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**Title:** Approve a consultant services agreement with SafeworkCM for an amount not to exceed \$1,265,000 to provide Construction Safety Oversight Consulting Services for various water infrastructure capital improvement projects (Citywide)

**Sponsors:** Department of Public Utilities

**Indexes:**

**Code sections:**

**Attachments:** 1. Safework CM AGREEMENT.pdf

Date	Ver.	Action By	Action	Result
5/19/2016	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**May 19, 2016**

**FROM:** THOMAS C. ESQUEDA, Director  
Department of Public Utilities

**FROM:** MICHAEL CARBAJAL, Division Manager  
Department of Public Utilities - Water Division

**SUBJECT**

Approve a consultant services agreement with SafeworkCM for an amount not to exceed \$1,265,000 to provide Construction Safety Oversight Consulting Services for various water infrastructure capital improvement projects (Citywide)

**RECOMMENDATIONS**

Staff recommends that City Council:

1. Approve a consultant services agreement with SafeworkCM for an amount not to exceed \$1,265,000 to provide Construction Safety Oversight Consulting Services for various water infrastructure capital improvement projects.
2. Authorize the Director of Public Utilities, or designee, to sign the agreement on behalf of the

City of Fresno.

## **EXECUTIVE SUMMARY**

The Department of Public Utilities seeks Council approval for a professional consultant services agreement with SafeworkCM to perform construction safety oversight consulting services during the construction of various water infrastructure capital improvement projects. Construction safety oversight consulting services are necessary to ensure a safety culture and to ensure the City compliance with federal and state agencies. SafeworkCM will support the City and assist with compliance reviews, development of safety plans, reporting, investigations, development of training programs, site assessments, operations hazards assessments and coordinate with program and construction management teams to ensure the City complies with all applicable statutory, regulatory and administrative requirements.

## **BACKGROUND**

The Department of Public Utilities has developed the City's Metropolitan Water Resources Management Plan. The plan is comprised of multiple capital projects to provide a sustainable and reliable water supply for the community; repair and replace aging infrastructure; and eliminate the over drafting of the City's groundwater resources. The Department of Public Utilities does not have a construction safety program, nor staff to successfully assist in complying with safety related federal and state regulations.

The safety consultant will provide Safety Program Development and Oversight including development of a construction safety compliance program, health and safety awareness training for City staff, incident investigation, near miss reporting, and construction document reviews. Project Level Safety Oversight will include development of a safety plan for each project to ensure contractor compliance with the overall program specifications, regulatory requirements and the individual company's own requirements to promote a health and safety culture that has a zero incident goal.

In accordance with Fresno Municipal Code Chapter 4, Article 1, and Administrative Order 6-19, the Department of Public Utilities conducted a competitive process to select consultants to provide construction safety oversight consulting services for the program. Announcements were published on August 21, 2015, in the Business Journal and posted to the City's PlanetBids Online site. The City received requests from 19 consulting firms and distributed RFQs to each. The RFQ requested that consultants provide a statement of qualifications (SOQ) by September 11, 2015 and the Water Division received two (2) SOQs by the due date. The SOQs were evaluated by a selection committee consisting of representatives from the Water Division. Upon completion of the evaluation of qualifications submitted, and the scope and fee negotiation process, SafeworkCM was selected as being best to meet the City's needs for the program.

The services required by this agreement will be completed in approximately 1080 consecutive calendar days from the authorization to proceed. The contract is for a not to exceed amount of \$1,265,000- paid on a time and materials basis.

A standardized consultant service agreement has been used in accordance with Administrative Order 4-4, and the consultant's Certificates of Insurance have been approved by the City's Risk Management Division. Upon approval by the City Council, the agreement will be executed by the Director of Public Utilities or designee, who has been delegated this authority by the City Manager.

## **ENVIRONMENTAL FINDINGS**

Approval of the consultant service agreement amendment is not a “project” within the meaning of Public Resources Code Section 21803 (CEQA Guidelines § 15378) because the organizational and administrative activities as identified in the consultant agreement will not result in direct or indirect physical changes in the environment.

## **LOCAL PREFERENCE**

Local preference was not implemented because no local firms responded to the RFQ.

## **FISCAL IMPACT**

The agreement will not have any impact to the General Fund. Funds are included in the Department of Public Utilities, Water Division’s Fiscal Year 2016 Capital Improvement Program budget within the Water Enterprise Fund (40101) and various State Revolving Loan Funds (40161, 40162, 40184 and 40188). The costs of services for construction safety oversight services, both for pay-go capital and debt service payments, was incorporated into the water rate model used to create the five-year utility rate plan adopted by City Council on February 26, 2015. Additionally, funding for the safety contract is available in the Department of Public Utilities, Wastewater Division budget. These funds were budgeted in the FY16 Sewer Enterprise Fund (40501). No additional funding is required for this project.

Attachment:  
Consultant Services Agreement