

Master City of San José Consultant Agreement Approved Service Order Form – RWF Capital Projects Cover Page

1a. CPMS Contract No.: 9438-3 1b. AC Contract No.: 31413

2. Approved Service Order No. 3

3. Consultant's Name CDM Smith Inc. ("Consultant")

4. Project Name: Lead Electrical Inspector Services ("Project")

5. Project Location: San Jose-Santa Clara Regional Wastewater Facility ("RWF")

6. The Consultant and the City will implement this Approved Service Order in accordance with the Master Agreement, this cover page and Attachments "A" (Tasks), "B" (Terms and Conditions), and "C" (Compensation Table), which are incorporated herein by references.

7. Budget/Fiscal:

a. Current unencumbered amount in Master Agreement:	\$	7,706,509.00
b. Maximum Service Order Compensation for this Approved Service Order:	\$	611,880.00
c. New unencumbered balance in Master Agreement (7.a – 7.b):	\$	7,094,629.00

d. **Appropriation Certification:** I certify that an unexpended appropriation in the amount of the Maximum Service Order Compensation is available in the following fund(s) and that such fund(s) will be encumbered to pay for this Approved Service Order.

Fund: 512	Appn: 7481	RC: 171620	Amount: \$152,970.00
Fund: 512	Appn: 4341	RC: 179395	Amount: \$152,970.00
Fund: 512	Appn: 404V	RC: 191315	Amount: \$152,970.00
Fund: 512	Appn: 7681	RC: 184165	Amount: \$152,970.00

Authorized Signature: *Harpal Singh* Date: Sep 22, 2021
Harpal Singh (Sep 22, 2021 10:35 PDT)

8. **Division Analyst Approval:** *Mary Crippen* Date: Sep 22, 2021

9. **Consultant Approval:** *Tom Frisher* Date: Sep 21, 2021
Tom Frisher (Sep 21, 2021 10:19 PDT)

10. **Approval as to Form (City Attorney):**

Service Order Form Approved by the Office of the City Attorney
 (Maximum Service Order Compensation is \$100,000 or less, and the provisions of the service order form are not altered.)

Approved as to Form: *Jenn Pease* Date: Sep 22, 2021
 (Sr.) Deputy City Attorney

11. **City Director Approval:** *Napp Fukuda* Date: Sep 23, 2021
Napp Fukuda (Sep 23, 2021 08:56 PDT)

[Signature] Sep 22, 2021

Attachment A: Tasks

The Consultant shall provide all services and deliverables required by this **Attachment A** to the satisfaction of the City's Contract Manager.

General Description of Project for which Consultant will Provide Services:

The Adopted 2022-2026 Capital Improvement Program ("CIP") for the RWF includes twenty-two (22) active projects that are collectively valued at more than \$1,000,000,000 and will be under construction over the next several years. Projects range in size from \$5,000,000 to over \$200,000,000. Most of these projects will require electrical inspection support. One of the recommendations of the construction management readiness assessment, completed in Fall 2019, was the addition of a Lead Electrical Inspector. This position is needed to provide program-level leadership and guidance related to project-level electrical processes during construction, as well as provide project-specific electrical inspections.

The objective of the Service Order No. 3 ("SO") is for the Consultant to perform lead electrical inspector services for the CIP. This SO consists of the following tasks:

- Task No. 1: Project Management
 - Task No. 2: Lead Electrical Inspector
-

Task No. 1: Project Management

- A. Services:** Consultant Project Manager for the Project shall review and track work progress, and serve as the primary point of contact when communicating with the City. Consultant Project Manager shall manage the consultant and sub consultant staff, SO budget, project construction contingency, construction schedule and monthly invoicing of the construction services provided. All services described herein shall be directed and approved by the City.

Consultant shall follow the City's standards, CIP Construction Administration Plan ("CIP CAP") and contract documents.

Consultant shall perform the following project management activities.

1. Daily Oversight: Consultant Project Manager shall oversee the daily management of SO scope, deliverables, including monitoring and evaluating safety, quality, construction cost and schedule, staff budget, and performance of consultant and sub consultant electrical inspection staff.
2. Coordination: Consultant shall coordinate work with its staff, City staff, design engineer, contractor, subcontractors as appropriate, and requested by the City. All work performed should be coordinated with other CIP construction projects currently underway to avoid duplication, confusion, or conflicts.
3. Bentley ProjectWise CM: Consultant shall utilize the Bentley ProjectWise CM, formerly known as EADOC, the CIP's web-based document management system for correspondence among the contractor, design engineer and the City on construction documents, including pay applications, submittals, Request for Information ("RFI"), Design Change/Clarification Memo ("DCM"), construction schedule, Potential Change Order ("PCO"), Contract Change Order ("CCO"), Notices to contractors, inspection reports and testing results. Consultant shall manage and track all construction documents in the Bentley ProjectWise CM and provide a record of

communications to enable efficient retrieval and establish the chronology of events for use in dispute resolution. The City will provide training on how to use the Bentley ProjectWise CM. The City may change the document management system during the contract and Consultant shall utilize any new systems adopted by the City.

4. **Health and Safety Plan:** Consultant shall prepare and submit a Health and Safety Plan ("HASP") for the portion of Consultant's work that will involve field work, assessments, inspection, or investigations. The HASP shall describe Consultant's confined space entry program, compliance with COVID-19 requirements and guidelines, and how Consultant plans to complete field work at the RWF. The HASP shall be consistent with the CIP safety requirements and shall be updated as new conditions are encountered.
5. **Monthly Progress Reports:** Consultant shall prepare and submit a monthly progress report for the Project by the tenth of each month. The monthly progress report shall summarize the progress made on each task of the SO for the month, estimate the overall project's percent completion, and include an estimated cost at completion, consultant's staff cost at completion, and forecast schedule at completion. The monthly report shall also address any potential change orders, significant issues encountered, risks, or concerns Consultant has (e.g., anticipates difficulty meeting construction milestones due within the next thirty (30) calendar days for some reason beyond the Consultant's control).
6. **Monthly Invoices:** Consultant shall prepare and submit invoices on a monthly basis by the tenth of each month. Each invoice shall be accompanied by the monthly progress report for the invoice's billing period.

B. Deliverables: Consultant shall provide the following documents to the City's Contract Manager:

1. HASP provided as a PDF file;
2. Monthly progress reports provided as a PDF file; and
3. Monthly invoices provided as a PDF file with each monthly progress report.

C. Completion Time: Consultant must complete the services and deliverables for this task in accordance with whichever one of the following time is marked:

- On or before the following date: December 31, 2022.
- On or before ____ Business Days from ____.

Task No. 2: Lead Electrical Inspector

A. Services: Consultant shall provide one (1) full-time Lead Electrical Inspector to oversee and manage electrical inspection activities across all active CIP projects under construction, on a continuous time and material basis.

The CIP Lead Electrical Inspector will provide leadership and oversight of construction phase electrical activities for all construction projects including electrical submittal review, factory performance testing, pre-operational testing, functional testing, operational testing, and review of test results. The Lead Electrical Inspector will coordinate with the construction managers and project support staff to verify that electrical activities are completed timely and in compliance with the contract requirements and CIP programmatic requirements. The Lead Electrical Inspector will provide support where necessary to individual construction projects. The Lead Electrical Inspector will be the primary point of contact between construction phase electrical work and Plant O&M.

The services under this task fall into three (3) categories:

1. **Program Lead Electrical Inspector**

The Lead Electrical Inspector will provide program-level leadership and guidance related to project-level electrical inspection processes.

- a. Establish a consistent framework, consisting of requirements, roles and responsibilities, processes, and procedures, for all electrical field activities.
- b. Lead electrical inspection readiness workshops and progress meetings as determined by the City with each individual project CM team and contractor to confirm that electrical protocols are being followed consistently and completely.
- c. Collaborate with O&M to ensure electrical framework is in alignment with O&M's organizational structure, roles, and responsibilities.
- d. Lead reporting to O&M on status of electrical related activities and issues for the construction projects to CIP and O&M leadership.
- e. Coordinate with O&M on a regular basis to confirm their participation in electrical activity planning and execution and that CIP electrical inspection-related performance is meeting their expectations.
- f. Assist the CM team in the review of existing electrical designer scope of work and construction contract requirements to clearly delineate electrical responsibilities between the designer and contractor.
- g. Provide input for electrical submittals format and content, and contractor scheduling of activities including tie-in, shut-downs and re-routes.
- h. Review electrical-related programmatic guidance/standards and update as necessary in coordination with CIP Engineering Manager and subject matter experts to reflect lessons learned from active and completed CIP projects.
- i. Provide electrical inspection support during the testing, startup and commissioning process for all CIP.

Assist in the coordination of the electrical inspection between the CM team, the O&M, and the design engineer to ensure smooth transition of all projects into full operations.

- j. Provide support to project CM team staff to properly transmit with signed documents all O&M Manuals, spare parts, warranties, guarantees and all project close out documentation related to electrical equipment at the end of the project.
2. Electrical Design Support:

The Lead Electrical Inspector will participate in project constructability review process and provide input on conformance of plans and specifications with program standards and codes.

- a. Review of project-specific design documents/contract specification requirements pertaining to electrical requirements:
 1. Project systems, sub-systems, and equipment.
 2. Contractor's materials from vendors and suppliers.
 3. Contractor's temporary interruption plans.
 4. Factory Acceptance Testing, Pre-Operational Testing, Functional Testing, Operational Testing plans.
 5. Operations Manual.
 6. Standard Operating Procedures.
 7. O&M manuals.
 8. Process Control Narrative, Philosophy, and Strategy.

3. Construction Inspection Services: The Consultant may also be asked to provide electrical inspection services for CIP projects. The Construction Inspection services shall include but are not limited to:
 - a. Review contract documents to become familiar with the Project and contract requirements.
 - b. Review and field verify contractor's pre-construction photos and videos.
 - c. Inspect materials as they are delivered to the site for conformance to the contract documents and approved submittals.
 - d. Observe and monitor contractor daily construction activities to confirm compliance with the contract documents, codes and permits.
 - e. Oversee workmanship, quality, schedule, and planning.
 - f. Provide field coordination with the O&M staff for RWF impacting activities or with other construction projects for construction impacting activities.
 - g. Maintain photographic records of progress.
 - h. Monitor and record work executed on a daily basis and prepare daily inspection reports to document construction activities, work conditions, duration of activities, measurement of daily quantities completed, resources used (manpower, equipment and materials), testing and inspection performed, incomplete work, construction photos, safety and non-compliance issues. Utilize City's inspection report template.
 - i. Review, analyze and record construction issues that could result in a scope, time, or cost impact to the contractor's work. Report findings to the resident engineer and construction manager.
 - j. Review contractor's as-built drawings monthly and confirm they are up to date.
 - k. Maintain inspector's own as-built redlines and coordinate these with the CM and with the contractor to verify that they are up to date and accurate.
 - l. Participate in construction progress meetings and identify schedule, quality, or safety concerns.
 - m. Verify spare parts provided by the contractor and hand them over to the O&M staff with proper documentation.
 - n. Review RFIs and Design Change Memos to verify contractor compliance with up to date contract design documents.
 - o. Track and monitor all non-conforming construction work, recommend corrective action to the City, and if directed by the City to the contractor, and verify corrective work once performed by the contractor.
4. Special Inspections and Material Testing
 - a. Plan and coordinate special inspection and material testing with the third party inspection firm.
 - b. Plan and coordinate code compliance inspections with the City Structural Engineering and Code Inspections ("SECI").
 - c. Plan and coordinate permit inspections with the applicable permit agencies.
 - d. Confirm all third party field inspectors have appropriate qualifications and maintain copies of all inspector's certifications.
 - e. Prepare and submit inspection request forms.
 - f. Review and submit test reports, follow up with any non-conforming work requiring

corrective action and schedule re-inspections.

5. Testing, Start-Up and Commissioning

- a. Review and provide comments on contractor's TSC plan.
- b. Attend TSC meetings.
- c. Assist TSC manager in coordinating activities and resolving testing issues.
- d. Participate in TSC activities, witness, and document all tests.
- e. Document daily TSC activities and evaluate compliance with TSC plans and contract documents.
- f. Maintain documentation to support sign-off of equipment required for TSC activities.
- g. Compile completed test documentation.
- h. Coordinate and participate in pre-final and final walkthrough inspections with the City O&M staff and contractor, and prepare initial and completed punch list for outstanding work.

B. Deliverables: Consultant shall provide the following documents to the City's Contract Manager. Provide all documents and deliverables specified in this SO including but not necessarily limited to the following:

1. General Field Inspection:

- a. Review comments on contractor's pre-construction photos;
- b. Daily inspection reports;
- c. Construction progress photos;
- d. Review comments on contractor's as-built drawings;
- e. Inspector's as-built redlines; and
- f. Spare parts hand over documentation.

2. Special Inspections and Material Testing:

- a. Inspection request forms and testing reports for special inspections, material testing, code inspections and permit inspections.

3. Testing, Start-Up and Commissioning:

- a. Review comments on TSC plans;
- b. Daily TSC reports;
- c. Pre-Operational testing checklists;
- d. Testing results; and
- e. Initial and completed punch lists.

C. Completion Time: Consultant must complete the services and deliverables for this task in accordance with whichever one of the following time is marked:

On or before the following date: December 31, 2022

On or before ____ Business Days from _____.

Attachment B: Terms and Conditions

1. **City's Contract Manager:** The City's contract manager for this Approved Service Order is:

Name: Norman C. Mascarinas	Phone No.: (408) 635-4006
Department: Public Works	E-mail: norman.mascarinas@sanjoseca.gov
Address: 4245 Zanker Road, San Jose, CA 95134	

2. **Consultant's Contract Manager and Other Staffing:** Identified below are the following: (a) the Consultant's contract manager for this Approved Service Order, and (b) the Consultant(s) and/or employee(s) of the Consultant who will be principally responsible for providing the services and deliverables. ***If an individual identified below does not have a current Form 700 on file with the City Clerk for a separate agreement with the City, and is required to file a Form 700, the Consultant must comply with the requirements of Subsection 17.5 of the Master Agreement, entitled "Filing Form 700."***

		<u>Required to File Form 700?</u>		
		Yes Already Filed (Date Filed)	Yes Need to File	No
<u>CONSULTANT's Contract Manager</u>				
Name: Tom Frisher	Phone No.: 925-322-3081	2/15/21		
Address:	E-mail: frishertr@cdmsmith.com			
<u>Other Staffing</u>				
Name:	Assignment:			
1. David Hill	Lead Electrical Inspector		X	
2. Mark Takemoto	Project Manager	3/31/21		
3.				

3. Subconsultants: Whichever of the following is marked applies to this Approved Service Order:

- The Consultant can **not** use any sub-Consultants.
- The Consultant can use the following sub-Consultants to assist in providing the required services and deliverables:

<u>Subconsultant's Name</u>	<u>Area of Work</u>
1.	
2.	
3.	

4. Contract Personnel: Whichever of the following is marked applies to this Approved Service Order:

- The Consultant can **not** use any Contract Personnel.
- The Consultant can use the following Contract Personnel to assist in providing the required services and deliverables:

<u>Personnel/Agency Name</u>	<u>Area of Work</u>
1.	
2.	
3.	

5. Travel Expenses: Refer to Exhibit B: Basis of Compensation, Item 3.1 Travel Expenses in the MCA (Master Consultant Agreement).

Name	Home Office

CPMS Contract No.: 9438-3
 Service Order No. 3
 Consultant: GDM Smith Inc.

Attachment C: Compensation Table

The City will compensate the Consultant for providing the services and deliverables set forth in **Attachment A** in accordance with this Compensation Table. This Compensation Table is subject to the terms and conditions set forth in the Master Agreement, including without limitation Section 10 of the Master Agreement and **Exhibit B**, Basis of Compensation.

Column 1	Column 2	Column 3	Column 4	Column 5	Column 6	Column 7
Task No. and Task Title from Attachment A	Invoice Period	Multiplier Compensation	Contract Personnel	Reimbursable Expenses (Including applicable markup)	Subconsultant Costs (Including markup)	Total Compensation
Task 1 Project Management	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$31,734.00	\$	\$	\$	\$31,734.00
Task 2 Lead Electrical Inspector	<input checked="" type="checkbox"/> Monthly <input type="checkbox"/> Completion of Task(s) <input type="checkbox"/> Completion of Work	\$580,146.00	\$	\$	\$	\$580,146.00
Maximum Compensation		\$611,880.00	\$	\$	\$	\$611,880.00



- FOR YOUR ELECTRONIC SIGNATURE
- FULLY EXECUTED COPY TO FOLLOW

CITY STAFF: _____
STAFF EMAIL: _____

SCANNED SIGNATURE AUTHORIZATION

DATE: Sep 2, 2020 TOTAL PAGES: _____
(INCLUDING THIS PAGE) 1

CONSULTANT NAME: Hala Z. Titus
EMAIL: titushz@cdmsmith.com
PHONE: 925 212 2228

I agree to use electronic signatures

SIGNATURE OF CONSULTANT: _____

DIRECTIONS:

REVIEW THE ENCLOSED DOCUMENT, IF IT IS ACCEPTABLE:

1. SIGN THE DOCUMENT
2. CHECK THE BOX BELOW YOUR NAME AND SIGN AGREEING TO THE USE OF ELECTRONIC SIGNATURES
3. SCAN YOUR EXECUTED DOCUMENT TOGETHER WITH THIS COVER PAGE **IN BLUE INK**
4. EMAIL THE ENTIRE DOCUMENT TO (CITY STAFF EMAIL ADDRESS):

To BE COMPLETED BY CITY STAFF:

ALTERNATIVE METHODS OF VERIFICATION:

- USE OF A PASSWORD PROTECTED WEBSITE
- CONFIRMED BY A KNOWN TELEPHONE NUMBER

PERSONALLY KNOWN TO CITY STAFF

City of San José Contract/Agreement Transmittal Form

Route Order

Attached / Completed

Electronically Signed

TO: City Attorney
 City Manager
 City Clerk **OR** Return to
Dept. (circle one)

Insurance Certificates / Waivers Electronically Signed: Select one
 Business Tax Certificate Audit Trail Attached (if applicable)
 Contacted Clerk re: Form 700 Scanned Signature Authorization
 Supplemental Memorandums (if applicable): Select One

Type of Document: Service Order

Type of Contract: Consulting Services

REQUIRED INFORMATION FOR ALL CONTRACTS:

Existing GILES # 666256-003

Contractor: CDM Smith, Inc.

Address: 220 Montgomery Street, Suite 1418, San Francisco CA 94104

Phone: 925.296.8031

Email: frishertr@cdmsmith.com

Contract Description: Service Order 03 -- Construction Management for Lead Electrical Inspector

Term Start Date: _____ Term End Date: _____ Extension: Select one

Method of Procurement: Select one RFB, RFP or RFQ No.: _____ Date Conducted: _____

Agenda Date (if applicable): _____ Agenda Item No.: _____

Resolution No.: _____ Ordinance No.: _____

Original Contract Amount: _____ Amount of Increase/Decrease: 0

Option #: ___ of ___ Option Amount: _____ NTE/Updated Contract Amount: \$611,880

Fund/Appropriation: _____

Form 700 Required (Selection mandatory for processing): Yes Revenue Agreement: Select one

Tax Certificate No.: 5277362010 Expiration Date: 3/15/22

Department: ESD (76)

Department Contact: Norman Mascarin 408.513.5888 Customer (Finance Only): _____

Notes:

Department Director Signature: _____ Date

Office of the City Manager Signature: _____ Date