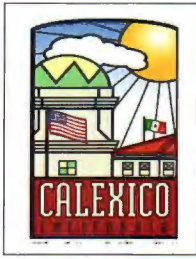


**AGENDA
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AGENDA STAFF REPORT

DATE: June 1, 2022

TO: Mayor and City Council

APPROVED BY: Diego Favila, Interim City Manager 

PREPARED BY: Lilliana Falomir, Public Works Manager – Administrative 

SUBJECT: Authorize Interim City Manager to Sign Amendment No. 2 to the Agreement with Michael Baker International to provide Bid Support and Consultation to the City for New River Improvement Project – Calexico Reach.

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Recommendation:

Authorize Interim City Manager to sign Amendment No. 2 to the Agreement for Professional Services to Michael Baker International for engineering services to assist the City during bid process 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 the 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

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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 needed 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.

On January 19, 2022, the City Council of the City of Calexico authorized the City Manager to enter into a \$200,000 agreement (hereafter "Agreement") for Professional Services with MBI to finalize the plans and specifications for the New River Improvement Project – Calexico Reach. On March 2, 2022, the City Council of the City of Calexico authorized the City Manager to implement a \$55,000 amendment to the Agreement (Amendment 1). Since then, MBI provided the City with updated and stamped plans and specifications for the Project, which enabled the City to issue and the Imperial Valley Press publish the Invitation to Bid for construction of the Project on May 8, 2022.

Discussion & Analysis:

Based on the technical complexity of the Project and, consequently, complex technical issues that may be raised during the bid process, it is necessary for MBI—the Project Design Engineer of record—to provide additional technical assistance to the City during the bid process, including participation in the mandatory Pre-bidding meeting (scheduled for May 31, 2022), and responding to City and potential bidders comments during the bid process. The scope of the work under the proposed amendment before the City Council is contained in Exhibit A, would be for \$50,000, and essentially consists in, but it is not limited to:

- Preparation of technical memoranda
- Team coordination and bid-related meetings
- Responding to technical comments raised during the bid process
- Updates on plans and specification per comments during bid process

Exhibit A also shows the proposed MBI's hourly rates for the required services. The costs for the additional services will be covered by the City-DWR Funding Agreement. 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. 2 to the Agreement for additional Professional Services with MBI for engineering services during the bid process for New River Improvement Project – Calexico Reach.

Fiscal Impact:

Capital Improvement Program – Budgeted Item for FY2020-2021

State Grant		\$50,000
Total		<hr/> \$50,000

Coordinated With:

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

Attachment(s):

1. Amendment No. 2 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 2 TO THE AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN THE CITY OF CALEXICO AND MICHAEL BAKER INTERNATIONAL**

AMENDMENT NUMBER 2 dated June 1, 2022, 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 – Amendment No. 2 dated April 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: Diego Favila, Interim City Manager

Title: _____

Date: _____

Date: _____

By: _____

Title: Carlos Campos, City Attorney

Date: _____

By: _____

Title: Gabriela Garcia, City Clerk

Date: _____

EXHIBIT A



JN: 188274
April 2022

ADDITIONAL SERVICES REQUEST #01

Project: New River Improvement Project – Calexico Reach
Bid Support Services

Client: City of Calexico

Work Requested By: City of Calexico

Summary of Additional Work

Bid Support Services

At the request of the Client, Michael Baker International (MBI) will provide coordination with team partners and provide bid support and consultation. This may include preparation of technical memorandums, supporting exhibits, team calls / coordination, plan and specification refinements, updates to the opinion of probable construction costs, and responding to the City of Calexico comments during the bid process. MBI will respond to RFI and Submittal requests. A budget allowance of fifty thousand (\$50,000) dollars is allocated for an anticipated 6-month duration from April 2022 through September 2022. Services will be invoiced on a Time and Materials budget as approved in the Schedule of Charges (Exhibit B) per the approved Agreement For Professional Services as made and entered into as of December 15, 2021.

Client will be notified when 80% of the budget has been used. Additional efforts will be provided as additional services as defined herein.

Fee:

Bid Support Services.....\$50,000

TOTAL AWR \$50,000

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

Prepared By: B. Stup April 2022
Brian Stup Project Manager

Authorized By: _____
(Client) (Date)

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