



## NAPA VALLEY TRANSPORTATION AUTHORITY COVER MEMO

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### **SUBJECT**

Contract Amendment with Kleinfelder for Construction Services

### **STAFF RECOMMENDATION**

That the Napa Valley Transportation Authority (NVTA) Board authorize the Executive Director to execute and make minor modifications to Amendment #3 to Agreement 21-20-CM01 for construction management and material testing services with Kleinfelder Construction Services, increasing the contract value by \$46,276 for an amount not to exceed \$1,945,102.

### **EXECUTIVE SUMMARY**

NVTA is administering the construction of a photovoltaic (PV) system at the Vine Transit Maintenance Facility through a design-build-operate contract with 127 Energy, with expected completion in January 2025. Kleinfelder Construction Services (KCS), initially contracted to manage and inspect the Bus Maintenance Facility construction contract, was later authorized to extend these services to the PV system project using anticipated savings from the original contract. However, due to extended closeout needs for the Bus Maintenance Facility, these savings were expended. To ensure continued oversight of PV construction, staff recommends Board approval of an additional \$46,276 contract amendment with KCS, bringing the total contract value to \$1,945,102.

### **FISCAL IMPACT**

Yes. Up to \$46,276. Transportation Development Act funds will be used to pay for these services.



## NAPA VALLEY TRANSPORTATION AUTHORITY

### Board Agenda Memo

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**TO:** NVTA Board of Directors  
**FROM:** Kate Miller, Executive Director  
**REPORT BY:** Grant Bailey, Program Manager – Engineer  
(707) 259-5951 / Email: [gbailey@nvta.ca.gov](mailto:gbailey@nvta.ca.gov)  
**SUBJECT:** Contract Amendment with Kleinfelder for Construction Services

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#### **RECOMMENDATION**

That the Napa Valley Transportation Authority (NVTA) Board authorize the Executive Director to execute and make minor modifications to Amendment No. 3 to Agreement 21-20-CM01 for construction management and material testing services with Kleinfelder Construction Services, increasing the contract value by \$46,276 for an amount not to exceed \$1,945,102.

#### **COMMITTEE RECOMMENDATION**

None

#### **BACKGROUND**

NVTA has contracted with 127 Energy under a design-build-operate project delivery model to construct and operate a photovoltaic (PV) system consisting of shade structures and roof mounted panels at NVTA's new Vine Transit Maintenance Facility. PV system construction began in August 2024 and is scheduled to conclude by the end of January 2025.

Kleinfelder Construction Services (KCS) performed construction management and inspection (CM/I) services for the Bus Maintenance Facility contract. In March 2024, the Board approved a contract amendment with KCS, authorizing additional scope and fee for CM/I services associated with the PV System contract. This amendment was partially funded by original Bus Maintenance Facility CM/I scope funds that were anticipated to go unused. However, closeout activities for the Bus Maintenance Facility have gone on longer than expected which resulted in a drawdown of the expected savings, leading to a budgetary need for PV system construction oversight. To ensure proper construction

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management and inspection oversight of the PV system construction, staff is recommending the Board approval contract amendment with KCS, increasing the contract value by \$46,276 for an amount not to exceed \$1,945,102.

### **ALTERNATIVES**

The Board could decide not to approve this amendment and transition construction management and inspection duties to NVTA staff which will limit the agency's ability to effectively manage and deliver other ongoing projects. Materials testing scope cannot be transitioned to NVTA staff as testing and inspection are highly specialized. This option would likely halt construction of the PV system since materials inspections are required for intermediate construction permit approvals.

### **STRATEGIC GOALS MET BY THIS PROPOSAL**

Goal 5: Minimize the energy and other resources required to move people and goods.

The construction of the Bus Maintenance Facility and PV system will result in system efficiencies and reduction in power costs.

Goal 3: Use taxpayer dollars efficiently.

Hiring short-term consultants with expertise in a variety of fields is more economically viable than hiring full time employees with the qualifications needed to manage the construction of these capital projects.

### **ATTACHMENTS**

(1) Amendment No. 3 Construction Management and Materials Testing and Inspection Services Agreement No. 21-20-CM01 – Kleinfelder Construction Services Inc.

**PROJECT WORK ORDER NO. 21-20-CM01  
ON-CALL CONSTRUCTION MANAGEMENT  
BIOLOGIST/ARCHEOLOGIST & MATERIAL TESTING  
SERVICES**

**PROJECT NAME:** BUS MAINTENANCE FACILITY – CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR PHOTOVOLTAIC (PV) SYSTEM

**PROJECT MANAGER:** Grant Bailey, PE, Program Manager – Engineer  
[gbailey@nvta.ca.gov](mailto:gbailey@nvta.ca.gov) | 707.259.5951

**CONSULTANT DESIGNATED TEAM MEMBERS:**

- Kleinfelder Construction Services, Inc. – see fee schedule/cost proposal (EXHIBIT A)

Consultant will independently and at its own discretion and liability enter into agreement with sub-consultant(s) listed in their proposal for any services required to complete the project as described in the scope of work.

**SCOPE OF SERVICE:** Extend services to provide professional construction management, inspection, and materials testing services for the Bus Maintenance Facility – Sheehy Court, and materials testing services for construction of PV system.

- **WHEREAS NVTA REQUIRES ADDITIONAL SERVICES TO BE PERFORMED BY THE CONTRACTOR UNDER EXHIBIT A, EXTENDED CM SERVICES, ESTIMATE, BASELINE SCHEDULE AND PROGRESS SCHEDULE**
- **WHEREAS CONTRACTOR IS ABLE TO PROVIDE THE DESCRIBED SERVICES AT AN ADDITIONAL COST TO NVTA IN THE AMOUNT OF \$46,276 AS PER COST PROPOSAL ATTACHED IN EXHIBIT A, INCREASING THE TOTAL WORK ORDER NTE AMOUNT TO \$1,945,102; AND**
- **WHEREAS NVTA WILL NEED TO EXTEND THE TERM DATE TO JUNE 30, 2025, TO ACCOMMODATE ADDITIONAL SERVICE PERFORMANCE TO COMPLETE THE PROJECT.**
- **WITH THE EXCEPTION OF THE ABOVE ALL TERMS AND CONDITIONS AS AGREED TO IN THE PROJECT WORK ORDER REMAIN IN FULL FORCE AND EFFECT.**

**START DATE:** November 1, 2021      **NEW COMPLETION DATE:** *June 30, 2025*

NOT-TO-EXCEED AMOUNT FOR THIS PROJECT: \$1,898,826 (A-2)

**NEW NOT-TO-EXCEED AMOUNT FOR THIS PROJECT: NTE \$1,945,102**

**FUNDING SOURCE/ACCOUNT CLASSIFICATION:** TDA

*(For Internal Use Only)*

**TERMS AND CONDITIONS:** This Amendment No. 3 to Project Work Order is issued and entered into as of the last date written below in accordance with the terms and conditions set forth in the Master Agreement with CONTRACTOR dated *NOVEMBER 1, 2021*, which terms are hereby incorporated and made part of this Project Work Order.

NVTA

By: \_\_\_\_\_  
KATE MILLER, Executive Director      Date

Approved as to Form	
By: _____	NVTA General Counsel
Date: _____	

CONTRACTOR  
Kleinfelder Construction Services, Inc.

By: \_\_\_\_\_  
DAVID WATSON, President      Date

# EXHIBIT A



**Date:** October 30, 2024,

**Napa Valley Transportation Authority (NVRTA)**

625 Burnell Street

Napa, CA 94559

**Attn:** Grant Bailey

**Subject:** Add Services Request (ASR) #01 Photo Voltaic (PV) System  
**Extended CM Services**

Dear Mr. Bailey,

This fee proposal requests “**Extended CM Services**” for Kleinfelder Construction Services (KCS) current contract with Napa Valley Transportation Authority (NVRTA) dated March 26, 2024. The need is associated with the Design Build Team schedule push from January 09, 2025, to January 30, 2025. The push is associated with MBC, the canopy contractor late start.

**Exhibit “A”** illustrates the total requested “**Extended CM Services**” fee for ASR #01. The fee extends through February 28, 2025, for the following specific reasons.

1. The “Final Completion” date has pushed 21 calendar days or 15 working days.
2. Provide a 2week buffer for potential schedule push associated with the canopy structures C1.
3. Provide 2weeks for closeout and issuance of a “Notice of Completion” to the Design Build Team.

**Exhibit “B”** provides the “**Baseline Schedule**” DD July 19, 2024, and the “**Progress Schedule**” DD September 9, 2024, that illustrates the “Final Completion” activity push to January 09, 2025, to January 30, 2025. Reference Activity ID #8 on the “Baseline Schedule” and Activity ID #32 compared to the Activity #7 on the “Progress Schedule” and Activity ID #33 to illustrate MBC schedule push.

KCS has itemized the requested fee for ASR #01 to cover our extended CM services to the adjusted ‘Final Completion’ date of the project. The total requested fee is \$46,275.96. Our services will extend through February 28, 2025, for the reasons stated above and illustrated in Exhibit “A”. Kleinfelder invoices on a time & material basis against our fee estimates. Any unused approved fee will be left for NVRTA to reallocate accordingly. If NVRTA have questions, please feel free to contact me at your earliest opportunity.

Regards,

*Thomas J Fakner*

Thomas J Fakner, CCM  
Project Director

## EXHIBIT "A"

Kleinfelder Construction Services (KCS) Construction Management

### ADDITIONAL SERVICES REQUEST #01

Materials Testing, Inspections and Special Inspections, and Administartion Services for Napa Valley Transportation Authority (NVTA) PV System Design Build capital project.

ID #	SERVICE DESCRIPTION	UNIT	FEE
01	Executed Contract Base Fee CM Services	LS	\$226,317.00
02	Extended CM Services from January 09, 2025, to February 28, 2025,	LS	\$42,069.05
03	Sub Total		\$268,386.05
04	Contingency 10% of ID #02		\$4,206.91
05	<b>TOTAL FEE</b>		<b>\$272,592.96</b>

## Utilization Forecasting

Employee Workplan - projections				21-20 - NVTA -Napa Valley Transportation Authority On-Call				04 - PV System				Total
				Nov 24	Dec 24	Jan 25	Feb 25					
				Projections	Projections	Projections	Projections					
Kleinfelder	TBD, TBD	Field Materials Tech	Hours	1 hrs	1 hrs	1 hrs	1 hrs					4 hrs
			Cost	\$0	\$0	\$0	\$0					\$0
			Lab Tests	\$5,991	\$5,991	\$5,991	\$5,991					\$23,963
<b>Firm Total</b>				<b>\$5,991</b>	<b>\$5,991</b>	<b>\$5,991</b>	<b>\$5,991</b>					<b>\$23,963</b>
Kleinfelder - Construction Services	Amamreh, Jamil		Hours	121 hrs	96 hrs	96 hrs	40 hrs					353 hrs
			Cost	\$164.00	\$19,844	\$15,744	\$15,744					\$57,892
	Beringhaus, Michalle	Project Controls Analyst	Hours	2 hrs	2 hrs	2 hrs	2 hrs					8 hrs
			Cost	\$177.00	\$354	\$354	\$354					\$1,416
	Bohannon, Ken	Program Manager	Hours	4 hrs	4 hrs	4 hrs	4 hrs					16 hrs
			Cost	\$285.00	\$1,140	\$1,140	\$1,140					\$4,560
	Fakner, Thomas	Construction Inspector	Hours	30 hrs	30 hrs	30 hrs	16 hrs					106 hrs
			Cost	\$250.00	\$7,500	\$7,500	\$7,500					\$30,000
			Truck-Month		\$250	\$250	\$250					\$1,001
	Pollock, John	Inspector	Hours	80 hrs	80 hrs	40 hrs	20 hrs					220 hrs
			Cost	\$164.00	\$13,120	\$13,120	\$6,560					\$36,080
			Truck-Month		\$668	\$668	\$668					\$2,671
	Wilson, Taylor	Project Controls Associate	Hours	2 hrs	2 hrs	2 hrs	2 hrs					8 hrs
			Cost	\$107.00	\$214	\$214	\$214					\$856
<b>Firm Total</b>				<b>\$43,090</b>	<b>\$38,990</b>	<b>\$32,430</b>	<b>\$19,966</b>					<b>\$134,476</b>
Contract Total			Hours	240 hrs	215 hrs	175 hrs	85 hrs					715 hrs
			Cost	\$42,172	\$38,072	\$31,512	\$19,048					\$130,804
			Truck-Month	\$918	\$918	\$918	\$918					\$3,672
			Lab Tests	\$5,991	\$5,991	\$5,991	\$5,991					\$23,963
<b>Contract Total</b>				<b>\$49,081</b>	<b>\$44,981</b>	<b>\$38,421</b>	<b>\$25,957</b>					<b>\$158,439</b>
Authorized Budget			\$262,262.00									
Revised Authorized Budget (including TO01 under-run)			\$296,992.18									
Projected Actuals through October 2024			\$180,621.95									
Projected			\$158,439.28									
EAC			\$339,061.23									
Over / Under			(\$42,069.05)									

## **EXHIBIT “B”**

*Kleinfelder Construction Services (KCS) Construction Management*

### **“Baseline Schedule” DD July 19, 2024**

The Design Build Team schedule Activity ID #08 under “Procurement” work breakdown category (WBS) shows a “Start to Finish” from July 29, 2024, through September 6, 2024.

Schedule Activity ID #31 shows a “Canopy Solar” sub work category “Start to Finish” from September 18, 2024, to November 19, 2024. This activity consists of Activity ID #32 “Canopy Construction” and Activity ID #54 “Canopy Electrical”. The canopy solar activity duration is 45 days

For illustrative purposes reference the attached project schedules.

### **“Progress Schedule” DD September 09, 2024**

The Design Build Team schedule Activity ID #07 under procurement shows a “Start to Finish” from August 19, 2024, through October 14, 2024.

Schedule Activity ID #33 shows a “Canopy Solar” subcategory as a construction activity “Start to Finish” from October 14, 2024, to November 12, 2024, with a duration of 22 days. The “Canopy Electrical” is not a part of the “Canopy Solar”. It is a separate subcategory as a construction activity. It is defined as ID #68 with a duration of 56 days. The combined total duration is 78 days.

For illustrative purposes reference the attached project schedules.