

MARIN EMERGENCY RADIO AUTHORITY

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DATE: January 22, 2020
TO: MERA Governing Board
FROM: Ernest Klock, Operations Officer
SUBJECT: AGENDA ITEM C-1: Proposed Federal Engineering Phase Two Contract Amendment No. 2

Recommended Action: Recommend that the County Board of Supervisors Approve the Federal Engineering Phase Two Contract Amendment No. 2.

On January 8, 2020, the Executive Board recommended approval of the Phase Two Federal Engineering's (FE) Contract Amendment at a price of \$351,120 for an 11-month term ending on December 31, 2020.

Background

Federal Engineering (FE) was hired to provide project oversight for MERA's Next Generation implementation which may include Project Management, Design Review, Equipment Verification, Coverage/System Testing, System Acceptance/Cutover, and Documentation (Phase 2 contract). This was a fixed fee contract based on the preliminary Motorola project schedule which was not a realistic timeline. The project schedule prepared by Motorola did not include time for revising the design to 16 sites, nor the time for FCC frequency licensing through the Regional Planning Committee. Licensing needed to precede CEQA to lock down the number/location of sites and set the scope of CEQA studies. Further, the Motorola schedule did not include time for complying with CEQA, nor time for site construction.

Given the additional time needed to complete all project milestones, the Governing Board approved a first amendment to this contract at their June 26, 2019 meeting which extended FE's services through January 31, 2020 at a total cost of \$144,000 which was funded from the DPW implementation budget line item. Since FE is on a fixed-term contract and would be paid approximately \$33,000 month during the CEQA phase, we had them perform DPW implementation tasks to fully utilize their time. Based on subsequent review for a time period between January 2019 and December 2019, the actual costs are estimated to be \$170,625 or \$26,625 more than the \$144,000 contract amount that could be attributed to DPW. MERA may choose to attribute this additional expense to the DPW implementation line-item at their discretion.

Recommended Contract Extension

To minimize further delays and provide adequate oversight of Motorola, we recommend an 11-month contract amendment to continue services through 2020 until December 31, 2020 at a fixed price of \$351,120 or \$31,920 per month. We anticipate the completion of Customer Design Review (CDR) and potentially Factory Testing and Equipment Delivery during this contract period. The County working with MERA is committed to minimizing any further delays; however, we still face future uncertainty such as permitting, site construction and environmental requirements. We recommend FE's full-time involvement is necessary during 2020 to keep the project moving forward. However, we recommend

that MERA should reevaluate whether full-time FE support is required for subsequent project phases when the contract period expires.

The following is an estimate of FE’s expenditures to date as billed against the Next Gen Budget FE line item, \$1,798,603. The Phase 2 Contract Amendment No. 1 was billed against DPW Implementation monies and is therefore not included in the summary below. This was a onetime adjustment as FE largely supported DPW implementation activities (CEQA review, construction document assistance, and draft lease document assistance) during the term of the first amendment (September 2019 through January 2020). However, this would not be the case moving forward as FE and DPW have separate scope to perform to further the Next Gen Project.

Total FE Line-Item Budget	\$1,798,603
Phase 1 Contract	\$305,456 (Next Gen Budget FE Line Item)
<u>Phase 2 Base Contract</u>	<u>\$989,250 (Next Gen Budget FE Line Item)</u>
Total Contracts	\$1,294,706
Current FE Line Item Balance	\$503,897
<u>Less: recommended amendment</u>	<u>-\$351,120</u>
Remaining Balance	\$152,777

Fiscal Impact

The recommended contract amendment is available within the existing project budget; however, there are not adequate funds to continue this contract at a full-time level throughout the projected project timeline. Therefore, we recommend MERA re-evaluate the level of service required for subsequent project phases.