



**April 1, 2024**

**To:** Regional Transportation Planning Committee

**From:** Darrell E. Johnson, Chief Executive Officer

**Subject:** Amendment to Agreement for Construction Management Consultant Services for the Interstate 405 Improvement Project Between State Route 73 to Interstate 605

**Overview**

On June 8, 2015, the Orange County Transportation Authority Board of Directors approved a contract with Jacobs Project Management Co., to provide construction management consultant services for the design-build delivery of the Interstate 405 Improvement Project between State Route 73 to Interstate 605. An amendment to the existing agreement is needed to provide additional services through the completion and closeout to extend the term of the agreement.

**Recommendation**

Authorize the Chief Executive Officer to negotiate and execute Amendment No. 14 to Agreement No. C-4-1447 between the Orange County Transportation Authority and Jacobs Project Management Co., in the amount of \$1,773,118, for additional construction management consultant services for the Interstate 405 Improvement Project between State Route 73 to Interstate 605, and extend the term of the agreement through June 30, 2025. This will increase the maximum cumulative obligation of the agreement to a total contract value of \$49,587,573.

**Discussion**

The Orange County Transportation Authority (OCTA), in cooperation with the California Department of Transportation (Caltrans) and the cities of Costa Mesa, Fountain Valley, Huntington Beach, Seal Beach, and Westminster, is implementing the Interstate 405 (I-405) Improvement Project between State Route 73 (SR-73) to Interstate 605 (I-605) (Project). The Project includes one general purpose lane in each direction from Euclid Street to I-605, consistent with Measure M2 Project K, and an additional lane in each direction that

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combines with the existing high-occupancy vehicle lane to provide dual express lanes in each direction on I-405 from SR-73 to I-605, otherwise known as the 405 Express Lanes.

On June 29, 2016, OCTA entered into an agreement with Jacobs Project Management Co. (Jacobs) to provide construction management consultant (CMC) services. The CMC supplements the program management consultant in the management of the construction phase of the design-build (DB) contract. The scope of services of the CMC includes administration of the construction contract, assuring compliance between the DB contractor's design and construction activities, performance of quality assurance inspections, which includes surveying, management of independent quality assurance testing, preparation of daily construction activity reports, and environmental mitigation monitoring. Other services include coordination and communications between the DB contractor and all other project participants, processing, collecting, and maintaining project communications and records, managing the recommendation of DB contractor progress payments, and processing of change orders and claims.

Additional CMC support is needed above the originally estimated level of effort to ensure the DB contractor, OC 405 Partners (OC405), is in compliance with the Project's contract requirements, construction quality management plan, and various agency standards and permits, including Caltrans, the corridor cities, and environmental resource agencies. The following describes the specific efforts needed:

- Additional CMC efforts to facilitate punch list walks with OC405 and various stakeholders, including all corridor cities and Caltrans, complete the required field safety review with Caltrans, and to track and ensure resolution of all punch list items by OC405.
- Additional CMC resources to support the construction of additional scope of work added to the Project such as decorative bridge lighting on city bridges and a sidewalk extension on Newland Street in the City of Westminster.
- Additional CMC efforts to review the large volume of required construction quality close-out documentation for materials installed on the Project and as-built plans submitted by OC405.

The current term of the CMC contract expires on May 31, 2024. The CMC contract also needs to be extended to June 30, 2025, to provide additional support services for project closeout.

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***Procurement Approach***

The original procurement was handled in accordance with OCTA's Board of Directors (Board)-approved procedures for architectural and engineering services, which conform to both state and federal laws. On June 8, 2015, the Board approved an agreement with Jacobs for a term of six and a half years. The contract was issued with a maximum obligation of \$34,056,297. This agreement has been previously amended as shown in Attachment A.

OCTA staff and Jacobs reviewed and agreed to the level of effort for the additional CMC services required through June 30, 2025. Staff found Jacobs' cost proposal, in the amount of \$1,773,118, to be fair and reasonable relative to the negotiated level of effort and the independent cost estimate prepared by the OCTA project management team. Proposed Amendment No. 14 to Agreement No. C-4-1447, in the amount of \$1,773,118, will bring the total contract value to \$49,587,573.

**Fiscal Impact**

Funding for this amendment is included in OCTA's Fiscal Year 2023-24 Budget, Capital Programs Division, account nos. 0017-9085-FK101-0DY and 0037-9018-A9510-0DY, and is funded with a combination of federal, state, and local funds.

***Summary***

Staff requests Board approval to authorize the Chief Executive Officer to negotiate and execute Amendment No. 14 to Agreement No. C-4-1447 between OCTA and Jacobs, in the amount of \$1,773,118, for additional construction management consultant services for the Project and to extend the term of the agreement through June 30, 2025. This will increase the maximum obligation of the agreement to a total contract value of \$49,587,573.

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***Attachment***

- A. Jacobs Project Management Co., Agreement No. C-4-1447 Fact Sheet

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