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**Title:** Approve a First Amendment to the Consultant Services Agreement with Carollo Engineers Inc., to increase the design fee amount by \$23,570, utilizing the full \$20,000 of contingency, resulting in a net contract increase of \$3,570, for a total amended not to exceed contract amount to \$214,490; and to extend the agreement term from July 18, 2020, to December 17, 2021, for design revisions and permitting efforts on the North Avenue Sewer Trunk Main Realignment Project (Council Districts 3, 5 and Fresno County)

**Sponsors:** Department of Public Utilities

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - First Amendment to the Agreement.pdf, 2. Attachment 2 - Consultant Services Agreement.pdf

Date	Ver.	Action By	Action	Result
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**REPORT TO THE CITY COUNCIL**

**October 15, 2020**

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

**THROUGH:** BROCK D. BUCHE, PE, PLS, Assistant Director - UP&E  
Department of Public Utilities - Utilities Planning & Engineering

**BY:** SARAH AGUILA, Supervising Engineering Technician  
Department of Public Utilities - Utilities Planning & Engineering

**SUBJECT**

Approve a First Amendment to the Consultant Services Agreement with Carollo Engineers Inc., to increase the design fee amount by \$23,570, utilizing the full \$20,000 of contingency, resulting in a net contract increase of \$3,570, for a total amended not to exceed contract amount of \$214,490; and to extend the agreement term from July 18, 2020, to December 17, 2021, for design revisions and permitting efforts on the North Avenue Sewer Trunk Main Realignment Project (Council Districts 3, 5 and Fresno County)

**RECOMMENDATIONS**

Staff recommends that City Council approve the First Amendment to the Consultant Services Agreement (Agreement) with Carollo Engineers, Inc., (Consultant), to increase the previously approved design fee amount by \$23,570, from \$190,920, said increase to fully utilize the available \$20,000 of contingency, resulting in a net increase of \$3,570, for a total not to exceed contract amount of \$214,490; and to extend the Agreement term from July 18, 2020, to December 17, 2021, for design revisions and permitting efforts on the North Avenue Sewer Trunk Main Realignment Project (Project); and authorize the Director of Public Utilities, or designee, to sign the First Amendment on behalf of the City of Fresno (City).

## **EXECUTIVE SUMMARY**

The North Avenue sewer trunk main is the conveyance backbone serving a large portion of south and southeast Fresno, but it has structural deficiencies and requires replacement. The Department of Public Utilities (DPU), seeks to amend the existing contract Agreement with the Consultant for design revisions necessary for a portion of proposed improvements and for greater than anticipated level of effort to secure Burlington North Santa Fe Railroad (BNSF) right-of-way crossing permits. The additional services are necessary to obtain final approval of plans and specifications allowing the Project to move forward to the construction phase.

On June 27, 2019, the City Council approved the Agreement with the Consultant to provide Professional Engineering Consultant Services for the Project for a total contract amount of \$210,920 inclusive of a \$20,000 contingency. This First Amendment to the Agreement will increase the Consultant's compensation and extend the Agreement term to December 17, 2021, to allow for necessary services by the Consultant to provide approved plans and specifications, as well as, support services during construction phase.

## **BACKGROUND**

The Project is necessary to replace a portion of a failed section of the existing 57-inch diameter North Avenue sewer trunk main, at a location approximately 1,450 feet to the west of Maple Avenue. The location of the failure is bound by a major railroad crossing serving both the BNSF and Union Pacific Railroads to the west, a Fresno Irrigation District (FID) canal to the south, commercial property to the north, and Maple Avenue to the east.

The increase in compensation and Agreement duration extension are necessary to allow for design revisions and permit approval coordination. Based on the Project crossing BNSF right-of-way, it is necessary to obtain encroachment permit approval prior to moving on to the construction phase. To date multiple submittals to BNSF have been made with additional BNSF requests resulting from each. The multiple reviews have resulted in increased efforts by the Consultant in preparing the design documents and coordinating with BNSF for approval. Additionally, revisions are necessary as a result of a separate segment of the 66-inch diameter sewer trunk main project tying to the Project from the west. FID review of the other 66-inch diameter sewer trunk main project has resulted in a southern shift to the alignment. The shift to the other project's alignment directly impacts the subject Project's diversion structure requiring modifications in order to work for both projects.

The City Attorney's Office has reviewed and approved this First Amendment to the Agreement as to form. Upon approval by the City Council, the First Amendment to the Agreement will be executed by the Director of Public Utilities, or his designee.

## **ENVIRONMENTAL FINDINGS**

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378(b)(5), this is not a “project” for the purpose of CEQA, as this is an organizational or administrative action of the government to enforce an existing obligation, and will not result in a direct or indirect physical change in the environment.

## **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. The Project is located in Council Districts 3, 5 and Fresno County. Funding for this Project is included in the Fiscal Year 2021 capital improvement budget within the Wastewater Management Division, Sewer Enterprise Fund 40501.

### Attachments:

Attachment 1 - First Amendment to the Agreement

Attachment 2 - Consultant Services Agreement