



## BOARD OF SUPERVISORS AGENDA ITEM REPORT AWARDS / CONTRACTS / GRANTS

☐ Award ☒ Contract ☐ Grant

Requested Board Meeting Date: 11/15/22

\* = Mandatory, information must be provided

or Procurement Director Award: ☐

**\*Contractor/Vendor Name/Grantor (DBA):**

Consultant Engineering, Inc. and HDR Construction Control Corporation

**\*Project Title/Description:**

Construction Surveillance and Inspection Services for Transportation Capital Improvement Projects

**\*Purpose:**

Amendment of Award: Master Agreement No. MA-PO-18-184, Amendment No. Eight (8). This amendment increases the agreement amount by \$500,000.00 for a cumulative not-to-exceed amount of \$9,000,000.00, for the remainder of the term, due to an increased need for inspection services. Administering Department: Transportation.

**\*Procurement Method:**

Pursuant to Solicitation for Qualifications No. 271551, on 01/16/18, the Board of Supervisors awarded a shared master agreement for these services in the amount of \$500,000.00 for an agreement term of 01/16/18 to 01/15/19.

Amendment No. One (1) was approved by the Procurement Director, on 12/21/18 to add the full annual shared award amount \$500,000.00 for a cumulative not-to-exceed amount of \$1,000,000.00 and extend the term of the agreement to 01/15/20.

Amendment No. Two (2) was approved by the Procurement Director, on 01/09/20, to add the full annual shared award amount of \$500,000.00 for a cumulative not-to-exceed amount of \$1,500,000.00, extend the term of the agreement to 01/15/21, update Article 1 to implement a revised contract amendment notification process for a more efficient way to effect future renewals, extensions and revisions, add Article 30 - Counterparts, and change Article 30 - Entire Agreement to Article 31 and update language.

Amendment No. Three (3) was approved by the Board of Supervisors, on 06/23/20, to increase the annual shared award amount by \$1,000,000.00 for a new annual shared award amount of \$1,500,000.00, and increase the amount of the agreement by \$1,000,000.00 for a cumulative not-to-exceed amount of \$2,500,000.00.

Amendment No. Four (4) was approved by the Procurement Director, on 02/04/21, to add a partial annual shared award amount of \$1,000,000.00 for a cumulative not-to-exceed amount of \$3,500,000.00, incorporate a revised rate schedule for HDR Construction Control Corporation, and extend the term of the agreement to 01/15/22.

Amendment No Five (5) was approved by the Procurement Director, on 05/19/21, to add the remaining annual shared award amount of \$500,000.00 for a cumulative not-to-exceed amount of \$4,000,000.00.

Amendment No. Six (6) was approved by the Board of Supervisors, on 06/22/21, to increase the annual shared award amount from \$1,500,000.00 to \$3,000,000.00 and increase the agreement by \$1,500,000.00 for a cumulative not-to-exceed amount of \$5,500,000.00.

Amendment No. Seven (7) was approved by the Procurement Director, on 12/27/21, to add the full annual shared award amount of \$3,000,000.00 for a cumulative not-to-exceed amount of \$8,500,000.00 and extend the term of the agreement to 01/15/23.

Attachments: Department Memorandum and Amendment No. Eight (8)

**\*Program Goals/Predicted Outcomes:**

The Department of Transportation is able to utilize the Consultants' Inspection Services to quickly and efficiently inspect the planned pavement preservation work for the remainder of the agreement.

**\*Public Benefit:**

The Department of Transportation will have the appropriate number of inspectors, on any given project, assuring the contractor's work is being performed according to the plans and specifications.

**\*Metrics Available to Measure Performance:**

Performance will be measured by the department completing the Consultant Performance Evaluation Form in accordance with the Pima County Board of Supervisors Policy D 29.1(E).

**\*Retroactive:**

No.

To: COB on 10/31/22 (1)  
vers: 15  
pgs: 4

**THE APPLICABLE SECTION(S) BELOW MUST BE COMPLETED**

Click or tap the boxes to enter text. If not applicable, indicate "N/A". Make sure to complete mandatory (\*) fields

**Contract / Award Information**

Document Type: \_\_\_\_\_ Department Code: \_\_\_\_\_ Contract Number (i.e., 15-123): \_\_\_\_\_  
 Commencement Date: \_\_\_\_\_ Termination Date: \_\_\_\_\_ Prior Contract Number (Synergen/CMS): \_\_\_\_\_  
☐ Expense Amount \$ \_\_\_\_\_ \* ☐ Revenue Amount: \$ \_\_\_\_\_

**\*Funding Source(s) required:** \_\_\_\_\_

Funding from General Fund? ☐ Yes ☐ No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

Contract is fully or partially funded with Federal Funds? ☐ Yes ☐ No

If Yes, is the Contract to a vendor or subrecipient? \_\_\_\_\_

Were insurance or indemnity clauses modified? ☐ Yes ☐ No

If Yes, attach Risk's approval.

Vendor is using a Social Security Number? ☐ Yes ☐ No

If Yes, attach the required form per Administrative Procedure 22-10.

**Amendment / Revised Award Information**

Document Type: MA Department Code: PO Contract Number (i.e., 15-123): 18-184

Amendment No.: 8 AMS Version No.: 15

Commencement Date: 11/15/22 New Termination Date: \_\_\_\_\_

Prior Contract No. (Synergen/CMS): \_\_\_\_\_

☒ Expense ☐ Revenue ☐ Increase ☐ Decrease

Amount This Amendment: \$ 500,000.00

Is there revenue included? ☐ Yes ☒ No If Yes \$ \_\_\_\_\_

**\*Funding Source(s) required: Various Funds**

Funding from General Fund? ☐ Yes ☒ No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

**Grant/Amendment Information** (for grants acceptance and awards)

☐ Award ☐ Amendment

Document Type: \_\_\_\_\_ Department Code: \_\_\_\_\_ Grant Number (i.e., 15-123): \_\_\_\_\_

Commencement Date: \_\_\_\_\_ Termination Date: \_\_\_\_\_ Amendment Number: \_\_\_\_\_

☐ Match Amount: \$ \_\_\_\_\_ ☐ Revenue Amount: \$ \_\_\_\_\_

**\*All Funding Source(s) required:** \_\_\_\_\_

\*Match funding from General Fund? ☐ Yes ☐ No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

\*Match funding from other sources? ☐ Yes ☐ No If Yes \$ \_\_\_\_\_ % \_\_\_\_\_

\*Funding Source: \_\_\_\_\_

\*If Federal funds are received, is funding coming directly from the Federal government or passed through other organization(s)?

Contact: Dawn Dargan

Scott Loomis

Department: Procurement Director Terri Spencer

Telephone: 724-9071

Department Director Signature: Kathryn Skinner

Date: \_\_\_\_\_

Deputy County Administrator Signature: \_\_\_\_\_

Date: 10/28/2022

County Administrator Signature: \_\_\_\_\_

Date: 10/28/2022

**DATE:** October 20, 2022

**TO:** Terri Spencer  
Procurement Director

  
**FROM:** Kathryn Skinner, P.E.  
Director

**SUBJECT: Contract Amendment MA-PO-18-184**

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The above referenced contract, Construction Surveillance and Inspection Services, was awarded on January 16, 2018, for \$500,000 and has been extended four (4) times annually. In June 2020, the Board of Supervisors (BOS) approved a contract amendment to add an additional \$1M to the current term, as well as add \$1M to subsequent renewals. In June 2021, the BOS approved a contract amendment to add an additional \$1.5M to the current contract term, as well as add \$1.5M to the subsequent \$1.5M renewal for a total renewal of \$3M on January 16, 2022. The current authorization is not to exceed \$8,500,000. A total of \$8,430,800.28 has been encumbered to date, with a remaining amount of \$69,199.72 available for additional work prior to the contract termination on January 15, 2023.

The Construction Surveillance and Inspection Services Master Agreement (MA) is used to supplement the Department of Transportation's internal inspection staff for Pavement Preservation and Capital Improvement Projects (CIP), as both Transportation and Development Services have struggled to fill existing inspection positions over the past two years. Development Services has also been using this MA to supplement their inspection staff for subdivision inspection, which has used up \$300,000 in capacity that was unanticipated in previous change order requests. In order to deliver these programs successfully, DOT will need additional capacity authorized on the MA to allow for the continued use of the contract inspection staff.

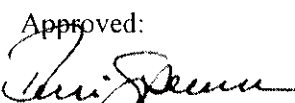
The solicitation process is underway for a new contract; however, the new contract will not be available until late December or January. To ensure adequate inspection coverage, it is requested that an additional \$500,000 be added to the current contract to provide sufficient capacity through the end of the existing contract term.

<b>Projects Current Term (October 17, 2022 to January 15, 2023)</b>	<b>Inspection Budget</b>
Pavement Repair and Preservation Program	\$300,000
CIP Project Inspection	\$150,000
Spare Capacity	\$50,000
<b>Total</b>	<b>\$500,000</b>

Thank you for your consideration.

KS:MM:jh

c: Lauren Ortega, P.E., Deputy Director, Transportation  
Michelle Montagnino, P.E., Construction Monitoring & Survey Division Manager, Transportation  
Scott Loomis, Design & Construction Division Manager, Procurement  
Dawn Dargan, Procurement Officer, Procurement

Approved:  
 12/20/2022  
Procurement Director Date

**PIMA COUNTY DEPARTMENT OF TRANSPORTATION**

**PROJECT:** CONSTRUCTION SURVEILLANCE AND INSPECTION SERVICES FOR  
TRANSPORTATION CAPITAL IMPROVEMENT PROJECTS

**CONSULTANTS:** Consultant Engineering, Inc.  
3161 E. 47<sup>th</sup> Street  
Tucson, AZ 85713  
  
HDR Construction Control Corporation  
1 S. Church Avenue  
Tucson, AZ 85701

**MASTER AGREEMENT NO.:** MA-PO-18-184

**AMENDMENT NO.:** Eight (8)

**FUNDING:** Various Funds

<b>MASTER AGREEMENT TERM:</b> 01/16/18 - 01/15/19	<b>ORIGINAL AMOUNT:</b>	\$	500,000.00
<b>TERMINATION PRIOR AMENDMENT:</b> 01/15/23	<b>PRIOR AMENDMENTS:</b>	\$	8,000,000.00
<b>TERMINATION THIS AMENDMENT:</b> 01/15/23	<b>AMOUNT THIS AMENDMENT:</b>	\$	500,000.00
	<b>REVISED AMOUNT:</b>	\$	9,000,000.00

**MASTER AGREEMENT AMENDMENT**

**WHEREAS**, COUNTY and CONSULTANTS entered into a Master Agreement (Agreement) for services, as referenced above; and

**WHEREAS**, COUNTY intends to increase the amount of the agreement, for the remainder of the term, due to the increased need for inspection services; and

**WHEREAS**, the Forced Labor of Ethnic Uyghurs clause is being added as Article 30 and the remaining Articles are re-numbered respectively; and

**WHEREAS**, COUNTY and CONSULTANTS have agreed to the above modifications.

**NOW, THEREFORE**, it is agreed as follows:

1. This Amendment increases the Agreement by \$500,000.00 with no increase to the annual shared award amount. The revised not-to-exceed amount is \$9,000,000.00.
2. **ARTICLE 29 – FORCED LABOR OF ETHNIC UYGHURS** is being added and the remaining Articles are re-numbered respectively.

“Pursuant to A.R.S. § 35-394, if Contractor engages in for-profit activity and has 10 or more employees, Contractor certifies it is not currently using, and agrees for the duration of this Contract to not use (1) the forced labor of ethnic Uyghurs in the People’s Republic of China; (2) any goods or services produced by the forced labor of ethnic Uyghurs in the People’s Republic of China; and (3) any contractors, subcontractors or suppliers that use the forced labor or any goods or services produced by the forced labor of ethnic Uyghurs in the People’s Republic of China. If Contractor becomes aware during the term of the Contract that the Company is not in compliance with A.R.S. § 35-394, Contractor must notify the County within five business days and provide a written certification to County regarding compliance within one hundred eighty days.”

All other provisions of the Agreement, not specifically changed by this Amendment, shall remain in effect and be binding upon the Parties.

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IN WITNESS WHEREOF, the Parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:

\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
Date

CONTRACTOR:

\_\_\_\_\_  
Authorized Officer Signature

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

This contract template has been approved as to form by the Pima County Attorney's Office.

All other provisions of the Agreement, not specifically changed by this Amendment, shall remain in effect and be binding upon the Parties.

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IN WITNESS WHEREOF, the Parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:

\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
Date

CONTRACTOR:

  
\_\_\_\_\_  
Authorized Officer Signature

Barry K. Brown, President

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Consultant Engineering Inc.  
Company Name

\_\_\_\_\_  
10/26/2022  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

This contract template has been approved as to form by the Pima County Attorney's Office.

All other provisions of the Agreement, not specifically changed by this Amendment, shall remain in effect and be binding upon the Parties.

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IN WITNESS WHEREOF, the Parties have affixed their signatures to this Amendment on the dates written below.

APPROVED:

\_\_\_\_\_  
Chair, Board of Supervisors

\_\_\_\_\_  
Date

CONTRACTOR:

*Maher Salah*

\_\_\_\_\_  
Authorized Officer Signature

Maher Salah / Vice President

\_\_\_\_\_  
Printed Name and Title

HDR Construction Control Corporation

\_\_\_\_\_  
Company Name

10/27/2022

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

This contract template has been approved as to form by the Pima County Attorney's Office.