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January 31, 2017

(Via email: [jmoren@smharbor.com](mailto:jmoren@smharbor.com))

John Moren, Director of Operations  
San Mateo County Harbor District  
P.O. Box 1449  
El Granada, CA 94018

**Subject: Modification Request-Engineering Services for Romeo Pier Removal**  
M&N Project No. 8281-02

Dear John,

We are writing to request a modification to our contract with the San Mateo County Harbor District (the Harbor District) to provide engineering services to remove the Romeo Pier. The contract is based upon our proposal of April 10, 2014, approved by Board Resolution 11-14 on May 7, 2014. At this time we have expended our original fee of \$61,200 and are requesting a modification to increase the contract amount to provide services through project completion. The need for the increase has been caused primarily by the following:

- Increased schedule: from 34 weeks to more than 150 weeks
- Permitting Studies: Additional studies were required by regulatory agencies during permitting at a cost of approx. \$18,000.

The original project was envisioned as being performed as removal under emergency circumstances when the pier deck first started to collapse in early 2014. An emergency permit was acquired from the regulatory agencies and the project schedule was envisioned as 34 weeks as described in our 2014 proposal. As time elapsed, the agencies withdrew the emergency permit and required that new permit applications be submitted under regular process. Permits were reapplied for, and during review, the agencies requested additional studies:

- Biological Resources Assessment,
- Cultural Resources Records Technical Study,
- Cultural Resources Assessment.

Throughout, we have continued to assist the Harbor District by providing the requested studies and information to the agencies to keeping the process moving forward. We have provided these additional services within our existing agreement and have kept the Harbor District apprised of the status and that we would not exceed our fee, on a time and material basis, without prior approval (see attachment 1-email thread of April 2016). Our costs have now approached our authorized amount of \$61,200 and therefore request the following increase to complete the services described.

**SCOPE OF WORK**

1. Construction Documents

- Complete Final Bid Document package, which will consist of the Bid Schedule, Design Drawings, and Technical Specifications. We assume the District will provide us with Standard General Conditions, review the Bid Document package, and issue the actual Call for Bids.

2. Bid Support

- Assist the District with identifying likely contractors for the work, answering contractor’s questions, attending a pre-Bid meeting, and providing assistance with Contractor selection.

3. Construction support

- Provide engineering support during construction by reviewing submittals, answering Requests for Information and attending up to 4 half-day meetings/site visits during the work.

**FEE & SCHEDULE**

We anticipate the following fee and schedule for the proposed scope of work.

| Task  | Schedule`           | Fee             |
|---|---------------------|-----------------|
| Construction Documents                          |                     | \$12,600        |
| Prepare Draft Bid Document Package              | 2 wks from NTP      |                 |
| Prepare Final Bid Document Package              | 2 wks from comments |                 |
| Provide Bid Support                             | 6-8 wks             | \$ 6,800        |
| Provide Engineering Support During Construction | 6-12 wks            | \$15,300        |
| <b>Total</b>                                    |                     | <b>\$34,700</b> |

We will not exceed this fee without prior written authorization from you. If acceptable, we understand that these services will be performed as a Work Directive under our On-Call Professional Services Agreement dated September 20, 2016. We appreciate the opportunity to be of continued service to the Harbor District and to work with you on the Romeo Pier project. Please feel free to contact me should you have any questions about this proposal.

Sincerely,  
MOFFATT & NICHOL



Brad Porter, PE  
Project Manager

Attachment: Email of April 22, 2016



## Attachment 1

**Porter, Brad**

---

**From:** Steve McGrath <smcgrath@smharbor.com>  
**Sent:** Friday, April 22, 2016 2:29 PM  
**To:** Randy Murphy; Porter, Brad  
**Cc:** Emily Cooper  
**Subject:** RE: Fee authorization, Rincon Cultural Resources report

**Categories:** Filed by Newforma

Agreed

Steve McGrath  
SMCHD

-----Original Message-----

**From:** Randy Murphy  
**Sent:** Friday, April 22, 2016 11:04 AM  
**To:** Porter, Brad  
**Cc:** Emily Cooper; Steve McGrath  
**Subject:** RE: Fee authorization, Rincon Cultural Resources report

Brad - As long as we have the spending authority (which, it appears, we do), then go ahead and have Rincon do the additional work, as the Corps has requested the study and we cannot proceed with the project without it. Based on your estimated timeline, I would expect we should have this next report on or before May 20, correct? Pls advise any questions/comments. Thanks! - RPM

-----Original Message-----

**From:** Porter, Brad [mailto:BPorter@moffattnichol.com]  
**Sent:** Friday, April 22, 2016 10:52 AM  
**To:** Randy Murphy  
**Cc:** Emily Cooper  
**Subject:** Fee authorization, Rincon Cultural Resources report

Randy,

No amendment has been made. What has been discussed for all of the services that Rincon has performed is that we will pay for their services within our T&M allowance (see attached email of , as long as we can absorb it within our \$61,200 fee (re Board resolution 11-14). We have currently expended about \$35,000 from what I see in accounting, but there are invoices from Rincon that I've not yet received (about \$5k, below, so total of \$40k expended).

If the remaining services we perform approach our fee cap, we will ask for reimbursement of the fees we have paid to Rincon at that time.

The previous fees to them were not that large, \$3.5k and \$5k, total of about \$8.5k. Now with this latest Cultural Resources report, it will increase the expenditure to about \$50k expended, and getting close to that \$61.2 cap. How would you like us to proceed?

Brad Porter  
Moffatt & Nichol  
P 925.944.5411 x13139 | D 925.956.4939 | C 925.997.0430

> -----Original Message-----  
> From: Randy Murphy [mailto:rmurphy@smharbor.com]  
> Sent: Thursday, April 21, 2016 1:16 PM  
> To: Porter, Brad <BPorter@moffattnichol.com>  
> Cc: Emily Cooper <ecooper@smharbor.com>  
> Subject: RE: Romeo Pier Removal (2015-00347S) (UNCLASSIFIED)  
>  
> Did we amend your contract to include the optional item or will we  
> have to go back to the Board?

> -----Original Message-----  
> From: Porter, Brad [mailto:BPorter@moffattnichol.com]  
> Sent: Thursday, April 21, 2016 10:28 AM  
> To: Randy Murphy  
> Cc: Emily Cooper  
> Subject: RE: Romeo Pier Removal (2015-00347S) (UNCLASSIFIED)

> Randy,  
>  
> About \$10k and 4 weeks.  
> We anticipated it might be asked for--it is item 4a that was described  
> in the Amendment sent previous on 3/4 (attached).

> Brad Porter  
> Moffatt & Nichol  
> P 925.944.5411 x13139 | D 925.956.4939 | C 925.997.0430

>> -----Original Message-----  
>> From: Porter, Brad  
>> Sent: Tuesday, April 19, 2016 10:03 AM  
>> To: Randy Murphy <rmurphy@smharbor.com>  
>> Cc: Emily Cooper <ecooper@smharbor.com>  
>> Subject: Re: Romeo Pier Removal (2015-00347S) (UNCLASSIFIED)

>> Randy,  
>>  
>> Will do and get back to you.

>> Brad Porter  
>> 925 997 0430

>>> On Apr 19, 2016, at 8:57 AM, Randy Murphy <rmurphy@smharbor.com>  
>>> wrote:

>>> Brad - Looks like the Corps wants another study. Pls advise cost  
>>> and timeline. Thanks! - RPM

>>> -----Original Message-----  
>>> From: Emily Cooper  
>>> Sent: Monday, April 18, 2016 1:29 PM

>>> To: Randy Murphy  
>>> Subject: FW: Romeo Pier Removal (2015-00347S) (UNCLASSIFIED)  
>>> Importance: High  
>>>  
>>> Hi Randy,  
>>>  
>>> I just received this email from Naomi, U.S Army Corps of Engineers.  
>>>  
>>>  
>>> Emily Cooper  
>>> Interim Project Coordinator/ Administrative Assistant San Mateo  
>>> County Harbor District ecooper@smharbor.com  
>>>  
>>>  
>>>  
>>> -----Original Message-----  
>>> From: Schowalter, Naomi A SPN  
>>> [mailto:Naomi.A.Schowalter@usace.army.mil]  
>>> Sent: Monday, April 18, 2016 12:39 PM  
>>> To: Emily Cooper  
>>> Subject: Romeo Pier Removal (2015-00347S) (UNCLASSIFIED)  
>>>  
>>> CLASSIFICATION: UNCLASSIFIED  
>>>  
>>> Hi Emily,  
>>>  
>>> I reviewed your cultural resources report. Based upon this  
>>> report, it is clear  
>> that I'm going to have to consult with the State Historic  
>> Preservation  
> Officer.  
>> In order to conduct this consultation, I need an archeologist to  
>> provide a historic property eligibility evaluation for the pier.  
>> Let me know if you have any questions or concerns. Thank you.  
>>>  
>>> Naomi Schowalter  
>>> Regulatory Project Manager  
>>> U.S. Army Corps of Engineers  
>>> San Francisco District, South Branch  
>>> 415-503-6763 (office)  
>>>  
>>>  
>>> CLASSIFICATION: UNCLASSIFIED  
>>>