



## Legislation Details (With Text)

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**Title:** Approve the Second Amendment to the Consultant Services Agreement with Provost and Pritchard Consulting Group, Inc., to extend the agreement term from June 30, 2020 to October 31, 2021, for design and construction support services on the Big Dry Creek Diversion Channel Slope Repairs project related to the City of Fresno's Friant-Kern Canal Raw Water Pipeline project, for a previously approved contract amount of \$20,000 (Fresno County)

**Sponsors:** Department of Public Utilities

**Indexes:**

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**Attachments:** 1. Attachment 1 - Second Amendment to Agreement.pdf, 2. Attachment 2 - First Amendment to Agreement.pdf, 3. Attachment 3 - 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:** JESUS A. GONZALEZ, PE, Supervising Professional Engineer  
Department of Public Utilities - Utilities Planning & Engineering

## SUBJECT

Approve the Second Amendment to the Consultant Services Agreement with Provost and Pritchard Consulting Group, Inc., to extend the agreement term from June 30, 2020 to October 31, 2021, for design and construction support services on the Big Dry Creek Diversion Channel Slope Repairs project related to the City of Fresno's Friant-Kern Canal Raw Water Pipeline project, for a previously approved contract amount of \$20,000 (Fresno County)

## RECOMMENDATIONS

Staff recommends that City Council approve the Second Amendment to the Consultant Services

Agreement (Agreement) with Provost and Pritchard Consulting Group, Inc., (Consultant) to extend the agreement term from June 30, 2020 to October 31, 2021, for design and construction support services on the Big Dry Creek Diversion Channel (Channel) Slope Repairs project (Project) related to the Friant-Kern Canal Raw Water Pipeline (FKCP) project; and authorize the Director of Public Utilities, or designee, to sign the Second Amendment on behalf of the City of Fresno (City).

## **EXECUTIVE SUMMARY**

The Department of Public Utilities entered into an agreement with the Consultant for the design and construction support services on the Project necessary for remediation of existing conditions following the conclusion of the FKCP project. Remediation construction activities are necessary to restore a minor segment of the Channel's east bank slope to pre-existing conditions as well as to allow for closeout of the larger FKCP project.

The City and Consultant entered into an Agreement for services on January 27, 2020, and on July 20, 2020, executed the First Amendment for extension of agreement term to September 15, 2020. Based on the difficulty of the Project contractor to achieve approval of insurance and bonding documents, and the pending closing of the construction window due to annual releases of flood diversion water into the Channel starting on November 1, 2020, the Second Amendment is now necessary to complete the Project. The current contract amount of \$20,000 will remain the same with this Amendment.

## **BACKGROUND**

Prior to the FKCP project, the City's contracted United States Bureau of Reclamation Central Valley Project allocated surface water traveled nearly 55 miles in open canals from Friant Dam to the Northeast Surface Water Treatment Facility (NESWTF). The FKCP project constructed 5.6-miles of raw water pipeline, rerouting water directly to the NESWTF and eliminating nearly 47 miles from the conveyance distance.

Following conclusion of the FKCP project's construction activities, a major storm event caused erosion to a segment of the Channel's east bank slope in the vicinity of Foothill Lane. As a matter of restoring the bank slope to pre-FKCP project conditions, on January 27, 2020, the City entered into an Agreement with the Consultant for design and construction support services to remediate the resulting erosion. On July 20, 2020, the City extended the services agreement term to September 15, 2020. The Second Amendment is now necessary to allow for the Consultant to provide the construction support services. On April 28, 2020, informal bids were opened and identified a low bidding contractor to perform the remediation work. To date construction has not started as the Project contractor is finalizing the bonds and insurance approval process. The delay in process has pushed the construction activities beyond the agreement completion date established with the Consultant in the First Amendment.

Staff has negotiated an extension to the existing Agreement term to October 31, 2021, for completion of services. The services required by this Agreement will be completed in approximately 643 consecutive calendar days from the authorization to proceed and will result in no additional compensation due to the Consultant.

The Attorney's Office has reviewed and approved as to form this Second Amendment to the Agreement. Upon approval by the City Council, the Second Amendment to 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 consultant services agreement.

## **FISCAL IMPACT**

This amendment has no financial impact on the General Fund. This Project is located in Fresno County. This Second Amendment to agreement is for time extension only, without appropriation of additional funds. Funding for the contract is available in the Water Enterprise Fund 40101. No additional funding is required for this Project.

### **Attachments:**

- Attachment 1 - Second Amendment to Agreement
- Attachment 2 - First Amendment to Agreement
- Attachment 3 - Consultant Services Agreement