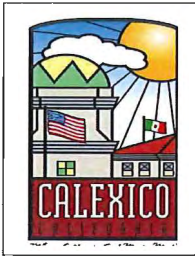


**AGENDA  
ITEM**

**10**



# AGENDA STAFF REPORT

**DATE:** March 2, 2022

**TO:** Mayor and City Council

**APPROVED BY:** Miguel Figueroa, City Manager *MVF*

**PREPARED BY:** Lilliana Falomir, Public Works Manager – Administrative *L Falomir*

**SUBJECT:** Authorize City Manager to Sign Amendment No. 1 to the Agreement with Michael Baker International to Address Comments on and Finalize the Plans and Specification for New River Improvement Project – Calexico Reach.

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**Recommendation:**

Authorize City Manager to sign Amendment No. 1 to the Agreement for Professional Services to Michael Baker International for engineering services to address comments received on and finalize plans and specifications for construction of the New River Improvement Project – Calexico Reach.

**Background:**

The New River is a Water of the United States and a California Water. It originates approximately 18 miles south of the US-Mexico Border, in the Mexicali Valley, Mexico. It enters the United States by the Calexico West Port of Entry, in Calexico, California. The City is proposing to implement New River Improvement Project – Calexico Reach. The Project consists of three primary construction components:

1. Trash screen and diversion structure for the New River downstream from the International Boundary with Mexico.
2. Bypass encasement infrastructure for the New River from a point downstream of the International Boundary to a point downstream of the eastern boundary of the City of Calexico to address the public health threat that new River water quality poses to the southern area of the city.
3. A pump-back system to take treated wastewater from the existing Calexico Wastewater Treatment Plant (WWTP) and discharge it into the New River channel at a point near the proposed river diversion and encasement structure.

In late 2017, the State Water Resources Control Board (State Water Board) contracted with Michael Baker International (MBI) for the preparation of the



plans and specification and draft California Environmental Quality Act (CEQA) for the Project. In 2019, MBI prepared and submitted to the State Water Board and the Colorado River Basin Regional Water Quality Control Board the plans and specification and draft CEQA documentation for the Project. Subsequently, the State Water Board determined that MBI had met the obligations under the contract, including conditions for the deliverables, and closed out its contract with MBI. The plans and specifications, however, were not finalized for construction purposes.

After MBI submitted its plans and specifications to the State Water Board, the City of Calexico became Project Lead and pursuant to the California Environmental Quality Act it certified a Mitigated Negative Declaration for the Project in April 2020. After that, the City requested and received comments on the plans and specifications from the Imperial Irrigation District, the City's Project Construction Manager, and the City Engineer. The plans and specifications need to be stamped and finalized by MBI's Responsible in Charge California registered civil engineer for construction purposes so that: (1) the City can issue Invitations to Bid for the construction of the Project; and (2), incorporate and/or address, as appropriate, comments received on and requested changes to the plans and specifications and ensure they comply with applicable building codes and City construction standards and ordinances.

### **Discussion & Analysis:**

On January 19, 2022, the City Council of the City of Calexico authorized the City Manager to enter into a \$200,000 agreement for Professional Services with MBI to finalize the plans and specifications for the New River Improvement Project – Calexico Reach. The City received comments on the plans and specifications from the Imperial Irrigation District, the City's Project Construction Manager, and the City Engineer. The Agreement requires MBI to address all comments the City received and finalize the plans and specifications for construction purposes by February 18, 2022. Since January 2021, MBI has been reviewing and addressing comments, but MBI estimates that it needs until March 30, 2022, to finalize the plans and specifications. It also believes, that an additional \$55,000 would be required to complete the work. Accordingly, MBI has requested additional time to finalize the plans and adding \$55,000 to the Agreement. The proposed amendment would extend to March 30, 2022, the deadline for MBI to finalize the plans and specifications and augment the contract from \$200,000 to \$255,000.

The scope of work to finalize the plans and specification under the Agreement consists in substantive part of, but is not limited to, incorporating and/or addressing as appropriate:

- Recommended and/or requested changes by the City Engineer to ensure compliance with applicable building codes and City ordinances,
- Comments from the City Project Manager,
- Comments received from the Imperial Irrigation District, and
- Recommendations by the City Project Construction Manager, Dynamic Consulting Engineers

The scope of work also includes stamping, signing, and finalizing the plans and specifications for the Project for the City and for construction purposes by a Responsible-in-Charge California Registered Civil Engineer; and preparing and delivering to the City

nine (9) hard copy sets of the stamped and final plans and specifications for the Project, and one electronic copy of the plans and specifications.

Exhibit B shows the proposed MBI's hourly rates for the required services. A total of \$250,000 are being set aside from the Funding Agreement between the California Department of Water Resources and the City of Calexico to cover this work. The City Public Works Manager and New River Improvement Project Manager have reviewed the scope of work and recommend that the City Council of the City of Calexico authorize the City Manager to sign Amendment No. 1 to the Agreement for Professional Services with MBI for engineering services to finalize the plans and specifications for New River Improvement Project – Calexico Reach.

**Fiscal Impact:**

Capital Improvement Program – Budgeted Item for FY2021-2022

State Grant	\$55,000.00
Total	<u>\$55,000.00</u>

**Coordinated With:**

City Manager's Office.  
Public Works Department.

**Attachment(s):**

1. Amendment No. 1 of Agreement of Professional Services between City of Calexico and Michael Baker International for Professional Services for New River Improvement Project – Calexico Reach.

**AMENDMENT NUMBER 1 TO THE AGREEMENT FOR PROFESSIONAL SERVICES  
BETWEEN THE CITY OF CALEXICO AND MICHAEL BAKER INTERNATIONAL**

AMENDMENT NUMBER 1 dated March 2, 2022, the agreement for professional services between the City of Calexico ("City") and Michael Baker International ("Consultant") dated January 19, 2022 (the "Agreement") concerning Professional Engineering Services for the New River Improvement Project – Calexico Reach (the "Project").

The Consultant has entered into the Agreement with the City for the furnishing of professional services, and the parties now desire to amend the Agreement.

Therefore, it is mutually agreed that the Agreement is amended to include Additional Services to be performed by Consultant and provisions for additional compensation by the City to the Consultant, all set forth in:

Exhibit A – Amendment No. 1 dated February 15, 2022

The parties ratify the terms and conditions of the Agreement not inconsistent with this Amendment, all of which are incorporated by reference.

CITY OF CALEXICO:

CONSULTANT:

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: Miguel Figueroa, City Manager

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: Carlos Campos, City Attorney

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: Gabriela Garcia, City Clerk

Date: \_\_\_\_\_

## EXHIBIT A

### SCOPE OF SERVICES AND DELIVERABLES

Client agrees to compensate Consultant \$250,000 for such services monthly on a Lump Sum basis plus an estimated budget amount of \$5,000 for the cost of reimbursable expenses to cover coordination, prints, mileage, and plan preparation. Compensation to be provided per the Michael Baker International Fee Worksheet.

#### **1. Scope of Work**

In October 2018, Michael Baker International prepared and submitted 90% (Not for Construction) plans and specifications for the New River Improvement Project – Calexico. Plans included an encasement pipe, pump back system, and trash screen. This scope of services shall consist of finalizing the plans and specifications in substantive part but is not limited to incorporating and/or addressing as appropriate:

- Recommended and/or requested changes by the City of Calexico Engineering Department to ensure compliance with applicable building codes and City ordinances,
- Comments received from the Imperial Irrigation District, and
- Recommendations by the City Project Construction Manager, Dynamic Consulting Engineers and 3<sup>rd</sup> party review.

The scope of work also includes stamping, signing, and finalizing the plans and specifications for the Project, for the City of Calexico and for construction purposes by a Responsible-in-Charge California Registered Civil Engineer.

In addition to plans and specifications, the Michael Baker team (including subconsultants) will update and submit the Geotechnical Report for the New River Project as previously prepared for the October 2018 submittal.

#### **2. Deliverables**

Consultant shall deliver to the City the following in adherence with the schedule per Exhibit B

1. Ten (10) hardcopy sets of the stamped and final engineering plans, specifications, and Geotechnical Report for the Project. The hard copies of plans shall be printed in 24"x36" format, with the appropriate scale. Each of the hard copies of the specifications shall be in either bounded or in a three-ring binder.
2. Signed mylars for the plans will be submitted directly to City of Calexico. City is responsible for internal routing and agency signatures.
3. One electronic copy of the plans and specifications in PDF format.
4. One electronic copy of the plans in AutoCAD format.

### **3. Reimbursable Expenses Estimate**

Consultant has included a budget amount of \$5,000 to cover the direct costs for the project including, but not limited to, printing, plotting, reproduction, in-house reproduction, progress prints, mileage, messenger service, and overnight deliveries. Reimbursable expenses will be in addition to consultant expenses.

### **4. Assumptions and Exclusions**

1. Topographic survey and existing conditions (including existing infrastructure) as shown on the October 2018 submittal remain as-is. No additional survey or existing condition adjustments are required.
2. Hazardous waste removal or services associated with hazardous waste.
3. Dry utility information will be provided by others. Consultant will only show dry utilities for coordination purposes only.
4. Traffic Control, Signage, Staging Plans, Phasing Plans, and Striping Plans are not included or anticipated. Scope excludes signal design or signal modification.
5. Consultant is not responsible for preparation of SWPPP or storm water calculations. It is assumed that the City of Calexico Contractor will act as the Qualified SWPPP Developer (QSD) and as the Qualified SWPPP Practitioner (QSP). It is also assumed that the Contractor's Quality Control person will be responsible for inspections and Inspection Log documentation.
6. Locations and alignment (including pipe outfall to the west) of all proposed facilities and infrastructure as shown on the October 2018 submittal remain as-is and will not require modification.
7. Materials of all proposed facilities and infrastructure as shown on the October 2018 submittal remain as-is and will not require modification.
8. City of Calexico is responsible for all easements, off-site notifications, encroachment, and right-of-way permits.
9. Design intent of the encasement pipe, as prepared for the October 2018 submittal, will remain as-is. Encasement is designed to capture a monthly average flow of 160 cubic feet per second (CFS); flows in excess of 160 cfs will continue to be carried by the New River Channel.
10. Design parameters of the encasement pipe, pump back system, and trash screen will remain per the October 2018 submittal, per the State Water Resources Control Board RFQ Number 17-028-170.
11. Scope of services does not include environmental support, documents or environmental processing including, but not limited to: CEQA and California Department of Fish and Wildlife.
12. Scope of services does not include Construction Administration Services, including but not limited to bid support, field construction services, and response to RFIs and submittals.
13. Proposed prefabricated structures and facilities as shown on the October 2018 submittal require design modifications due to updated codes and vendor revisions. These facilities are excluded from this scope. Contractor will be responsible for coordination and final design processing prior to construction.
14. Construction staking is excluded.

## PROJECT SCHEDULE

Our truncated preliminary milestone schedule is as follows:

Notice to Proceed from Calexico	February 11, 2022
Contract Amendment/Authorization	February 2022
Receive Review Comments	February 11, 2022
100-Percent Design Submittal *	March 31, 2022
Contract End Date	April 30, 2022

*\*Note: Michael Baker to submit signed mylars directly to the City of Calexico. City is responsible for internal routing and agency signature / approval process.*