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Title: Approve the Third Amendment to the Consultant Services Agreement with Silveira Consulting, Inc., to increase the fee amount by \$5,700 for a total amended contract amount of \$55,650; and to extend the term from June 30, 2020 to June 30, 2021, for professional labor compliance monitoring services for the Fresno-Clovis Regional Wastewater Reclamation Facility Headworks Building Odor Control Upgrade project (Council District 3)

Sponsors: Department of Public Utilities

Indexes:

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Attachments: 1. Attachment 1 - Third Amendment to Agreement.pdf, 2. Attachment 2 - Second Amendment to Agreement.pdf, 3. Attachment 3 - First Amendment to Agreement.pdf, 4. Attachment 4 - Original Consultant Agreement.pdf

Date	Ver.	Action By	Action	Result
11/5/2020	1	City Council	approved as amended	Pass

REPORT TO THE CITY COUNCIL

November 5, 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

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Department of Public Utilities - Utilities Planning & Engineering

SUBJECT

Approve the Third Amendment to the Consultant Services Agreement with Silveira Consulting, Inc., to increase the fee amount by \$5,700 for a total amended contract amount of \$55,650; and to extend the term from June 30, 2020 to June 30, 2021, for professional labor compliance monitoring services for the Fresno-Clovis Regional Wastewater Reclamation Facility Headworks Building Odor Control Upgrade project (Council District 3)

RECOMMENDATIONS

Staff recommends that City Council approve the Third Amendment to the Consultant Services Agreement with Silveira Consulting, Inc., (Silveira), to increase contract total and extend the term so labor compliance may be continued through completion of the Fresno-Clovis Regional Wastewater Reclamation Facility Headworks Building Odor Control Upgrade (Project); and authorize the Director of Public Utilities, or designee, to sign the Amendment on behalf of the City of Fresno (City).

EXECUTIVE SUMMARY

At the start of the Project, a Consultant Services Agreement was awarded to Silveira to provide labor compliance monitoring services. The Scope of Work for the Project was expanded to incorporate enhancements needed for the facility. The construction contractor for the Project has been problematic resulting in the construction duration extending beyond the original anticipated completion date. The extended construction duration subsequently necessitates the need to further extend the duration and increase the fee of Silveira's Agreement. The Third Amendment increases the contract fee by \$5,700 and extends the term to June 30, 2021. The odor control improvements are needed to ensure compliance with San Joaquin Valley Air Pollution Control District regulations and reduce maintenance costs.

BACKGROUND

On July 25, 2016, the City entered into a Consulting Services Agreement with Silveira in the amount of \$30,950 for professional labor compliance monitoring services for the Project. The First Amendment extended the Consultant Services Agreement to June 30, 2019, to complete the Project and increased compensation by \$10,000, for a total contract amount of \$40,950. The Second Amendment extended the Consultant Services Agreement to June 30, 2020, to complete the Project and increased compensation by \$9,000, for a total contract amount of \$49,950. Due to Project delays, this Third Amendment will extend the Consultant Services Agreement to June 30, 2021, and increase compensation by \$5,700, for a total contract amount of \$55,650.

The City Attorney's Office has reviewed and approved as to form this Third Amendment to the Agreement. Upon approval by the City Council, the third 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

There is no impact to the General Fund. This Project is located in Council District 3. Funds for this Second Amendment are budgeted in Fiscal Year 21 and available in the Sewer Enterprise Fund

40501.

Attachments:

Attachment 1 - Third Amendment to Agreement

Attachment 2 - Second Amendment to Agreement

Attachment 3 - First Amendment to Agreement

Attachment 4 - Original Consultant Agreement