



MEMORANDUM

TO: CITY COUNCIL

FROM: WHITNEY MCDONALD, CITY MANAGER/ACTING DIRECTOR OF COMMUNITY DEVELOPMENT

BY: ROBIN DICKERSON, CITY ENGINEER

SUBJECT: CONSIDERATION TO APPROVE AMENDMENTS TO CONSULTANT SERVICE AGREEMENTS FOR CIVIL ENGINEERING, CONSTRUCTION MANAGEMENT, MATERIALS TESTING, AND LAND SURVEYING SERVICES

DATE: SEPTEMBER 22, 2020

SUMMARY OF ACTION:

Approve Amendments to the Consultant Services Agreements to allow the City to complete ongoing projects with current on-call service firms.

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

No costs are associated with the amendments. Costs will be incurred for specific projects and services in compliance with City Council approved budgets.

RECOMMENDATION:

It is recommended the City Council approve Amendments to Consultant Services Agreements to extend agreements through June 30, 2021, with the following firms for specified services: Earth Systems Pacific; MNS Engineers Inc.; Wallace Group; Michael K Nunley and Associates; and Eikhof Design Group.

BACKGROUND:

The use of on-call consultants has been found to be an effective tool in the delivery of City projects and services. The current list of on-call civil engineering consultants was established in February 2015 and those agreements will expire on September 30, 2020. On February 27, 2018 City Council amended all fifteen On-Call Service Contracts to extend the contract from February 28, 2019 to February 29, 2020. On February 25, 2020 Council again amended eight On-Call Service Contracts to extend the contract from February 29, 2020 to September 30, 2020 to allow for the completion of projects. While City staff is working to issue a new Request for Qualifications (RFQ) to establish a new list of on-call consultants, there are several projects that have not been completed under the current on-call agreements. Staff is recommending an extension of five of the existing agreements with firms that are currently working on active projects to allow the completion of those projects.

**CITY COUNCIL
 AMEND CONSULTANT SERVICE AGREEMENTS FOR CIVIL ENGINEERING,
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ANALYSIS OF ISSUES:

The intent of the on-call consultant services list is to provide the depth and breadth of services needed to complete City projects that could not otherwise be completed in a timely manner with limited City staff. Maintaining multiple consultants in a given work area provides redundancy of services and increases the likelihood of receiving competitive proposals for a specific project. Extension of the agreements with firms that the City is working with on current projects will avoid losing progress made to date on those projects. Agreements are only being extended to on-call firms that are currently working on active projects (Table 1). All other on-call service agreements will expire on September 30, 2020 (Table 2). The agreements are proposed to be extended to the end of this fiscal year, June 30, 2021, or until the project is completed whichever comes first. In the meantime, for any new project requiring consultant services, the City will use the standard RFP process to procure services until a new on-call list is established. City staff will be preparing and issuing new On-Call Service RFQ's in October 2020, so that a new list of on-call service firms can be established.

TABLE 1
 On-Call Firms with Active Projects to Extend to June 30, 2021

Firm	Current Projects
Earth Systems Pacific	1. Compaction Testing and Geotechnical Observation for Castillo del Mar Project
Eikhof Design Group	1. Castillo del Mar Extension 2. Material Bins at Corp. Yard 3. 2020 Concrete Repairs 4. Oak Park/ El Camino Real Storm Drain Repairs 5. Phase IV Soto Sports ADA Project
Michael K. Nunley and Associates	1. Well 11 Project 2. Trenchless Sewer Rehab Project
MNS Engineers	1. On-Going Map Checking
Wallace Group	1. Fats, Oils and Greases Program 2. 2014 Sewer Master Plan Updates 3. Stormwater Outfall Water Quality Monitoring

TABLE 2
 On-Call Consultant Firms with No Active Projects to Expire 9-30-2020

Cannon Corporation	Pavement Engineering, Inc
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ALTERNATIVES:

The following alternatives are provided for the Council's consideration:

1. Approve Amendments extending Agreements to allow work to be completed on current projects;
2. Modify Amendments and extend Agreements for a different term;
3. Allow the Agreements to expire and terminate work in progress; or
4. Provide direction to staff.

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ADVANTAGES:

Approving Amendments to the Consultant Service Agreements will continue to allow the City to provide high quality services and projects within a reasonable time-period on projects that are currently underway.

DISADVANTAGES:

None known at this time.

ENVIRONMENTAL REVIEW:

Environmental review is not required for the extensions of these agreements. Environmental impacts of each project completed under the existing agreements will be evaluated on a project-by-project basis.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City's website in accordance with Government Code Section 54954.2. At the time of report publication, no comments have been received.

AGREEMENT FOR CONSULTANT SERVICES

AMENDMENT NO. 3

This Third Amendment ("Third Amendment") to Agreement for Consultant Services by and between the **CITY OF ARROYO GRANDE** and **EARTH SYSTEMS PACIFIC** ("Consultant") is made and entered into this 22nd day of September 2020.

WHEREAS, the parties entered into an Agreement dated March 1, 2015 for On-Call Consultant Services ("Agreement"); and

WHEREAS, the parties entered into a First Amendment to Agreement dated February 27, 2018 to extend the Agreement to February 29, 2020; and

WHEREAS, the parties entered into a Second Amendment to Agreement dated February 25, 2020 to include specific scopes of services and extend the Agreement to September 30, 2020; and

WHEREAS, the parties desire to further modify the Agreement as set forth herein.

NOW THEREFORE, for valuable consideration the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. Section 1(" TERM") of the Agreement, shall be modified in its entirety to read as follows:

This Agreement shall be extended and remain and continue in effect until the earlier of June 30, 2021, or such date that the work is completed, unless sooner terminated pursuant to the provisions of this Agreement.

2. Except as modified herein, all other terms and conditions set forth in the Agreement, as amended, shall remain unchanged.

IN WITNESS WHEREOF, CITY and CONSULTANT have executed this Third Amendment the day and year first above written.

CITY OF ARROYO GRANDE:

EARTH SYSTEMS PACIFIC

CAREN RAY RUSSOM, MAYOR

ATTESTED:

KELLY WETMORE, CITY CLERK

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY

AGREEMENT FOR CONSULTANT SERVICES

AMENDMENT NO. 3

This Third Amendment ("Third Amendment") to Agreement for Consultant Services by and between the **CITY OF ARROYO GRANDE** and **MNS ENGINEERS** ("Consultant") is made and entered into this 22nd day of September 2020.

WHEREAS, the parties entered into an Agreement dated March 1, 2015 for On-Call Consultant Services ("Agreement"); and

WHEREAS, the parties entered into a First Amendment to Agreement dated February 27, 2018 to extend the Agreement to February 29, 2020; and

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IN WITNESS WHEREOF, CITY and CONSULTANT have executed this Third Amendment the day and year first above written.

CITY OF ARROYO GRANDE:

MNS ENGINEERS

CAREN RAY RUSSOM, MAYOR

ATTESTED:

KELLY WETMORE, CITY CLERK

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY

AGREEMENT FOR CONSULTANT SERVICES

AMENDMENT NO. 3

This Third Amendment ("Third Amendment") to Agreement for Consultant Services by and between the **CITY OF ARROYO GRANDE** and **WALLACE GROUP** ("Consultant") is made and entered into this 22nd day of September 2020.

WHEREAS, the parties entered into an Agreement dated March 1, 2015 for On-Call Consultant Services ("Agreement"); and

WHEREAS, the parties entered into a First Amendment to Agreement dated February 27, 2018 to extend the Agreement to February 29, 2020; and

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2. Except as modified herein, all other terms and conditions set forth in the Agreement, as amended, shall remain unchanged.

IN WITNESS WHEREOF, CITY and CONSULTANT have executed this Third Amendment the day and year first above written.

CITY OF ARROYO GRANDE:

WALLACE GROUP

CAREN RAY RUSSOM, MAYOR

ATTESTED:

KELLY WETMORE, CITY CLERK

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY

AGREEMENT FOR CONSULTANT SERVICES

AMENDMENT NO. 3

This Third Amendment ("Third Amendment") to Agreement for Consultant Services by and between the **CITY OF ARROYO GRANDE** and **MICHAEL K. NUNLEY AND ASSOCIATES, INC.** ("Consultant") is made and entered into this 22nd day of September 2020.

WHEREAS, the parties entered into an Agreement dated March 1, 2015 for On-Call Consultant Services ("Agreement"); and

WHEREAS, the parties entered into a First Amendment to Agreement dated February 27, 2018 to extend the Agreement to February 29, 2020; and

WHEREAS, the parties entered into a Second Amendment to Agreement dated February 25, 2020 to include specific scopes of services and extend the Agreement to September 30, 2020; and

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IN WITNESS WHEREOF, CITY and CONSULTANT have executed this Third Amendment the day and year first above written.

CITY OF ARROYO GRANDE:

MICHAEL K. NUNLEY AND ASSOCIATES

CAREN RAY RUSSOM, MAYOR

ATTESTED:

KELLY WETMORE, CITY CLERK

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY

AGREEMENT FOR CONSULTANT SERVICES

AMENDMENT NO. 3

This Third Amendment ("Third Amendment") to Agreement for Consultant Services by and between the **CITY OF ARROYO GRANDE** and **EIKHOF DESIGN GROUP, INC.** ("Consultant") is made and entered into this 22nd day of September 2020.

WHEREAS, the parties entered into an Agreement dated March 1, 2015 for On-Call Consultant Services ("Agreement"); and

WHEREAS, the parties entered into a First Amendment to Agreement dated February 27, 2018 to extend the Agreement to February 29, 2020; and

WHEREAS, the parties entered into a Second Amendment to Agreement dated February 25, 2020 to include specific scopes of services and extend the Agreement to September 30, 2020; and

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2. Except as modified herein, all other terms and conditions set forth in the Agreement, as amended, shall remain unchanged.

IN WITNESS WHEREOF, CITY and CONSULTANT have executed this Third Amendment the day and year first above written.

CITY OF ARROYO GRANDE:

EIKHOF DESIGN GROUP, INC.

CAREN RAY RUSSOM, MAYOR

JEFF VAN DEN EIKHOF

ATTESTED:

KELLY WETMORE, CITY CLERK

APPROVED AS TO FORM:

TIMOTHY J. CARMEL, CITY ATTORNEY

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