

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY AUTHORIZING THE MAYOR TO EXECUTE CONTRACT AMENDMENT NO. TWO (2) TO THE AGREEMENT WITH WILSEY HAM IN THE AMOUNT OF \$75,647, AMENDING THE FEE SCHEDULE AND EXTENDING THE CONTRACT TERM TO DECEMBER 31, 2024 FOR ON-CALL SURVEY SUPPORT SERVICES FOR THE LEVEE PROTECTION PLANNING AND IMPROVEMENTS PROJECT (CIP 327-657) AND APPROVING A CONTINGENCY OF \$10,000 (CEQA STATUS: ENVIRONMENTAL IMPACT REPORT WAS PREPARED FOR THE LEVEE PROTECTION PLANNING AND IMPROVEMENTS PROJECT (STATE CLEARINGHOUSE NO. 2016012012))

CITY OF FOSTER CITY

WHEREAS, on March 31, 2021, the City Manager executed an agreement with Wilsey Ham, in an amount not-to-exceed \$44,946 for On-Call Survey Support Services for the Levee Protection Planning and Improvements Project (CIP 327-657) (Project) and an established contract contingency of \$4,000; and

WHEREAS, the current contract with Wilsey Ham includes verifying the Contractor's survey control, performing property line staking, verifying top of wall elevations as the project progresses and at the end of the project, and supporting the City, Construct Management Team and Engineering Consultant on an as-needed basis; and

WHEREAS, on May 1, 2023, the City approved Contract Amendment No. One (CA #1) with Wilsey Ham, in an amount not-to-exceed \$38,100 to perform additional services outside of the original anticipated scope; and

WHEREAS, a contract amendment is now necessary for Wilsey Ham to perform services that fit within the original project scope but require a higher level of effort than what was anticipated in the planning level estimate and for Legal Description/Plat technical review for new easements, license or fee conveyances; and

WHEREAS, the additional effort is also anticipated to take longer than the original contract expiration date of February 1, 2024; and

WHEREAS, staff has recommended that a contingency of \$10,000 be approved for Contract Amendment No. Two (CA #2); and

WHEREAS, funding is available in the approved project budget for the Levee Protection Planning and Improvements Project (CIP 327-657) for CA #2 and the recommended contingency; and

WHEREAS, on May 8, 2017, the City Council certified and approved the Final Environmental Impact Report for the Levee Protection Planning and Improvements Project (CIP 327-657) - (State Clearinghouse No. 2016012012); and

WHEREAS, the services that will be provided under CA #2 were contemplated as part of the Project that was considered in the EIR.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Foster City does hereby:

1. Authorize the Mayor to execute Contract Amendment No. Two (CA #2), dated November 6, 2023, with Wilsey Ham in the amount of \$75,647, amending the fee schedule, and extending the contract term to December 31, 2024, for on-call services for the Levee Protection Planning and Improvements Project (Project) (CIP 327-657); and
2. Approve a contingency in the amount of \$10,000 for the services that may be necessary under CA #2; and
3. Authorize the City Manager to approve expenditures up to the contingency amount of \$10,000.

PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on the 6<sup>th</sup> day of November, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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JON FROOMIN, MAYOR

ATTEST:

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PRISCILLA SCHAUS, CITY CLERK