jacob's cost proposal, in the amount of \$3,740,000, to be fair and reasonable relative to the negotiated level of effort. Proposed Amendment No. 5 to Agreement No. C-9-1605, in the amount of \$3,740,000, will increase the total contract value to \$12,092,394.

Fiscal Impact

The additional funding for the Project is included in OCTA's Fiscal Year 2023-24 Budget, Capital Programs Division, Account No. 0017-9085-FC106-103. The source of additional funding is M2.

Summary

Staff requests Board of Directors' approval to authorize the Chief Executive Officer to negotiate and execute Amendment No. 5 to Agreement No. C-9-1605 between the Orange County Transportation Authority and Jacobs Project Management Co., in the amount of \$3,740,000, for additional construction management support services for the Interstate 5 Improvement Project from Alicia Parkway to El Toro Road. This will increase the maximum obligation of the contract to \$12,092,394.

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Attachment

- A. Jacobs Project Management Co., Agreement No. C-9-1605 Fact Sheet

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