



CONSENT CALENDAR

City of San Bernardino Request for Council Action

Date: May 15, 2024

To: Honorable Mayor and City Council Members

From: Charles A. Montoya, City Manager;
Lynn Merrill, Director of Public Works, Operations and Maintenance

Department: Public Works

Subject: **Amendment No. 2 to Agreement with Anser Advisory Management, LLC (All Wards)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino California,

1. Authorize the City Manager or designee to Approve Amendment No 2. to the Professional Services Agreement with Anser Advisory Management, LLC, for the project of Upgrade Various Signal Hardware at 224 Signalized Intersections on Various Arterials, for construction management and inspection services, as well as extending the agreement until December 30, 2024.

Executive Summary

The installation of traffic signal hardware, vehicle traffic signals heads, pedestrian signal heads, and American with Disability Act (ADA) push- buttons represents a strategic investment in enhancing traffic control, safety, and compliance with state and federal standards at the designated intersection on this project.

Background

The Highway Safety Improvement Program (HSIP) is a core Federal-aid program with the purpose to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned roads and roads on tribal land. The HSIP requires a data-driven, strategic approach to improving highway safety on all public roads with a focus on performance.

The HSIP is legislated under Section 148 of Title 23, United States Code (23 U.S.C. 148) and regulated under Part 924 of Title 23, Code of Federal Regulations (23 CFR Part 924). The HSIP consists of three main components, the Strategic Highway Safety Plan (SHSP), State HSIP or program of highway safety improvement projects and the Railway-Highway Crossing Program (RHCP).

In addition, some states also have a High-Risk Rural Roads (HRRR) program if they had increasing fatality rate on rural roads. The HSIP Cycle 9 call for projects was announced in May 2018, and in August 2018, and the City of San Bernardino submitted an application to Upgrade Various Signal Hardware at 224 Signalized Intersections on Various Arterials Citywide. On December 27, 2018, the City received the HSIP grant in the amount of \$5,490,800 to do the project.

On June 19, 2019, the Mayor and City Council approved Resolution No. 2019-168 adopting the City's Annual Operating Budget for Fiscal Year 2019/20. The budget included Capital Improvement Plan (CIP) TC20-007 project for the Upgrade Various Signal Hardware at 224 Signalized Intersections on Various Arterials and established \$5,490,800 in HSIP Grant funds to support the project. The Design for the project was completed in July 2021, by Kimley-Horn and Associate at a total design cost of \$631,534.25. A construction contract was awarded by the City Council on Dec 15, 2021, to Baker Electric in the amount of \$3,799,306.

Anser Advisory was awarded a construction management and inspection contract on March 2, 2022, in the amount of \$280,000. Amendment No.1 for the Professional Service Agreement (PSA) was approved by the Mayor and the City Council on May 17, 2023, for extension of time without any impacts to the current construction management and inspection PSA with an expiration date of May 17, 2024.

Discussion

Anser Advisory Management, LLC has been providing construction management, project management, and inspection services for 224 signalized intersections on various arterials in the City of San Bernardino since March of 2022. Their team of construction managers and field inspectors has been actively involved in various aspects of the project, including reviewing requests for information (RFI), conducting bi-weekly progress meetings, managing change orders, resolving construction disputes, reviewing and controlling schedules, ensuring labor compliance, and processing progress payments for approval.

The City has requested Anser Advisory Management LLC to extend their Professional Service Agreement through Amendment No. 2. This extension is to provide support to the Public Works staff during the close-out stages of the project. Although the construction phase of the project has recently concluded and most of the punch list items have been addressed by the contractor, there are still some technical issues remaining with the hardware and software of the controller cabinet push-button programming in which their inspection team will work with the vendors in

resolving these issues.

Additionally, Anser Advisory will offer assistance during the close-out stages and handle the necessary paperwork for the California Department of Transportation.

The services that Anser Advisory will provide during this period include:

1. Troubleshooting and resolving technical issues related to the hardware and software of the controller cabinet push-button programming.
2. Providing support to the Public Works staff in finalizing the project's close-out requirements.
3. Processing the required forms and documentation for submission to the California Department of Transportation for final reporting of expenditures as follows:
 - a) Final Inspection Form
 - b) Final Reimbursement invoice
 - c) Final Detail Estimates.
 - d) Change Order summary.
 - e) Final Reporting -Utilization of Disadvantaged Business Enterprises.
 - f) Material Certificate.

The PSA extension of time has no impact on the overall budget of the project and will not result in an increase in the purchase order. The remaining budget left in the purchase order is \$39,470.81. Amendment No 2.to the PSA will expire on December 30, 2024.

There is no General Fund Impact. HSIP Federal funding in the amount of \$5,490,800 has been approved for Upgrade Various Signal Hardware at 224 Signalized Intersections on Various Arterials Project and is available for this project.

Design was completed at a total cost amount of \$631,534.25

The overall construction costs of the project are as follows:

Construction Bid	
Amount	\$3,799,306.00
Construction Contingency	\$ 383,000.00
Engineering & Inspections	\$ 300,000.00
Total Construction Project cost	\$4,482,306.00
Total Design and construction cost	\$5,113,804.25
Available Grant Fund Amount	\$5,490,800

2021-2025 Strategic Targets and Goals

This project is consistent with Key Target No.1e: Improved Operational & financial Capacity-Minimize risk and litigation exposure. Approval of this Amendment will result

in public improvements being constructed that minimize risk and litigation exposure through upgrading the existing traffic signals on various arterials within the City.

Fiscal Impact

There is no impact to the General Fund with this item. Sufficient grant funds exist for this project.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino California,

1. Authorize the City Manager or designee to Approve Amendment No 2. to the Professional Services Agreement with Anser Advisory Management, LLC, for the project of Upgrade Various Signal Hardware at 224 Signalized Intersections on Various Arterials, for construction management and inspection services, as well as extending the agreement until December 30, 2024.

Attachments

Attachment 1 - Amendment No. 2 Anser Advisory Management, LLC.

Attachment 2 - Amendment No. 1 Anser Advisory Management, LLC.

Attachment 3 - Original Professional Services Agreement

Ward:

All Wards

Synopsis of Previous Council Actions:

June 16, 2019, Adopted Resolution No. 2019-168 approving Capital Program
FY 2019/2020.

Dec 15, 2021, Adopted Resolution No. 2021-299 award Construction Contract to
Baker Electric

March 2, 2022, Adopted Resolution No. 2022-50 Award professional services
Agreement to Anser Advisory Management, LLC.

May 17, 2023, Mayor and City Council Amendment No 1. Extension of Time.