

SECOND AMENDMENT TO AGREEMENT

THIS SECOND AMENDMENT TO AGREEMENT (Amendment) made and entered into as of this 18th day of March, 2022, amends the Agreement entered into between the CITY OF FRESNO, a California municipal corporation (City), and Blair, Church & Flynn Consulting Engineers, a California Corporation (Consultant).

RECITALS

WHEREAS, City and Consultant entered into an agreement, dated August 19, 2021 (Agreement) to provide professional engineering services for the Van Ness Avenue Water Transmission Grid Main (Project) for a total fee of \$287,700, which includes a contingency of \$30,000; and

WHEREAS, on November 17, 2021, the First Amendment to the Agreement was executed utilizing \$10,527 of project contingencies to expand the Consultant's scope of services to include an underground utilities evaluation and increasing the Consultant's total fee to \$268,227 with a remaining contingency of \$19,473; and

WHEREAS, City desires to expand scope of services including, but not limited to, provide additional engineering services for the project; and

WHEREAS, due to the need for additional services, the parties desire to increase the total compensation by an additional \$18,921 to complete the expanded Scope of Work, which said amount will be covered by available contract contingencies; and

WHEREAS, with entry into this Amendment, Consultant agrees that Consultant has no claim, demands, or disputes against City.

AGREEMENT

NOW, THEREFORE, the City and the Consultant agree that the aforesaid Agreement be amended as follows:

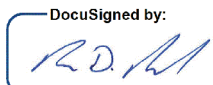
1. **Exhibit A** of the Agreement is amended to expand the scope of services indicated in **Exhibit A1**, attached hereto and incorporated herein by reference.
2. Except as otherwise provided herein, the Agreement entered into on August 19, 2021, and amended on November 17, 2021, respectively, remain in full force and effect.

[SIGNATURES FOLLOW ON THE NEXT PAGE.]

IN WITNESS WHEREOF, the City and the Consultant have executed this Second Amendment at Fresno, California, the day and year first above written.

CITY OF FRESNO,
a California municipal corporation

Blair, Church & Flynn Consulting
Engineers, a California Corporation

By:  3/17/2022
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Brock D. Buche, PE, PLS
Interim Director
Department of Public Utilities

By:  3/8/2022
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Name: David Mowry

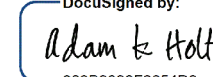
APPROVED AS TO FORM:

DOUGLAS T. SLOAN

City Attorney

By:  3/16/2022
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Brandon M. Collet
Senior Deputy City Attorney

Title: President
(If corporation or LLC., Board
Chair, Pres. Or Vice Pres.)

By:  3/8/2022
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Name: Adam K Holt

ATTEST:
TODD STERMER, CMC, MMC
City Clerk

Title: Secretary and CFO
(If corporation or LLC., CFO,
Treasurer, Secretary or Assistant
Secretary)

By:  3/18/2022
2F1BC57F778C4E1...
Deputy
Bernard Canez

Attachments:

See Attached Exhibit A1



Luis Gonzalez, PE, Civil Engineer • lgonzalez@bcf-engr.com
451 Clovis Ave, Suite 200 • Clovis CA 93612 • Tel (559) 326-1400

Beth Field
City of Fresno – Department of Public Utilities
Utilities Planning and Engineering
2101 G Street, Building A
Fresno, CA 93706

February 1, 2022
File No. 221-0232

Exhibit A1

Subject: **Amendment No. 2**
Van Ness Avenue Water Transmission Grid Main – Additional
Design Work – Additional Progress Meetings and ISR Preparation

Dear Beth:

Blair, Church & Flynn is pleased to present this amendment to the project scope of services for utility locating services for the Van Ness Avenue Water Transmission Grid Main project.

Project Understanding

Blair, Church & Flynn (BCF) is currently under contract with the City of Fresno to design a water transmission grid main (TGM) within Van Ness Avenue and the associated services for properties along Van Ness. BCF included a number of meetings to attend during design in the scope of work for the project. These include the following: one (1) project kick-off meeting per bid package (Part 1 Item A.7), one (1) Schematic Design workshop review meeting per bid package (Part 1 Item G.8.b), one (1) Design Development (60%) workshop review meeting per bid package (Part 2 Item A.8.b), and one (1) Final design review meeting per bid package (Part 3 Item A.7.b). This comes to a total of 4 meetings per bid package. During design, the City requested that BCF attend weekly progress meetings with City staff beginning on September 9, 2021.

At this time, BCF has attended the kick-off meeting, Schematic Design workshop review meeting, and the Design Development workshop review meeting, with the Final design review meeting still remaining. With the exclusion of the kick-off and workshop review meetings, BCF has attended a total of 12 additional progress meetings which are beyond the scope of work. This amendment includes the additional compensation for attending these progress meetings. This amendment also includes an additional 10 future progress meetings to be attended.

BCF has also discussed with the City about the required Indirect Source Review (ISR) to be completed for the project; this amendment will include the tasks for BCF to complete the ISR process. See Appendix B for a detailed breakdown of the work to be completed.

Scope of Services

- I. Project Management
 - A. Additional Progress Meetings
- II. Preparation of ISR – see attached scope in Appendix B

Services Outside of Scope

Services not included under our scope of work, but that may be provided upon request, include the following:

1. Environmental studies and investigations
2. Preparation of Stormwater Pollution Prevention Plan (SWPPP)
3. Field boundary surveys, property corner surveys or preparation of records of survey
4. Analysis or studies outside those already performed
5. Preparation of bid documents outside that of the technical specifications
6. Acquisition of building permits
7. Attendance at public meetings beyond those described above
8. Design services related to the relocation of franchise utilities
9. Construction staking
10. Daily construction inspection and testing
11. Payment of fees
12. Acquisition of title information

Professional Services Fee

Blair, Church & Flynn will provide the engineering services described in the above Scope of Services on a customary time and materials basis according to the Fee Schedule shown in Exhibit A. The fees are estimated as follows:

Additional Progress Meetings Attended	\$6,672
Future Additional Progress Meetings	\$4,600
ISR Preparation	\$7,700
TOTAL PROFESSIONAL SERVICES FEE	\$18,972.00

Additional services not specified in the Scope of Services are available upon request and can be provided on a time and materials basis, according to the Fee Schedule shown in Exhibit A.

Schedule

Blair, Church & Flynn will continue work on the project in coordination with the City.

Please don't hesitate to contact me at (559) 326-1400 if you have any questions.

Best regards,

BLAIR, CHURCH & FLYNN CONSULTING ENGINEERS



Luis Gonzalez, PE
Project Manager

Exhibit A: Professional Services Fee Schedule

General Consulting Prevailing Wage 2021

<u>CLASSIFICATION</u>	<u>RATE</u>
Principal	\$170.00/Hour
Program Manager	\$165.00/Hour
Professional Engineer 3	\$160.00/Hour
Professional Engineer 2	\$150.00/Hour
Professional Engineer 1	\$140.00/Hour
Assistant Engineer 3	\$120.00/Hour
Assistant Engineer 2	\$110.00/Hour
Assistant Engineer 1	\$105.00/Hour
Professional Land Surveyor 2	\$150.00/Hour
Professional Land Surveyor 1	\$140.00/Hour
Assistant Surveyor	\$105.00/Hour
Land Services Technician	\$95.00/Hour
Professional Landscape Architect	\$125.00/Hour
Landscape Designer	\$100.00/Hour
Design Technician	\$110.00/Hour
CAD Technician 3	\$98.00/Hour
CAD Technician 2	\$88.00/Hour
CAD Technician 1	\$75.00/Hour
Environmental Consultant	\$120.00/Hour
Construction Manager	\$120.00/Hour
Construction Inspector**	\$100.00/Hour
Construction Administrator	\$85.00/Hour
Staff Analyst	\$90.00/Hour
Administrative Assistant	\$65.00/Hour
Engineering Aide	\$55.00/Hour
Survey Party Mobilization	\$80.00/Hour
1-Man Survey Party**	\$180.00/Hour
2-Man Survey Party**	\$350.00/Hour
LiDAR Scanner	\$200.00/Hour
Equipment Rental and Associated Expense	Cost x 1.10
Materials, Printing, Subconsultant Procurement	Cost x 1.10
Mileage	@ Current IRS Rate

** May be subject to change based upon revisions to the State of California Prevailing Wage Determinations



Beth Field
City of Fresno – Department of Public Utilities
Utilities Planning and Engineering
Fresno, CA 93706

January 17, 2022
221-0232

Subject: **Environmental Services Proposal – Indirect Source Review for Van Ness Avenue Water Transmission Grid Main**

Dear Beth:

Blair, Church & Flynn (BC&F) is pleased to present this proposal for completion of Indirect Source Review (ISR) for the Van Ness Avenue Water Transmission Grid Main Project (Project).

Background on ISR

San Joaquin Valley Air Pollution Control District (SJVAPCD) Rule 9510 (Indirect Source Review) requires applicable development projects to complete ISR prior to receiving final discretionary approval. The ISR process includes submitting project information, analyzing project-related indirect emissions, and incorporating mitigations. If emissions cannot be reduced as required, off-site mitigation fees must be paid to SJVAPCD, which can total well over \$100,000 for large projects. Without assistance, SJVAPCD applies ISR conservatively and maximizes fees. BC&F has used our extensive experience, thorough knowledge of ISR regulations and analysis guidelines, and working relationships with SJVAPCD staff to achieve zero mitigation fees or significant fee reductions on a variety of local projects. We are proposing this comprehensive scope of services to prepare and submit the required Air Impact Assessment (AIA) Application and consult with SJVAPCD to minimize fees and unnecessary mitigation requirements for the subject project.

Project Understanding

Blair, Church & Flynn (BCF) is currently under contract with the City of Fresno (City) to design a water transmission grid main (TGM) within Van Ness Avenue and the associated services for properties along Van Ness. As part of the design process, the City requested additional work in the form of an ISR.

Based on the Project requiring and discretionary approval, and being larger than the 9,000-square-foot threshold of applicability for “other space”, the Project requires ISR. Therefore, City must submit an ISR AIA Application and obtain SJVAPCD approval, prior to the issuance of a final discretionary approval for the Project, and pay any required off-site mitigation fees prior to each Project phase. BC&F proposes to prepare, submit, and obtain SJVAPCD approval of an ISR AIA Application for the City.

Scope of Services

I. Prepare an ISR AIA Application

- A. Initiate Project and collect required information
- B. Determine baseline emissions and estimated fees

- C. Identify and incorporate mitigation measures
- D. Determine mitigated emissions and estimated fees
- E. Assemble AIA Application submittal packet
- II. Submit AIA Application to SJVAPCD
 - A. Submit the AIA Application to SJVAPCD and pay the ISR Application Filing Fee (currently \$841 for non-residential projects)
 - B. Submit a digital copy of the AIA Application to SJVAPCD and the Project team
- III. Coordinate Review and Approval
 - A. Provide advocacy and technical support during SJVAPCD review and evaluation, and submit necessary revisions.
 - B. Obtain, review, and circulate draft and final approved ISR documents
- IV. Prepare ISR Specifications

Services Outside of Scope

Services not included under our scope of work, but that may be provided upon request, include the following:

1. Payment of fees other than the ISR Application Filing Fee.
2. Implementation or execution of the approved ISR.

Professional Services Fee

Blair, Church & Flynn proposes to provide the above Scope of Services on a customary time and materials basis according to the Fee Schedule shown in Exhibit A, with total professional fees not to exceed \$7,700, without prior approval. Additional services not specified in the Scope of Services are available upon request and can be provided on a time-and-materials basis, according to the Fee Schedule shown in Exhibit A.

Schedule

Blair, Church & Flynn is prepared to commence work on the above Scope of Services immediately upon acceptance of this proposal. After Notice to Proceed (NTP) and necessary project information has been received, the AIA Application can be ready for submittal to SJVAPCD within 3 weeks. Please do not hesitate to contact me via phone at (559) 326-1400 or email at jmadsen@bcf-engr.com with any questions. We appreciate the opportunity to join your project team and look forward to working with you again.

Best regards,

BLAIR, CHURCH & FLYNN CONSULTING ENGINEERS



Jesse Madsen

Senior Environmental Specialist

Exhibit A: Professional Services Fee Schedule

January 1, 2021

**GENERAL CONSULTING FEE SCHEDULE
PREVAILING WAGE PROJECTS**

<u>CLASSIFICATION</u>	<u>RATE</u>
Principal	\$170.00/Hour
Program Manager	\$165.00/Hour
Professional Engineer 3	\$160.00/Hour
Professional Engineer 2	\$150.00/Hour
Professional Engineer 1	\$140.00/Hour
Assistant Engineer 3	\$120.00/Hour
Assistant Engineer 2	\$110.00/Hour
Assistant Engineer 1	\$105.00/Hour
Professional Land Surveyor 2	\$150.00/Hour
Professional Land Surveyor 1	\$140.00/Hour
Assistant Surveyor	\$105.00/Hour
Land Services Technician	\$95.00/Hour
Professional Landscape Architect	\$125.00/Hour
Landscape Designer	\$100.00/Hour
Design Technician	\$110.00/Hour
CAD Technician 3	\$98.00/Hour
CAD Technician 2	\$88.00/Hour
CAD Technician 1	\$75.00/Hour
Environmental Consultant	\$120.00/Hour
Construction Manager	\$120.00/Hour
Construction Inspector	\$100.00/Hour
Construction Administrator	\$85.00/Hour
Staff Analyst	\$90.00/Hour
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