

**STAFF REPORT FOR CALENDAR ITEM NO.: 13.5
FOR THE MEETING OF: May 11, 2017**

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Authorizing the Executive Director to execute Amendment No. 1 to the Professional Services Agreement (Agreement) between the Transbay Joint Powers Authority (TJPA) and Langan Engineering & Environmental Services Inc. (Langan), exercising the option to extend the term of the agreement through June 30, 2018, with no additional compensation.

SUMMARY:

On June 10, 2010, following a competitive procurement process, the TJPA Board of Directors authorized the Executive Director to award a contract to Treadwell & Rollo, a civil and environmental engineering firm, to provide construction-related environmental consulting services for the Transbay Transit Center Program. The Agreement was for a maximum of \$650,000 and a term not to exceed seven years, with the option to extend the term for one additional year. Effective November 1, 2010, Langan acquired Treadwell & Rollo, and the Agreement was novated and assigned to Langan.

The firm has provided environmental consulting services in association with the demolition of the former Transbay Terminal and excavation and foundation work for the Transit Center and Bus Ramp. This work has included monitoring air quality and sampling soil and groundwater contamination; preparing abatement plans; providing field inspections and oversight for regulatory, environmental, and health and safety issues associated with building abatement and demolition, soil remediation, and excavation; liaising with regulatory agencies; and reporting.

Much of the services for Phase 1 under the Agreement have been completed, with the exception of work related to soil remediation and excavation of the Bus Storage Facility and the associated bus ramp connector under Interstate 80. Construction of the Bus Storage Facility has begun, and the remaining environmental work is expected to be completed prior to completion of the facility in August 2018. Amendment No. 1 to the Agreement would extend the term of the Agreement to June 30, 2018, but would not make any other changes to the Agreement. In particular, the maximum compensation allowed under the Agreement would not change, and staff does not anticipate utilizing the full amount of the contract. As of end of February 2017, Langan has billed a total of \$422,347, approximately 65% of the contract value.

Staff also notes that Langan has consistently exceeded the 20% Small Business Enterprise (SBE) goal in the contract, currently achieving 52% SBE participation.

RECOMMENDATION:

Staff recommends that the Board authorize the Executive Director to execute Amendment No. 1 to the Agreement with Langan, exercising the option to extend the term of the agreement through June 30, 2018 with no additional compensation.

ENCLOSURES:

1. Resolution
2. Agreement Amendment No. 1

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, On June 10, 2010, in Resolution No. 10-018, the Transbay Joint Powers Authority (TJPA) Board of Directors resolved to authorize the Executive Director to execute a Professional Services Agreement (Agreement) with Treadwell & Rollo to provide environmental consulting services for the Transbay Transit Center Program for maximum compensation of \$650,000 for a term of seven years with an option to extend the term for an additional year; and

WHEREAS, Effective November 1, 2010, Langan Engineering & Environmental Services Inc. (Langan) acquired Treadwell & Rollo and the Agreement was novated and assigned to Langan; and

WHEREAS, Langan has completed environmental consulting associated with the demolition of the Transbay Terminal and the excavation and foundation work for the new Transit Center and associated Bus Ramp, and the TJPA continues to require Langan's services through June 30, 2018 to complete environmental consulting work associated with soil remediation and excavation for the Bus Storage Facility and bus link ramp, but requires no change to the compensation under the Agreement; and

WHEREAS, Such change to the term requires an amendment to the Agreement, but does not change the scope, price or deliverables under the Agreement; now, therefore, be it

RESOLVED, That the TJPA Board of Directors authorizes the Executive Director to execute Amendment No. 1 to the Agreement for environmental consulting services with Langan, to modify the Agreement to extend the term through June 30, 2018, with no increase to the maximum compensation under the Agreement.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of May 11, 2017.

Secretary, Transbay Joint Powers Authority

Amendment No. 1
Agreement 10-01-ENV-000 between
the Transbay Joint Powers Authority and
Langan

This Amendment No. 1 to the Professional Services Agreement 10-01-ENV-000 is entered into as of May 11, 2017, by and between the TRANSBAY JOINT POWERS AUTHORITY (TJPA) and LANGAN ENGINEERING & ENVIRONMENTAL SERVICES, INC. (Contractor).

The TJPA and Contractor desire to extend the term of the Agreement without changing the scope, price, or deliverables under the Agreement. The TJPA and Contractor agree to amend Section 2 and 5 of the Agreement in their entirety to read as follows:

2. Term of the Agreement

Subject to Section 1, the term of this Agreement shall be from the Effective Date of the Agreement through June 30, 2018, as described in Section 3 below.

5. Compensation

All work under this Agreement shall be compensated on an hourly, or fixed fee by deliverable basis, subject to any maximum price set forth in a particular NTP. In no event shall the total compensation under this Agreement for the contract period exceed six hundred fifty thousand dollars (\$650,000). The method of calculating charges under this Agreement is set forth in Appendix B, "Calculation of Charges," which is attached to this Agreement and incorporated here by reference as if fully set forth.

Hourly rates for services are to remain fixed during the entire contract period.

No charges shall be incurred under this Agreement nor shall any payments become due to the Contractor until the Services required under this Agreement are received from Contractor and approved by the Executive Director as being in accordance with this Agreement. The TJPA may withhold payment to the Contractor in any instance in which the Contractor has failed or refused to satisfy any material obligation provided for under this Agreement.

In no event shall the TJPA be liable for interest or late charges for any late payments.

All other provisions of the Agreement shall remain in full force and effect.

**TRANSBAY JOINT POWERS
AUTHORITY**

**CONTRACTOR
Langan**

Mark Zabaneh
Executive Director

Dorinda Shipman
Principal

Transbay Joint Powers Authority
Board of Directors

Langan Treadwell Rollo
555 Montgomery Street, Suite 1300
San Francisco, CA 94111

Resolution No. _____

Tax Identification No.: 22-3167382

Adopted: _____

Attest:

Secretary, TJPA Board

Approved as to Form by:

TJPA Legal Counsel