



CITY OF MENIFEE

SUBJECT: Agreement Amendments for Public Works Land Development Engineering and Capital Improvement Program Divisions

MEETING DATE: June 19, 2024

TO: Mayor and City Council

PREPARED BY: Jenny McConville, Management Analyst

REVIEWED BY: Nick Fidler, Public Works Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Approve and authorize the City Manager to execute Amendment No. 4 with Cannon Design, Inc., Amendment No. 4 with Dokken Engineering, Amendment No. 1 with NV5, Inc., and Amendment No. 1 with Rick Engineering Company, extending the terms of service only to their Professional Services Agreements supporting the Public Works Land Development Engineering and Capital Improvement Program Divisions; and
2. Authorize the City Manager to execute Amendment No. 1 to the Civil Design Services Agreement with RTM Engineering Consultants (formerly known as K&A Engineering, Inc.) increasing the compensation by \$22,840 for a total agreement amount not-to-exceed \$139,934 and extending the terms to June 30, 2025; and
3. Authorize the City Manager to execute Amendment No. 1 to the Master Agreement for Land Surveying and Mapping Review Services with Dennis Janda, Inc. increasing the compensation by \$140,000, for a three-year total agreement amount not-to-exceed \$370,000.

DISCUSSION

The Public Works Department is responsible for the review and delivery of various development and capital projects in a timely and cost-effective manner. In order to do this, both the Land Development Engineering (Engineering) and the Capital Improvement Program (CIP) Divisions utilize professional service agreements to support staff in processing more technical and specialized elements of project delivery. These services include, but are not limited to, various categories of plan review, architectural and design, environmental assessment, project inspection, and construction management services.

Due to the nature of project delivery, there are instances when agreements for professional services must be extended beyond their original terms and/or increased in value to allow for the

services provided to be completed. For CIP, an amendment may be necessary due to project tasks delayed by circumstances outside of the City's control or that of its contractors, such as project material delivery and utility coordination delays. For Engineering, agreement amendments are often the result of high demand for services driven by development activity, regulatory programs, and the need for technical plan review and inspection. Both CIP and Engineering have identified the need to extend the term and/or increase the not-to-exceed value of several existing professional services agreements for the reasons stated above. Details for each of the attached proposed agreement amendments are provided below.

Capital Improvement Program (CIP) Amendments

The CIP division of the Public Works Department is responsible for the planning, design, and implementation of public infrastructure improvement projects throughout the City. CIP projects require the support of technical and specialized professional services to move a project through all phases from concept to construction completion. These services include, but are not limited to, environmental assessments, design services, labor compliance, right-of-way (ROW) acquisition, grant management and materials testing. The following projects are in various phases of activity and are ongoing, requiring extension of terms to ensure the scope of work is fulfilled by the respective firms:

1. CIP 21-04 New Quail Valley Fire Station No. 5 Project – Professional Architectural and Engineering Services Agreement with Cannon Design, Inc. (Cannon)

The project is under construction with the schedule experiencing significant delays due to shortage of materials, utility coordination, and weather conditions. The project is anticipated to be completed by September 2024. Cannon's scope of work includes providing engineering support throughout the duration of construction phase, as well as post-construction. Approval of Amendment No. 4 would provide the additional time required for Cannon to complete the support tasks as outlined within their scope of work. The proposed amendment is for term extension only and would not increase the total not-to-exceed amount of the agreement, as outlined in Table 1 below.

TABLE 1 – CANNON AGREEMENT SUMMARY

	Date approved	Amount	Scope	Contract Term
Original PSA	4/21/2021	\$612,347.00	Architectural & Engineering Services	12/31/2021
Amendment No. 1	2/4/2022	TERM ONLY	N/A	2/28/2022
Amendment No. 2	2/16/2022	\$349,713.00	Construction and post-construction phase support	6/30/2022
Amendment No. 3	6/21/2023	TERM ONLY	N/A	6/20/2024
Amendment No. 4	PENDING	TERM ONLY	N/A	12/31/2025

2. CIP 22-02 Valley Boulevard Widening Project – Civil Engineering Design Services Agreement with Dokken Engineering (Dokken)

Construction is anticipated to begin in Spring 2025. Approval of Amendment No. 4 would provide the additional time required for ROW coordination efforts, as outlined in Dokken's

scope of work. The proposed amendment is for term extension only and would not increase the total not-to-exceed amount of the agreement, as outlined in Table 2 on the following page.

TABLE 2 – DOKKEN AGREEMENT HISTORY

	Date approved	Amount	Scope	Contract Term
Original PSA	1/19/2022	\$1,244,031.81	Environmental & Engineering Design Services	6/30/2023
Amendment No. 1	6/21/2023	<i>TERM ONLY</i>	N/A	6/30/2024
Amendment No. 2	1/22/2024	\$155,160.00	Traffic warrant analysis, ROW appraisals.	6/30/2024
Amendment No. 3	5/1/2024	\$22,783.00	Wall investigation	6/30/2024
Amendment No. 4	PENDING	<i>TERM ONLY</i>	N/A	12/31/2025

3. CIP 23-01 Murrieta Road Bridge over Salt Creek Project – Architectural and Engineering Services Agreement with NV5, Inc. (NV5)

NV5 is currently contracted as the design firm for not only CIP 23-01, but also for the Bradley Road Bridge over Salt Creek project. NV5's work on the design phase for CIP 23-01 was placed on hold to allow NV5 to focus on completion of the final design for the Bradley Road Bridge over Salt Creek project. Approval of Amendment No. 1 would provide the additional time required for NV5 to resume and complete the full scope of design work for CIP 23-01. The proposed amendment is for a term extension only and would not increase the total not-to-exceed amount of the agreement, as outlined in Table 3 below.

TABLE 3 – NV5 AGREEMENT HISTORY

	Date approved	Amount	Scope	Contract Term
Original PSA	2/1/2023	\$1,778,391.00	Architectural & Engineering Services	6/30/2024
Amendment No. 1	PENDING	<i>TERM ONLY</i>	N/A	12/31/2025

4. CIP 23-02 Goetz Road/Vista Way Traffic Signal Project – Civil Design Services Agreement with RTM Engineering Firms (RTM), formerly known as K&A Engineering, Inc.

The project is in final design with construction anticipated to begin in August 2024. As the project moves towards construction, the consultant was requested to provide the following additional items during the construction phase: bid support, material submittal review, answering Request for Information (RFIs), As-Built plan preparation, and development of traffic timing sheets. The approval of Amendment No. 1 would increase the total not-to-exceed amount for the additional construction support items and extend the agreement term to allow the necessary time required for RTM to complete their scope of work, as outlined in Table 4 on the following page.

TABLE 4 – RTM AGREEMENT HISTORY

	Date approved	Amount	Scope	Contract Term
Original PSA	2/15/2023	\$117,094.00	Civil Design Services	6/30/2024
Amendment No. 1	PENDING	\$22,840.00	Additional support for construction phase	6/30/2025

Land Development Engineering Amendments

The Land Development Engineering Division (Engineering) of the Public Works Department is responsible for processing and approving developer submittals for private residential, commercial, and industrial developments. Processing of submittals often requires multiple plan checks and field inspections to comprehensively review all aspects of a project's proposed onsite and offsite improvements and engineering studies. The following firms are actively providing ongoing support services for existing submittals and require amendments to ensure the submittals are processed timely:

5. On-Call Master Drainage Plan Implementation and GIS Support Services Agreement with Rick Engineering Company (Rick Engineering)

Rick Engineering previously assisted Public Works staff in developing the Citywide Master Drainage Plan (MDP) adopted by City Council on November 3, 2021. In July 2023, the City entered into a Professional Services Agreement with Rick Engineering to provide training and MDP data migration support services as outlined in their scope of work. Continuation of these services is needed to ensure success in meeting State of California database and reporting mandates for the Municipal Separate Storm Sewer Systems (MS4) Permit. The proposed amendment is for a term extension only and would not increase the total not-to-exceed amount of the agreement, as outlined in Table 5 below.

TABLE 5 – RICK ENGINEERING AGREEMENT HISTORY

	Date approved	Amount	Scope	Contract Term
Original PSA	7/20/2023	\$20,000.00	Master Drainage Plan Services	6/30/2024
Amendment No. 1	PENDING	TERM ONLY	N/A	6/30/2026

6. Engineering Master Agreement – On-Call Land Surveying & Mapping Services Agreement with Dennis Janda, Inc. (DJI)

On June 21, 2023, the City Council approved various Master Agreements for professional on-call services with firms previously established on an approved On-Call Shortlist for Engineering. DJI is one of two Shortlist firms initially designated to provide land surveying and mapping review services for Engineering. While staff have requested quotes for specific project work from both firms, DJI is often the only response received, and is consistently the most cost effective option. Staff is currently reviewing options for the inclusion of additional firms on the Shortlist for these services, given the volume of services needed to meet current development demands.

A Master Agreement was initially established with DJI for a three-year contract term from July 1, 2023, through June 30, 2026, and for a total agreement not-to-exceed amount of \$230,000.

Due to the continued, and increasing, volume of development activities requiring new survey monument map review and final survey monument inspection services, and given the limited responsiveness of other firms, staff has relied heavily on DJI for performance technical survey reviews. This has resulted in a need to increase the not-to-exceed compensation amount of the DJI Master Agreement. The proposed Amendment No. 1 would increase the Master Agreement by \$140,000, to a total not-to-exceed limit of \$370,000 through June 2026. All other terms would remain unchanged, as outlined in Table 6 below.

TABLE 6 – DJI AGREEMENT HISTORY

	Date approved	Amount	Contract Term
Original PSA	6/21/2023	\$230,000.00	6/30/2026
Amendment No. 1	PENDING	\$140,000.00	6/30/2026

Pursuant to Menifee Municipal Code §3.12.090, any change orders in the amount greater than 10% of the contract amount or that exceeds \$25,000 in value, and any time extension of a performance deadline that exceeds 60-days, shall be approved by the City Council.

STRATEGIC PLAN OBJECTIVE

Safe and Vibrant Community

FISCAL IMPACT

There are no fiscal impacts associated with approval of the proposed amendments for term extensions presented for Cannon, Dokken, NV5, and Rick Engineering.

Amendment No. 1 - RTM

The total fiscal impact for Amendment No. 1 with RTM would be \$22,840 for a revised total not-to-exceed amount of \$139,934. Available funding for this item has been identified in Account No. 320-4555-58149 (Capital Projects) within the Fiscal Year 2023/2024 project budget.

Amendment No. 1 - DJI

The total fiscal impact for Amendment No. 1 with DJI would be \$140,000 for a revised total not-to-exceed \$370,000. Funding for all on-call engineering services, including land surveying and mapping review, has been established in Fiscal Years 2023/2024 and 2024/2025 in Engineering's Professional Services Account Nos. 100-4551-52800 and 100-4551-52825. Fiscal year 2025/2026 funding would be established with the development of future operating budgets.

It is important to note that land surveying and mapping review services are fully recoverable as they would be offset by developer fees and deposits collected for the services. Purchase orders for these services would only be issued after confirmation of budget availability and only for amounts within the approved not-to-exceed agreement compensation amounts.

No additional budget appropriation actions would be required for approval of the proposed six amendments.

ATTACHMENTS

1. Amendment No. 4 – Cannon for CIP 21-04
2. Amendment No. 4 – Dokken for CIP 22-02
3. Amendment No. 1 – NV5 for CIP 23-01
4. Amendment No. 1 – RTM for CIP 23-02
5. Amendment No. 1 – Rick Engineering
6. Amendment No. 1 – DJI