



Legislation Details (With Text)

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**Title:** Actions pertaining to the design of the Recycled Water Distribution System, Southwest Quadrant (Council District 3 and Fresno County)

1. Approve the Fourth Amendment to the Professional Consultant Services Agreement with Blair, Church & Flynn Consulting Engineers, in the amount of \$285,900
2. Authorize the Director of Public Utilities, or designee, to sign the Fourth Amendment on behalf of the City of Fresno

**Sponsors:** Department of Public Utilities

**Indexes:**

**Code sections:**

**Attachments:** 1. 2019-06-20 Attachment 1 - 4th Amendment to Agreement.pdf, 2. 2019-06-20 Attachment 2 - Original Agreement First Second and Third Amendment.pdf

| Date      | Ver. | Action By    | Action   | Result |
|-----------|------|--------------|----------|--------|
| 6/20/2019 | 1    | City Council | approved | Pass   |

**REPORT TO THE CITY COUNCIL**

**June 20, 2019**

**FROM:** MICHAEL CARBAJAL, Director  
Department of Public Utilities

**THROUGH:** DEJAN PAVIC, PE, Public Utilities Manager  
Department of Public Utilities - Utilities Planning & Engineering

**BY:** PATRICIA DIEP, Supervising Engineering Technician  
Department of Public Utilities - Utilities Planning & Engineering

**SUBJECT**

Actions pertaining to the design of the Recycled Water Distribution System, Southwest Quadrant (Council District 3 and Fresno County)

1. Approve the Fourth Amendment to the Professional Consultant Services Agreement with Blair, Church & Flynn Consulting Engineers, in the amount of \$285,900
2. Authorize the Director of Public Utilities, or designee, to sign the Fourth Amendment on behalf of the City of Fresno

**RECOMMENDATION**

Staff recommends that City Council approve the Fourth Amendment to the Professional Consultant Services Agreement (Agreement) in the amount of \$285,900 with Blair, Church & Flynn Consulting Engineers (Consultant) for modifications to the pipeline design of the Recycled Water Distribution System (RWDS), Southwest Quadrant (Project); and authorize the Director Public Utilities, or designee, to execute the amendment of behalf of the City of Fresno (City).

## **EXECUTIVE SUMMARY**

On July 2, 2013, the City and the Consultant entered into an agreement for consulting engineering work associated with the RWDS, Southwest Quadrant. The progression and maturing of multiple projects of the recycled water system have necessitated three modifications to the scope of work for design and services during construction for the RWDS, Southwest Quadrant, to expand the scope of work including, but not limited to, providing conformed construction documents, engineering services during construction, and construction compliance mitigation monitoring support. The Fourth Amendment to the Agreement with the Consultant is needed to incorporate these scope of work modifications and complete the construction of the RWDS, Southwest Quadrant.

## **BACKGROUND**

In 2009, the State of California adopted a recycled water policy establishing a mandate to increase the use of recycled water in California by 200,000 acre-feet per year by 2020 and an additional 300,000 acre-feet per year by 2030. The Recycled Water Master Plan prepared by the Department of Public Utilities identifies opportunities to assist with compliance with this law by reducing groundwater pumping and replacing groundwater with recycled water for non-potable purposes (i.e. outdoor irrigation, dust control, fountains, etc.). On April 11, 2013, the Council adopted the Recycled Water Master Plan and associated environmental documents.

On July 2, 2013, the City and the Consultant entered into a \$3,324,000 Agreement for consulting engineering services associated with the RWDS, Southwest Quadrant. On June 16, 2016, City Council approved the First Amendment to the Agreement with the Consultant in the amount of \$674,240. On January 12, 2017, City Council approved the Second Amendment to the Agreement with the Consultant in the amount of \$141,540. On September 1, 2017, City Council approved the Third Amendment to the Agreement with the Consultant in the amount of \$940,280. The progression and maturing of multiple projects of the recycled water system have necessitated three modifications to the scope of work for design and services during construction for the RWDS, Southwest Quadrant, to expand the scope of work including, but not limited to, providing conformed construction documents, engineering services during construction, and construction compliance mitigation monitoring support. The original Agreement, the First Amendment, the Second Amendment, and the Third Amendment with the Consultant total \$5,080,060. With the approval of the Fourth Amendment, the total value of the contract will increase to \$5,365,960. The City Attorney's Office has reviewed the Fourth Amendment and approved as to form. Upon approval by the City Council, the Fourth Amendment will be executed by the Director of Public Utilities, or designee.

## **ENVIRONMENTAL FINDINGS**

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378, an amendment to a consultant agreement for design services does not qualify as a "project" for the purposes of CEQA.

## **LOCAL PREFERENCE**

Local preference does not apply to this action because this is an amendment to an existing agreement.

## **FISCAL IMPACT**

There is no impact to the General Fund. This Project is located in Council District 3 and portions of Fresno County. The RWDS Project is identified in the Wastewater Management Division's Capital Improvement Plan and current rate structure. This amendment will be funded from the RWDS, Southwest Quadrant, State Revolving Fund Low Interest Loan Fund 40528 included in the Fiscal Year 2019 budget. No additional appropriations are needed for this amendment.

### Attachments:

Attachment 1 - Fourth Amendment to the Agreement

Attachment 2 - Original Agreement, First, Second, and Third Amendments