

**AGENDA
ITEM**

3



CITY COUNCIL AGENDA STAFF REPORT

DATE: July 25, 2024

TO: Mayor and City Council

APPROVED BY: Juan Contreras, Acting City Manager *JAC*

REVIEWED BY: Sandra L. Fonseca, Interim Finance Director *SF*

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

SUBJECT: Authorize Acting City Manager to Sign Amendment No. 7 to the Agreement of Professional Services in the Amount of \$95,000.00 with Michael Baker International to provide Construction Support Services to the City, including Review/Evaluation of Specific Submittals for the Construction of the New River Improvement Project – Calexico Reach.

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Recommendation:

It is recommended that the City Council of the City of Calexico approve the following:

1. Authorize Acting City Manager to Sign Amendment No. 7 to the Agreement of Professional Services in the Amount of \$95,000.00 with Michael Baker International to provide Construction Support Services to the City, including Review/Evaluation of Specific Submittals for the 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 of Calexico (hereafter "City") is proposing to implement the New River Improvement Project – Calexico Reach (hereafter "Project"). The City became Project Lead and pursuant to the California Environmental Quality Act it certified a Mitigated Negative Declaration for the Project in April 2020. 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.

On February 15, 2023, the City Council of the City of Calexico awarded bid proposal from Mountain Cascade, Inc. (MCI) in the amount of \$40,690,908.04. On June 29, 2023, the City issued the Notice to Proceed to Mountain Cascade, Inc.

Discussion and Analysis:

Michael Baker International (MBI) is the design engineer for said project and has been on contract with the City since January 2022 to provide engineering services to the city, which included finalizing the plans and specifications for construction of the Project and other technical support services during the Project's bid process. Certain MCI request for information (RFI), submittals and substitution need to be reviewed by MBI since they are the design engineer for said project. In addition, MBI has had to participate in certain construction meetings, where key issues have been raised on the plans and specifications for the Project. As of June 30, 2024, MBI has a remaining balance of \$590.91 to their existing contract and additional funds would be needed to continue providing the following scope of work:

1. Construction assistance and schedule discussions.
2. Meeting attendance and site walks in the field.
3. Attend scheduled meetings and calls. Attend progress meetings.
4. Review and respond to Submittals from Construction Management Team.
5. Review Contractor Change Orders.
6. Review and respond to Request for Information (RFIs) from Construction Management Team.
7. Review and address unforeseen conditions, items, and questions.
8. Review contractor redlines.
9. Additional requests to support the City of Calexico and the Construction Management Team.
10. MBI will coordinate and distribute work requests directly with the subconsultant team as listed above.

Please note that MCI has submitted over 60 RFI's, 177 submittals and 5 substitution requests for said project.

City staff and Dynamic Consulting Engineers (Contract Construction Management) has reviewed MBI request and is requesting that the City Council of the City of Calexico authorize the Acting City Manager to sign Amendment No. 7 to the Agreement of Professional Services with MBI in

the amount of \$95,000.00 for Construction Support Services to the City, including Review/Evaluation of Specific Submittals for the Construction of the New River Improvement Project – Calexico Reach.

Fiscal Impact:

Capital Improvement Program Budgeted Item for FY 2024-2025	
REVENUE	
State Grant – Fund No. 475-91-902-56001-000	\$780,000.00
Total	\$780,000.00
EXPENDITURE	
Michael Baker International – Original Contract	\$200,000.00
Michael Baker International – Amendment No. 1	\$55,000.00
Michael Baker International – Amendment No. 2	\$50,000.00
Michael Baker International – Amendment No. 3	\$35,000.00
Michael Baker International – Amendment No. 4	\$100,000.00
Michael Baker International – Amendment No. 5	\$125,000.00
Michael Baker International – Amendment No. 6	\$120,000.00
Michael Baker International – Amendment No. 7	\$95,000.00
Total	\$780,000.00

Coordinated With:

City Manager’s Office.
 Public Works Department.
 Office of the City Clerk.

Attachment(s):

1. Amendment No. 7 of Agreement of Professional Services between City of Calexico and Michael Baker International for Professional Services for New River Improvement Project – Calexico Reach.
 - a. Exhibit A – Scope of Services
 - b. Exhibit B – MBI Schedule of Charges

ATTACHMENT NO. 1

**AMENDMENT NUMBER 7 TO THE AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN THE CITY OF CALEXICO AND MICHAEL BAKER INTERNATIONAL**

AMENDMENT NUMBER 7 dated July 25, 2024, the agreement for professional services between the City of Calexico (“City”) and Michael Baker International (“Consultant”) dated December 15, 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 and B – Proposal dated July 2024

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: Juan Contreras, Acting City Manager

Title: _____

Date: _____

Date: _____

By: _____

Title: Carlos Campos, City Attorney

Date: _____

By: _____

Title: Veronica L. Alvarado, City Clerk

Date: _____

ADDITIONAL SERVICES REQUEST #07

Project: New River Improvement Project – Calexico Reach
Construction Support Services and Coordination (July 2024 – December 2024)

Client: City of Calexico

Work Requested By: City of Calexico

Summary of Additional Work

Construction Support Services and Coordination (July 2024 – December 2024)

At the request of the Client, Michael Baker International (MBI) will provide ongoing coordination and consultation with team partners (including City of Calexico, City of Calexico Construction Management Team, and the Contractor) related to Construction Support Services for the New River Improvement Project – Calexico Reach.

This scope of services for the Construction Support Consultant Team includes Michael Baker International and the following subconsultant team. MBI will coordinate directly with the following team.

- Engineering Partners Inc. – Electrical Engineering
- Leighton Geotechnical – Geotechnical Engineering
- Aark Engineering Inc. – Structural Engineering

At the request of the client, construction support services may include the following:

- 1) Construction assistance and schedule discussions.
- 2) Meeting attendance and site walks in the field.
- 3) Attend scheduled meetings and calls (frequency TBD). Attend progress meetings.
- 4) Review and respond to Submittals from Construction Management Team.
- 5) Review Contractor Change Orders.
- 6) Review and respond to Request for Information (RFIs) from Construction Management Team.
- 7) Review and address unforeseen conditions, items, and questions.
- 8) Review contractor redlines.
- 9) Additional requests to support the City of Calexico and the Construction Management Team.
- 10) MBI will coordinate and distribute work requests directly with the subconsultant team as listed above.

A budget allowance of ninety-five thousand dollars (\$95,000) is allocated for the tasks above. Services will be invoiced on a Time and Materials budget as approved in the Schedule and Charges (Attached Exhibit B).

Because of the unknown nature of construction services, Client will be notified when 80% of the budget has been used. MBI will provide a monthly invoice backup with detailed Time and Materials (T&M) budget allocations from the Consultant Team.

Reimbursable Expenses

Consultant has included an initial budget amount within this proposal 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 invoiced monthly.

Fee:

Construction Support Services and Coordination (July 2024 – December 2024).....\$95,000

TOTAL AWR \$95,000

Work will commence upon written approval of this additional scope and fee.

Prepared By:  July 2024

Brian Stup, Project Manager

Authorized By: _____
(Client) (Date)

This is an addendum to the City of Calexico New River Improvement Contract as entered into as December 15, 2021. All provisions, terms, and conditions remain applicable to this Addendum.

EXHIBIT B

MICHAEL BAKER INTL. - SCHEDULE OF CHARGES

Work accomplished pursuant to this Agreement shall be based on the following rates.

Michael Baker Hourly Rate Schedule 2023 (please see notes also)	
Office Personnel	Hourly Rate
Principal	\$ 315.00
Project Manager	\$ 260.00
Senior Engineer	\$ 215.00
Project Engineer	\$ 185.00
Environmental Specialist	\$ 170.00
Design Engineer/Senior Designer/Survey Analyst	\$ 175.00
Designer/Planner	\$ 160.00
Design Technician	\$ 140.00
Assistant Engineer/Planner	\$ 125.00
Permit Processor	\$ 100.00
Office Support/ Clerical	\$ 95.00
Surveying Personnel	Hourly Rate
Two Person Survey Crew	\$ 325.00
One Person Survey Crew	\$ 200.00
Licensed Surveyor	\$ 235.00
Field Supervisor	\$ 210.00

Notes:

1. An escalation factor of approximately 3% to the hourly rates is expected for 2024.
2. Blueprinting, reproduction, messenger service and other direct expenses will be charged as an additional cost plus 15%.
3. A Sub-consultant Management Fee of fifteen percent (15%) will be added to the direct cost of all sub-consultant services to provide for the cost of administration, sub-consultant consultation and insurance.
4. Vehicle mileage will be charged as an additional cost at the IRS approved rate.