



## **CITY OF MENIFEE**

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SUBJECT: Agreement Amendment with Kimley-Horn and Associates, Inc. for the Civic Center Parking Lot Project

MEETING DATE: May 17, 2023

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

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### **RECOMMENDED ACTION**

1. Approve and authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Kimley-Horn and Associates, Inc. for the Civic Center Parking Lot Project, Capital Improvement Project No. 22-24, increasing compensation by \$84,558, for a total amount not-to-exceed \$319,664, and extending the term of the agreement through June 30, 2024.

### **DISCUSSION**

On March 16, 2022, the City of Meniffee entered a Professional Services Agreement (PSA) with Kimley-Horn and Associates, Inc. to provide civil design, plans, specifications, and estimate (PS&E) services for the Civic Center Parking Lot Project. Although the City makes every effort to carefully study and anticipate the level of work needed to achieve the project goals, unanticipated costs that are unknown at the time of the proposal are sometimes discovered as the design progresses. In addition, other requirements that are imposed on the project by outside agencies can have consequences that may increase the project scope and duration of any or all phases of the Project.

The original proposal and scope of work for this Project did not include photometric plans, biological technical reporting, archaeological monitoring and reporting, or bidding phase and construction support services. Staff have determined that these additional services are needed as the Project is nearing the construction phase. These additional services would also require an extension of the PSA as the original term end date is set to expire on June 30, 2023. The proposed Amendment No. 1 would also be proposing an extension of terms, for an additional year, through June 30, 2024. A summary of tasks requested to be added to the Scope of Work through the proposed Amendment No. 1 are outlined on the following page:

**Task 1: PROJECT ADMINISTRATION, MEETING & COORDINATION**

**Task 1.1 – Project Administration and Meetings**

The Kimley-Horn team will coordinate with the City for the duration of this work as shown in Exhibit B of the attached Amendment No. 1.

**Task 1.2: SCE, EMWD and RCFFCD Coordination**

The Kimley-Horn team will assist the City with the coordination and processing of the final plans through these agencies up to the level of effort identified in Exhibit A of the attached Amendment No. 1.

**Task 2: CURRENT EFFORT PERFORMED BEYOND SCOPE**

The Kimley-Horn team worked with the City on value engineering approaches to reduce construction costs, optimize the parking lot amenities and objectives, and perform additional design related to the passive park located at the southeast corner of the site. All design direction provided at project milestones attributed to additional effort that required revisions and iterations of the plans and reports.

**Task 3: FINAL SUBMITTAL**

**Task 3.1 – Final Plans**

Based on the latest round of comments, the City requested photometric plans previously not included in the original scope.

**Task 4: OPTIONAL TASKS**

**Task 4.1 – Bid Phase and Construction Services**

Kimley-Horn will provide limited bid and construction phase services as identified in Exhibit A in the attached Amendment No. 1.

**Task 4.2 – Biology**

The Kimley-Horn team will provide biology services including preparing a biological technical report and perform a burrowing owl focused survey.

The total cost for the additional services included in Amendment No. 1 would be \$84,558. Funding for Amendment No. 1 has been programmed in the Fiscal Year 2022/2023 Budget in General Fund (Fund 100). The proposed Amendment No. 1 would increase the total not-to-exceed contract value for Kimley-Horn to \$319,664. This amount represents the original PSA amount and the proposed Amendment No. 1 to fulfill the design phase and position the Project for the construction bidding phase. The proposed Amendment would also extend the current PSA terms with Kimley-Horn through June 30, 2024, to accommodate these additional services.

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**

Community Engagement and Social Infrastructure

**FISCAL IMPACT**

The total fiscal impact for Amendment No. 1 would be \$84,558. Available funding for Amendment No. 1 has been identified in the Project's Fiscal Year 2022/2023 Budget from General Fund, as summarized in Table 1 below:

**Table 1: Identified Project Funding**

<b>Fund</b>	<b>Project</b>	<b>Account Number</b>	<b>Available Balance</b>	<b>Cost of Services</b>
General	Civic Center Parking Lot	100-4555-58142	\$1,710,600	\$84,558

**ATTACHMENTS**

1. Project Location Map
2. Amendment No. 1
3. Original Agreement