



DATE: May 1, 2023

TO: Mayor and Members of the City Council

VIA: Stefan Chatwin, City Manager

FROM: Marlene Subhashini, Assistant City Manager
Francine Magno, Senior Civil Engineer

SUBJECT: CONTRACT AMENDMENT NO. ONE (1) IN THE AMOUNT OF \$38,100 TO THE AGREEMENT WITH WILSEY HAM FOR ON-CALL SERVICES FOR THE LEVEE PROTECTION PLANNING AND IMPROVEMENTS PROJECT (CIP 327-657)

RECOMMENDATION

It is recommended that the City Council adopt the attached resolution authorizing the Mayor to execute Contract Amendment No. One (CA #1) in the amount of \$38,100 with Wilsey Ham for on-call services for the Levee Protection Planning and Improvements Project (Project) (CIP 327-657).

EXECUTIVE SUMMARY

In 2021, the City entered into a professional services agreement with Wilsey Ham, land surveyor professionals to provide a range of land survey services for construction of the Levee Project. CA #1 would increase the agreement amount to cover the additional scope performed by Wilsey Ham at the request of the City, which includes surveying to verify access point conform elevations and to verify project-related easement information and property line information. With CA #1, the revised total contract amount will be \$83,046.

The current contingency amount of \$4,000 is insufficient to execute CA #1, however there is adequate funding in the Project budget to cover the additional costs.

BACKGROUND/ANALYSIS

On March 31, 2021, the then City Manager executed an agreement with Wilsey Ham, in an amount not-to-exceed \$44,946 for On-Call Land Survey Support Services for the Levee Project. Specifically, the agreement included the following scope of work:

- Verifying the Contractor's survey control
- Performing property line staking
- Verifying top of wall elevations as the project progresses and towards the end of the project
- Supporting the Construct Management Team and Engineering Consultant on an as-needed basis.

In addition, a contingency was established in the amount of \$4,000 with authorization given to the City Manager to execute contract amendments up to the contingency amount. At the time, it was anticipated that additional services could be required on an as-needed basis over the course of the project.

The original agreement with Wilsey Ham includes land survey support for the City, Construction Management Team and Engineering Consultant on an as-needed basis. Since the execution of the agreement, Wilsey Ham has performed additional services requested by the City that fall under the approved general scope of services, but were not accounted for as part of the original agreement amount. These additional services that were critical to keep the project moving in a timely manner included:

- Property Line Staking at Alden Park Homeowners Association (\$9,490)
- Pacific Gas & Electric Gas Pipeline Easement Review (\$3,950)
- Existing Conform Verification at Various Access Points (\$24,648)

The additional services were approved as work orders under the original agreement as they fell under the allowable general scope of work. Given the agreement is an on-call contract, at the time each of the additional services were requested and approved, it was decided an amendment to the agreement was not necessary while there was adequate budget left in the agreement. While all items fall under the allowable scope, it was determined that the original contract amount would be insufficient to cover both the original scope and additional scope added. CA #1 in the amount of \$38,100 to the agreement with Wilsey Ham will ensure there is sufficient funding to cover all the approved scope of work.

California Environmental Quality Act

An Environmental Impact Report was prepared for the Levee Protection Planning and Improvements Project (State Clearinghouse No. 2016012012).

FISCAL IMPACT

With the execution of CA #1, the revised contract amount is \$83,046:

On-Call Services Contract	\$ 44,946.00
Contract Amendment No. 1	<u>\$ 38,100.00</u>
Revised Contract Amount	\$ 83,046.00

CA #1 in the amount of \$38,100 to the agreement with Wilsey Ham will ensure there is sufficient funding to cover all the approved scope of work. With the execution of CA #1, the approved contingency of \$4,000 will be expended. Funding is available in the approved project budget for CA #1.

CITY COUNCIL VISION, MISSION, AND VALUE/PRIORITY AREA

Facilities and Infrastructure

ATTACHMENTS:

Attachment 1 – Resolution

Attachment 2 – Wilsey Ham Contract Amendment No. One (1)