



T K E E N G I N E E R I N G , I N C .

July 26, 2024

Mr. Ramon Mendez, P.E.

**City of San Bernardino**

Department of Public Works

201 North "E" Street, 2nd Floor

San Bernardino, CA 92401

Subject: Task Order Number 001 for Speicher Park Ballfield Improvements  
(Phase 1)

Dear Mr. Mendez:

Thank you for the opportunity to provide professional construction management and inspection services for Speicher Park Ballfield Improvements (Phase 1) Project. The project is estimated at 160 working days for construction. TKE's scope of services for the project are shown below.

**SCOPE OF WORK**

TKE's scope of services is presented in the following paragraphs:

TASK NO. 1 - PRECONSTRUCTION MEETING

Prior to the Preconstruction Meeting, TKE's Construction Manager and Inspector will review all project plans and specifications to have a complete understanding of the project requirements. During our review, we will identify any constructability issues that may cause project delays and/or unnecessary change orders.

A preconstruction conference will be held for the project. The conference will be attended by City staff, TKE's Construction Manager and Construction Inspector, the Contractor, representatives of potentially affected utilities and representatives of any other affected agencies. Prior to the conference, we will prepare a conference agenda. At the meeting, we will discuss communication protocol requirements, safety and health procedures, storm water controls, schedule requirements, procedures for contract submittals, contract administration, job-site access and delivery, and coordination with others. After the meeting, it will be documented with minutes.

*Deliverables: Agenda, Minutes, and distribution to all entities*

TASK NO. 2 - MATERIAL SUBMITTAL REVIEW

TKE will develop a list of all required material submittals and compare the list to the Contractors submittals. TKE will review all project submittals including traffic control plans. Each submittal shall be reviewed with City staff and design team as required to verify compliance. We will maintain a project log which will include descriptions of submittals, submittal status, date received, and date returned. Once the submittals have been reviewed and accepted, they will be signed, dated, and sent to

the Construction Inspector, City staff, project Contractor and the file. Submittals will be returned within the time frame specified by the Contract Documents but not longer than two weeks.

In addition to submittals, TKE will review all vendor and lab reports and certifications and material test inspections and correlate all reports with respect to the plans and specifications. TKE will provide a log for reports and certifications and notify the City upon any irregularities.

*Deliverables: Submittals, Transmittals, and Logs*

TASK NO. 3 – RECORDS MANAGEMENT

TKE utilizes an electronic records management system. Files include:

- △ Contract Documents, Addenda, Bulletins, and Reports
- △ All required local, other agencies and state records throughout the project duration and submit copies to the City's project manager, including labor compliance.
- △ Environmental Compliance Documents/ Agency Permits
- △ Material Submittals
- △ Contractor Correspondence (RFI's and RFC's)
- △ City Correspondence (Responses to RFI's and RFC's, Bulletins and other correspondence)
- △ Certified Payroll Records
- △ Change Orders
- △ Progress Payments
- △ Materials Testing Reports/Correspondence
- △ Surveying Records
- △ Inspection Field Reports/ Accident Reports
- △ Photo Logs
- △ Utility/Agency Correspondence
- △ Public Correspondence
- △ Operations and Maintenance Manuals
- △ Project Closeout Records

*Deliverables: E-File of All of the Above*

TASK NO. 4 – CONSTRUCTION MEETINGS

TKE will be in constant communication with City staff during the projects entirety to ensure that the project is running smoothly and in accordance with the City's

expectations. TKE will hold meetings with City staff, Contractor and Inspector, meetings with utilities/agencies, and affected agencies. Each is discussed below:

City Meetings-TKE will meet with City staff as required to keep staff fully apprised as to construction progress and potential project issues. We will prepare agendas and minutes for each meeting.

Contractor Meeting-our Construction Manager will meet with the project contractor weekly. We will prepare agendas and minutes for each meeting. Meeting agenda will typically include background, old business, new business, SWPP, submittals, RFI's, objectives, traffic control, construction phasing, project schedule, potential issues discussion, payment quantities discussion, and any safety deficiencies observed.

Utilities/Agency Meetings-as mentioned above, TKE will invite utilities and agencies to the preconstruction conference. During that meeting, all potential project impacts will be discussed with each. During construction, should issues develop needing further discussions with utilities/agencies, TKE will meet with each and develop remediation strategies. Again, all meetings will be documented with minutes.

In addition, TKE will receive RFI's and RFC's (including written clarification requests and change-in-plan drawings) regarding the contract documents. TKE will provide any drawings, sketches and written responses in a timely manner to each with direction and will verify compliance with the Contract Documents. All RFI's and RFC's will be logged, including content of inquiry, date relayed and date of response. TKE will review all RFC's for any potential change in scope and notify the City if potential change orders may arise from the RFC.

*Deliverables: Agendas, Minutes, RFI and RFC Responses*

#### TASK NO. 5 – CONSTRUCTION MANAGEMENT

Since We have provided project management from project inception, TKE is uniquely suited to respond to challenges that may occur during construction. Our manager's consistent communications with the construction inspector will also provide immediate remediation alternative development.

TKE will review the project schedule and construction progress prior to each Contractor meeting to verify compliance with the Contract Documents. In addition, we will prepare weekly statement of working days to be provided to the contractor at each weekly meeting. If the Contractor is failing to meet approved schedule contract obligations, TKE will request a remediation effort to return the project progress to comply with requirements. If the remediation plan requires adjustment to the completion date, TKE will advise the City and will not execute any approval of such change without City authorization.

Change conditions and time extensions that may warrant a change order will require a complete understanding of the impacts of the change of which TKE will need to consider in determining its resolution. TKE will seek appropriate comments from anyone impacted by the changed conditions and will closely consult with the City to

develop the most cost-effective remediation alternative. Cost and scheduling impacts will be noted and presented to the City in accordance with the cities change order procedures prior to direction being given to the Contractor, including the preparation of Change Order drawings and specifications, if required.

To maintain cost controls, TKE will review project budgets on a weekly basis, or as warranted, by review of change orders, RFC's, and progress payments. In particular, quantities used on the project will be tracked to verify that they will not exceed contract budgeted amounts. Each month, TKE will provide a budget report to the City. Should an increase in budget be required, TKE will assist Staff with staff report preparation.

Regarding RFC's, we will review any change order request received to determine if said request is warranted. If the change order request is not warranted, we will reject it in writing; prior to sending rejection letters to the Contractor, we will review it with City staff. If the change order request appears justified, we will review it with the Construction Inspector and compare it with field reports for confirmation of materials, equipment and/or labor involved; we will review same with City staff and receive City staff's approval prior to preparing and processing the contract change order. Change orders will be prepared on standard forms.

Should rejected RFC's require additional consideration, we will negotiate with contractors to establish the impact of change conditions and we will attempt to complete negotiations prior to beginning work. If we fail to reach an agreement and the work must continue, we will direct the Contractor to complete the work. For all disputed work and force account work, the Construction Inspector will document the labor, materials and equipment used for the extra work for use in future negotiations.

Upon direction from the City, TKE will continue negotiating with Contractors to settle all disputes. However, City staff will ultimately determine the extent the City will go to achieve resolution. TKE will meet with both parties, either independently or together, as warranted until resolution is reached. TKE will complete all necessary calculations to support the City's position. TKE utilizes a proactive dispute avoidance program. Once an issue is identified, TKE works diligently to resolve it as timely as possible. The weekly meetings will also be used to avoid or resolve these disputes.

If required, TKE will perform labor compliance interviews and verification of labor compliance for the project with each payment request submitted. Should deficiencies be noted, corrective action will be requested from the contractors prior to payment release.

*Deliverables: Change Orders, Budget Reports, Staff Report*

#### TASK NO. 6 – PAY REQUESTS

Each month, TKE will review the construction payment requests submitted by the contractors for work completed and the construction schedule. We will review the work completed and payment requests to ensure that the quantities and amounts requested reflect the actual work completed. After each request has been reviewed (and revised if necessary), we will approve it and forward it to staff for approval and

payment along with a written statement of completed review. We will also submit a monthly status report with each payment request that will advise the City of compliance with the project schedule.

TKE will track and log any Preliminary and Stop Notices prior to each month's progress payment. If any stop notices have been issued, we will direct the Contractor to rectify the notice and provide proof of the rectification prior to release of payment.

TKE will also provide monthly reports highlighting project progress, change orders, cost issues, and schedule.

*Deliverables: Payment Requests and Budget Reports*

TASK NO. 7 - CONSTRUCTION INSPECTION

TKE will provide daily construction inspection and reporting, to verify that the project is progressing in compliance with the contract documents. For deputy and special inspection requirements, TKE will utilize LOR Geotechnical (LOR). LOR will provide a deputy/special inspector as required by the inspection schedule listed on the construction documents and the City of Moreno Valley Building and Safety Department. We will require strict compliance with the contract documents for all construction activities and for any equipment or materials to be furnished and installed. We already possess the measuring devices and testing equipment normally required for inspecting public works construction projects. Our construction inspection personnel are experienced and knowledgeable in the operation of said devices and equipment, as well as the associated safety equipment.

All materials will be reviewed against approved material submittals as they arrive on-site. Batch tickets or weigh certificates will be collected upon material arrival.

Our Construction Inspector will verify SWPPP and safety provisions have been implemented at the start of each work day, at the construction site. Any deviations will be documented. All system service interruptions, connections and abandonments will be coordinated with staff. In addition, he will coordinate and schedule materials testing and survey requirements with appropriate parties to ensure there is no delay to the project construction and to minimize costly down periods for anyone onsite.

We will digitally photograph the activities and maintain copies in the project files and our Construction Inspector will prepare daily field reports, which will document all observed project activity, including location of the activity, number of workers present, construction equipment used, quantities constructed, inspector present, weather conditions, and construction progress. All project documentation will be completed on standard forms. All documents will be submitted in hard copy and electronic copy formats.

Our inspector will provide emergency contact information to allow for 24-hour accessibility. He will verify site safety conditions on a daily basis and, should conditions be unsafe, advise the contractor of corrective actions. If the contractor fails to remediate such conditions, he will advise the City and request direction.

Should an accident occur, we will notify the City and note all site conditions and photo document the accident location and prepare an accident report.

*Deliverables: Daily Field Reports, Site Deficiency Reports, Batch Tickets, Photographs, Accident Reports, Testing Reports, and Summary Reports*

TASK NO. 8 – AGENCY COORDINATION

TKE's Construction Manager will review permitting and coordinate with appropriate City and utility agencies affected by the work. We will coordinate project schedules and work progress affecting the project with each appropriate agency. If appropriate, the Construction Manager will invite affected agencies to attend the weekly progress meetings to review the project schedule, summarize project requirements and discuss them at these weekly meetings.

*Deliverables: Agency Coordination*

TASK NO. 9 – RECORD DRAWINGS

Each month, our Construction Inspector will review the contractor's records to ensure that a diligent effort is being made to keep current and accurate records of work in place. If deficiencies are observed, we will withhold the contractor's progress payment until the contractor demonstrates compliance.

Once the project has been completed, we will provide the City with a complete set of redlined record drawings which will reflect the improvements as constructed; any changes made during project construction will be shown on the record drawings based on contractor's and our records. Drawings will be forwarded to the design engineer to prepare final as-built drawings to be provided to the City.

*Deliverables: Redlined Record Drawings*

TASK 10 - PROJECT CLOSE-OUT

After project construction is essentially complete, we together with City staff, will field review the project and prepare a construction deficiencies list (punch list) of items requiring remedial work. After all deficiencies are corrected, our Construction Manager will prepare a letter, recommending acceptance of the project. Once the remedial work is completed, TKE will review and process the final project invoice.

TKE will assist the City to identify, track and monitor the completion of warranty work prior to the construction completion date. We will obtain lien waivers, bonds, guarantees, warranties, if required, and other documents required by the Contract Documents for final Contract Closeout.

In addition, we will prepare the Notice of Substantial Completion to establish the date for the commencement of contract warranty periods and acceptance of maintenance responsibility by City. We will provide the Contractor with a list of any remaining incomplete work requirements to be completed prior to Final Completion.

After all project requirements have been completed, we will prepare a "Notice of Completion" report documenting the final completion of the project and acceptance of the project improvements by the City.



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We will forward copies of all records in digital and hard copy format (CD ROM and mylar) and we will prepare a summary of construction changes, final cost, and schedule revisions.

*Deliverables: Punch List, Final Payment, Project Records, and Notice of Completion*

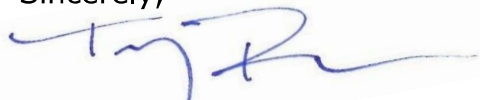
## **FEE**

TKE's fee to provide the scope of service described above are shown in the table below and based on 160 working days for the project. TKE will invoice monthly in accordance with our rate schedule and will not exceed our fee without prior approval from the City.

Task No. 1 - Preconstruction Meeting	\$2,570.00
Task No. 2 - Material Submittal Review	\$19,080.00
Task No. 3 - Records Management	\$9,780.00
Task No. 4 - Construction Meetings	\$33,760.00
Task No. 5 - Construction Management	\$126,520.00
Task No. 6 - Pay Requests	\$17,120.00
Task No. 7 - Inspection Services	\$176,480.00
Task No. 8 - Agency Coordination	\$8,080.00
Task No. 9 - Record Drawings	\$5,680.00
Task No. 10 - Project Close-Out	\$11,840.00
<b>SUBTOTAL</b>	<b>\$410,910.00</b>
<b>REIMBURSABLES</b>	<b>\$4,109.00</b>
<b>CONSTRUCTION MANAGEMENT TOTAL</b>	<b>\$415,019.00</b>

Again, thank you for the opportunity to submit our proposal to provide professional consulting services. If you have any questions, please contact me at (951) 680-0440.

Sincerely,



Terry Renner, P.E., L.S., Q.S.D.  
Senior Vice President  
**TKE Engineering, Inc.**