



CITY OF MENIFEE

SUBJECT: Agreement Amendments to Extend Terms for Existing Capital Improvement Program Division Agreements

MEETING DATE: October 19, 2022

TO: Mayor and City Council

PREPARED BY: Carlos Geronimo, Principal Engineer

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 agreement amendments with CivilPros, TR Design Group, Inc., Kimley-Horn and Associates, Inc., Anser Advisory Management, LLC, and Geocon West, Inc., extending the terms of service; and
2. Authorize the City Manager to execute Change Order No. 1 to LC Paving and Sealing, Inc., for Murrieta Road/Sun City Boulevard Traffic Signal Project, extending the terms of service.

DISCUSSION

The City of Menifee Capital Improvement Program (CIP) is administered and implemented by the Public Works and Engineering Department. Carrying out each CIP project involves various stages of technical work from pre-design to final construction. Several trades and specialized services are required to perform this technical work including, but not limited to, surveying, materials testing, design, geotechnical assessments, construction, and labor compliance. To accomplish this work, the City utilizes a combination of in-house staff, consultant firms, and contractors.

The CIP division's staff strive to deliver all projects on time and within budget. Due to the nature of project delivery, there are times when contract agreements, especially those that are performed by professional engineering consultants, need to be extended to properly finish and close out administrative requirements of the projects. Recently due to circumstances outside of the City's or contractors' control, several projects have experienced severe material delivery delays that ultimately affected overall project delivery schedules. These delays have also resulted in the need to extend the terms of several of the contracts associated with the projects.

The following six projects require amendments to existing professional services agreements to provide an extension to the agreement terms to allow completion of final design and administrative procedures required to close out the projects:

- **CIP 20-01 Scott Road/Bundy Canyon Road Widening - Engineering Services Agreement with CivilPros, Inc.:** This project is initiating the NEPA environmental clearance process that is estimated to take an additional 18 months to complete. Approval of Amendment No. 4 would provide the necessary time to complete this task and other design related tasks pending NEPA clearance.

Table 1 – CivilPros Agreement History

	Date approved	Amount	Contract Term
Original Contract	9/18/2019	\$2,340,960.00	10/31/2021
Amendment 1	4/11/2020	\$81,980.00	
Amendment 2	7/7/2021	\$0.00	6/30/2022
Amendment 3	1/19/2022	\$520,900.00	
Amendment 4		\$0.00	12/31/2024

- **CIP 21-03 Fire Station No. 68 Improvements Project - Architectural & Engineering Services Agreement with TR Design Group, Inc.:** This project has been delayed due to material delivery issues with various vendors. Approval of Amendment No. 2 would provide the additional time needed for TR Design to complete their construction administration tasks through project close-out.

Table 2 – TR Design Group Agreement History

	Date approved	Amount	Contract Term
Original Contract	12/18/2020	\$57,659.40	12/31/2021
Amendment 1	8/4/2021	\$29,448.25	6/30/2022
Amendment 2		\$0.00	6/30/2023

- **CIP 21-11: Menifee Road and Garbani Road Traffic Signal - Engineering Services Agreement with Kimley-Horn and Associates:** The completion of this project has been delayed due to material shortages of critical equipment components required for the safe and efficient operation of the traffic signal. At this time, the work is substantially completed. Kimley-Horn is tasked to provide as-built drawings of the project construction for close-out. Approval of Amendment No. 3 would provide the additional time necessary time to complete this task.

Table 3 – Kimley-Horn Agreement History

	Date approved	Amount	Contract Term
Original Contract	10/7/2020	\$82,930.00	6/30/2021
Amendment 1	2/16/2021	\$8,100.00	
Amendment 2	1/16/2021	\$29,970.00	9/30/2022
Amendment 3		\$0.00	3/31/2023

- **CIP 21-17 Peacock Place Community Resurfacing Project - Labor Compliance Services Agreement with Anser Advisory LLC:** Construction of this project is completed, however, there are a few items that the contractor is yet to submit related to Labor Compliance. Approval of Amendment No. 1 would extend the term of the agreement to allow the extra time necessary to complete all labor compliance services through project close-out.

Table 4 – Anser Advisory Agreement History

	Date approved	Amount	Contract Term
Original Contract	2/2/2022	\$9,000.00	6/30/2022
Amendment 1		\$0.00	12/31/2022

- **CIP 22-07 Tradewinds Community Resurfacing Project – Materials Testing Agreement with Geocon West, Inc:** This resurfacing project is complete pending final material inspections and submission of a final report. Approval of Amendment No. 1 would extend the term of the existing agreement to allow the necessary time to complete the material inspections and submit a final report.

Table 5 – GeoCon West Inc. Agreement History

	Date approved	Amount	Contract Term
Original Contract	8/2/2021	\$23,858.00	6/30/2022
Amendment 1		\$0.00	12/31/2022

- **CIP 22-15 Antelope Road/MSJC Entrance Traffic Signal – Engineering Services Agreement with Kimley-Horn and Associates:** This project is expected to start construction in March 2023. Approval of Amendment No. 2 would add the necessary time to draft and provide as-builts plans to the City at the completion of the project.

Table 6 – Kimley-Horn Agreement History

	Date approved	Amount	Contract Term
Original Contract	9/15/2021	\$45,186.00	6/30/2022
Amendment 1	3/10/2022	\$2,450.00	
Amendment 2		\$0.00	12/31/2023

The following project requires a change order to a construction agreement to allow the contractor to complete the construction of the project:

- **CIP 21-09 Murrieta Road/Sun City Boulevard Traffic Signal - Construction Agreement with LC Paving, Inc:** This project began construction on April 4, 2022, and is now substantially complete with all civil work and traffic signal pole installation completed on time. Unforeseen material shortages from manufacturers delayed the delivery of critical equipment needed for the traffic signal operation. This has resulted in project delays that extended beyond the original 60 day completion timeline. Approval of Change Order No.1 would increase the term of the construction agreement and add the additional number of workdays required for the contractor to complete the project.

Each of the agreements referenced above were originally established with a termination date of June 30, 2022, or prior. It is important to note that the proposed amendments are only for agreement term extensions and do not include any increases in consultant or contractor compensation.

Pursuant to Menifee Municipal Code Chapter 3.12.090, any time extension exceeding 60 days from the previously approved or original agreement deadline, whichever is the latest, shall be approved by City Council. All other terms of the agreements shall remain the same.

STRATEGIC PLAN OBJECTIVE

Safe and Attractive Community

FISCAL IMPACT

There is no additional fiscal impact associated with approval of the change order or the six proposed amendments as each would only extend the original term of the agreements. Compensation amounts for each agreement would remain unchanged. No additional budget appropriation actions are required for approval of the proposed amendments, or contract change order.

ATTACHMENTS

1. CIP 20-01 Civil Pros - Amendment No. 4
2. CIP 21-03 TR Design - Amendment No. 2
3. CIP 21-11 Kimley-Horn - Amendment No. 3
4. CIP 21-17 Anser Advisory - Amendment No. 1
5. CIP 22-07 GeoCon - Amendment No. 1
6. CIP 22-15 Kimley-Horn - Amendment No. 2
7. CIP 21-09 LC Paving – Change Order No. 1