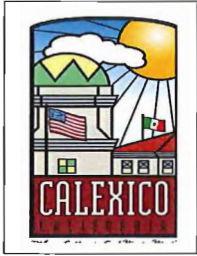


**AGENDA
ITEM**

10



AGENDA STAFF REPORT

DATE: March 16, 2022

TO: Mayor and City Council

APPROVED BY: Miguel Figueroa, City Manager *MFF*

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

SUBJECT: Authorize City Manager to Sign Amendment No. 1 to the Agreement of Professional Services with Lee & Ro, Inc. for Engineering Services for Wastewater Treatment Plant Upgrading and Expansion Project.

=====

Recommendation:

Authorize City Manager to Sign Amendment No. 1 to the Agreement of Professional Services with Lee & Ro, Inc. for Engineering Services for Wastewater Treatment Plant Upgrading and Expansion Project.

Background:

The City of Calexico, California owns and operates a Wastewater Treatment Plant (WWTP) located at 298 West 2nd Street, Calexico, CA 92231. The total permitted WWTP treatment capacity is 4.3 million gallons per day (mgd) and the current average flow is approximately 2.7 mgd. The WWTP generates approximately 290 metric tons of Class B Biosolids per year.

The WWTP consists of two separate treatment trains, (1) Conventional Activated Sludge (Train 1), and (2) Aerated Lagoons (Train 2). Train 1 has a total permitted capacity of 2.5 mgd and Train 2 has a total permitted capacity of 1.8 mgd. Both Trains share a common headworks and the effluent from both Trains undergoes ultra-violet (UV) disinfection before being discharged into the New River. Solids are anaerobically digested and dried in sludge drying beds. The existing WWTP has been in service for over 50 years. Although the City has partially upgraded certain plant facilities (upgrades to Train 1 were performed in 1974, 1991, and 1995; upgrades to Train 2 were performed in 1994), most of the WWTP components are at the end of their useful service life.

The WWTP is subject to the waste discharge requirements set forth by the California Regional Water Quality Control Board (RWQCB), Colorado River Basin Region (Region 7) Order R7-2019-0004 and National Pollutant Discharge Elimination System (NPDES) Permit No. CA7000009 for discharge of the effluent into the New River.



In August 2018, Lee and Ro, Inc. finalized the WWTP Master Plan which included the evaluation of treatment process alternatives and recommendation for the most cost-effective WWTP upgrades. The viable treatment process alternative evaluated were the conventional activated sludge which we currently use, oxidation ditch, and single-cell activated sludge (Biolac).

On December 5, 2018, the City of Calexico Public Works Department solicited proposals from qualified engineering firms to provided engineering services for Wastewater Treatment Plant Upgrading and Expansion Project. The project would consist of replacing outdated equipment and facilities, upgrade treatment processes, and increase WWTP capacity, the City has selected the single-cell activated sludge (e.g. Biolac) for this project.

On March 6, 2019, the City Council of the City of Calexico authorized the City Manager to sign Agreement of Professional Services with Lee & Ro, Inc. for engineering services for Wastewater Treatment Plant Upgrading and Expansion Project.

Discussion & Analysis:

In accordance with the original Agreement of Professional Services, Lee & Ro, Inc. engineering services were to be completed by December 31, 2021. However due to COVID-19 and shortage of City staff, the project has been delayed. Construction, including Lee & Ro, Inc. engineering services is now anticipated to be completed by the end of 2024. For this reason, Public Works staff is recommending to extend Lee & Ro, Inc. contact period to the end of 2024 with Amendment No. 1 which includes a fee increase for new 2022 billing rate. In addition, Public Works Staff has requested that Lee & Ro, Inc. assist us with additional engineering services during the bidding and construction phase of said project.

Fiscal Impact:

Capital Improvement Program Budgeted Item for FY 2021-2022	
Wastewater Enterprise Fund	\$134,056.00
Total	\$134,056.00

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 Lee & Ro, Inc.

**AMENDMENT NUMBER 1 TO THE AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN THE CITY OF CALEXICO AND LEE AND RO, INC.**

AMENDMENT NUMBER 1 dated March 16, 2022, the agreement for professional services between the City of Calexico ("City") and Lee and Ro, Inc. ("Consultant") dated March 6, 2019 (the "Agreement") concerning Wastewater Treatment Plant Upgrading and Expansion Project (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 March 3, 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: _____



Celebrating 40 years
as partners in possibility.

1199 South Fullerton Road
City of Industry, CA 91748

626-912-3391
lee-ro.com

March 3, 2022

Attn: Ms. Lilliana Falomir
Public Works Manager
608 Heber Avenue
Calexico, CA 92231

**Re: Request for Contract Amendment for the
Calexico Wastewater Treatment Plant Upgrading and Expansion Project**

Dear Ms. Falomir:

LEE + RO respectfully requests that the City of Calexico (City) authorize additional funding to cover the increase in the fees for bid phase and construction phase engineering services and the fee of additional engineering services.

In accordance with the original contract for the subject project, LEE + RO's engineering services were to be completed by December 31, 2021. However, due to COVID-19, the project has been delayed. Construction, including LEE + RO's engineering services, is now anticipated to be complete by the end of 2024. LEE + RO is currently preparing bid set contract documents for the construction bid advertisement. We, therefore, respectfully request the City amend and extend LEE + RO's engineering services contract period to the end of 2024.

Fee Increase for New FY2022 Billing Rate

Originally, LEE + RO's engineering fee was based on our FY2019 billing rate schedule. To accommodate the project delays and a contract extension amendment, LEE + RO now requests the City amend the engineering services fee for the remaining bid phase and construction phase engineering services using our FY2022 billing rate schedule. The additional fee associated with this billing rate schedule change is \$75,648 (See attached fee tables).

New Fee for Bid & Construction Phases:	\$584,303
<u>Original Fee for Bid & Construction Phases:</u>	<u>\$508,655</u>
Additional Fee Requested:	\$75,648

Additional Engineering Services

In 2020, LEE + RO submitted the probable construction cost estimates to the City. However, during the last two years of the pandemic, construction material, and labor costs have sharply increased. LEE + RO will need to update the construction estimates with the most current cost data. LEE + RO will re-evaluate all construction cost items, including grading, concrete work, equipment, electrical and instrumentation, etc.

For the City's new electrical services at the WWTP, LEE + RO will need to coordinate with Imperial Irrigation District (IID). LEE + RO submitted the current design documents to IID. LEE + RO will update the electrical plans in accordance with IID's review comments and additional construction notes, if necessary.

LEE + RO will need to review the current construction documents, including plans and specifications, prior to construction bid advertisement. In early 2021, LEE + RO revised and submitted the City's standard front-end documents for bid advertisement. LEE + RO will review the documents again and update as appropriate for the project.

The additional cost associated with these three task items is summarized below.

Task 1: Update Construction Cost Estimates:	\$23,248
Task 2: Coordinate with IID and Update Electrical Plans:	\$13,508
<u>Task 3: Update/Finalize Bid Set Documents:</u>	<u>\$21,652</u>
Total	\$58,408

Total Fee

We respectfully request authorization for additional funds in the amount of **\$134,056** through the issuance of Amendment No. 1 to the current Contract.

Thank you for your consideration of this request. If you have any questions, please feel free to contact me via email at jay.jung@lee-ro.com or call me at (626) 667-5342.

Respectfully Submitted,



LEE + RO, Inc.
Jay Jung, P.E.
Project Manager

- Encl: Exhibit A – Original Fee for Bid and Construction Phase Engineering Service
 Exhibit B – Revised Fee for Bid and Construction Phase Engineering Service (w/ FY2022 Billing Rate)
 Exhibit C – Fee Proposal for Additional Engineering Services
 Exhibit D – FY2022 Hourly Billing Rate Schedule

Exhibit A
Original Fee for Bid and Construction Phase Engineering Service
City of Calexico Wastewater Treatment Plant Upgrading and Expansion Project

Labor Category: E8 Managing Engineer E7 Supervising Engineer E6 Principal Engineer E5 Senior Engineer E4 Engineer E3 Associate Engineer T4 Senior Designer T3 Designer T2 Associate Designer A1 Administrative Assistant/Word Processor	E8	E7	E6	E5	E4	E3	T4	T3	T2	A1	Total Hours	Total Labor	Other Direct Costs	Sub-Consultant Fees	TOTAL
	Project Tasks	\$240	\$217	\$196	\$178	\$162	\$145	\$145	\$128	\$112					
Task 9: Bid Phase Support Services															
Task 9.1 Conduct Pre-Bid Conference including Site Walk		6	6							2	14	\$2,670	\$300		\$2,970
Task 9.2 Prepare Addenda for Design Related Issues (Assume up to 3 Addenda)		12		36		48		40		20	156	\$23,012	\$50		\$23,062
Task 9.3 Review Bid Results and Award Recommendation	4	12		8						4	28	\$5,372	\$50		\$5,422
Task 9.4 Prepare Conformed Drawings and Specifications		4		16		16		8	32	8	84	\$11,412	\$300		\$11,712
Subtotal Task 9, Bid Phase Support Services	4	34	6	60	0	64	0	48	32	34	282	\$42,466	\$700	\$0	\$43,166
Task 10: Construction Phase Engineering Services															
Task 10.1 Attend Pre-Construction Meeting		6			6					2	14	\$2,466	\$250		\$2,716
Task 10.2 Review and Respond to Contractor's Shop Drawing Submittals (250 submittals @ 4 hrs./submittal for first review; and 120 submittals @ 2 hrs./submittal for second review; 50 submittals @ 2 hrs./submittal for third review plus clerical)		115	195	280	450	300				120	1460	\$240,935	\$1,500		\$242,435
Task 10.3 Respond to Contractor's RFIs (200 RFIs @ 3 hrs. per RFI plus clerical)		50	90	150	100	150		60		60	660	\$106,580	\$200		\$106,780
Task 10.4 Assist with Contractor Change Order Requests (20 change orders @ 12 hrs./each plus clerical)		16		80		40		104		20	260	\$38,744	\$150		\$38,894
Task 10.5 Attend Construction Meetings (16 meetings @ 10 man-hours/meeting)		48	48	32		32				16	176	\$31,696	\$4,000		\$35,696
Task 10.6 Review Plant Startup and Commissioning Plan	4	8	8	12		16				2	50	\$8,912	\$200		\$9,112
Task 10.7 Prepare As-Built Record Drawings from Contractor's Redline Markups (CD and Mylar Drawings)		8		40		40		40	60	10	198	\$27,456	\$2,400		\$29,856
Subtotal Task 10, Construction Phase Engineering Services	4	251	341	594	556	578	0	204	60	230	2818	\$456,789	\$8,700	\$0	\$465,489
TOTAL NOT-TO-EXCEED (Task 9 and Task 10)															\$508,655

Exhibit B

**Revised Fee for Bid and Construction Phase Engineering Services (FY2022 Billing Rate Schedule)
City of Calexico Wastewater Treatment Plant Upgrading and Expansion Project**

Labor Category	E8	E7	E6	E5	E4	E3	T4	T3	T2	A1	Total Hours	Total Labor	Other Direct Costs	Sub-Consultant Fees	TOTAL
E8 Managing Engineer E7 Supervising Engineer E6 Principal Engineer E5 Senior Engineer E4 Engineer E3 Associate Engineer T4 Senior Designer T3 Designer T2 Associate Designer A1 Administrative Assistant/Word Processor															
Project Tasks	\$273	\$246	\$229	\$204	\$190	\$171	\$152	\$130	\$113	\$118					
Task 9: Bid Phase Support Services															
Task 9.1 Conduct Pre-Bid Conference including Site Walk		6	6							2	14	3,086	\$300		\$3,386
Task 9.2 Prepare Addenda for Design Related Issues (Assume up to 3 Addenda)		12		36		48		40		20	156	\$2	\$50		\$26,114
Task 9.3 Review Bid Results and Award Recommendation	4	12		8						4	28	\$6,412	\$50		\$6,198
Task 9.4 Prepare Conformed Drawings and Specifications		4		16		16		8	32	8	84	\$13,100	\$300		\$12,884
Subtotal Task 9, Bid Phase Support Services	4	34	6	60	0	64	0	48	32	34	282	\$47,882	\$700	\$0	\$48,582
Task 10: Construction Phase Engineering Services															
Task 10.1 Attend Pre-Construction Meeting		6			6					2	14	\$2,978	\$250		\$3,102
Task 10.2 Review and Respond to Contractor's Shop Drawing Submittals (250 submittals @ 4 hrs./submittal for first review; and 120 submittals @ 2 hrs./submittal for second review; 50 submittals @ 2 hrs./submittal for third review plus clerical)		115	195	280	450	300				120	1460	\$293,655	\$1,500		\$282,525
Task 10.3 Respond to Contractor's RFIs (200 RFIs @ 3 hrs. per RFI plus clerical)		50	90	150	100	150		60		60	660	\$128,660	\$200		\$123,240
Task 10.4 Assist with Contractor Change Order Requests (20 change orders @ 12 hrs./each plus clerical)		16		80		40		104		20	260	\$45,164	\$150		\$43,126
Task 10.5 Attend Construction Meetings (16 meetings @ 10 man-hours/meeting)		48	48	32		32				16	176	\$38,272	\$4,000		\$40,688
Task 10.6 Review Plant Startup and Commissioning Plan	4	8	8	12		16				2	50	\$10,766	\$200		\$10,512
Task 10.7 Prepare As-Built Record Drawings from Contractor's Redline Markups (CD and Mylar Drawings)		8		40		40		40	60	10	198	\$31,466	\$2,400		\$32,528
Subtotal Task 10, Construction Phase Engineering Services	4	251	341	594	556	578	0	204	60	230	2818	\$527,021	\$8,700	\$0	\$535,721
TOTAL NOT-TO-EXCEED (Task 9 and Task 10)															\$584,303

Exhibit C
Fee Proposal for Additional Engineering Services
City of Calexico Wastewater Treatment Plant Upgrading and Expansion Project

Labor Category E8 Managing Engineer E7 Supervising Engineer E6 Principal Engineer E5 Senior Engineer E4 Engineer E3 Associate Engineer T4 Senior Designer T3 Designer T2 Associate Designer A1 Administrative Assistant/Word Processor	E8	E7	E6	E5	E4	E3	T4	T3	T2	A1	Total Hours	Total Labor	Other Direct Costs	Sub-Consultant Fees	TOTAL
	\$273	\$246	\$229	\$204	\$190	\$171	\$152	\$130	\$113	\$118					
Project Tasks															
Additional Engineering Tasks															
Task 1 Update Construction Cost Estimates		8	24	28	14	40				4	118	\$23,148	\$100		\$23,248
Task 2 Coordinate with IID and Update Electrical Plans			24		20			24		3	71	\$13,458	\$50		\$13,508
Task 3 Update/Finalize Bid Set Documents		8	12	24	12	12	16	34	4	3	125	\$21,602	\$50		\$54,652
TOTAL NOT-TO-EXCEED	0	40	36	72	26	52	16	58	4	10	314	\$58,208	\$200	\$0	\$58,408

Exhibit D
Hourly Billing Rate Schedule
(Effective From November 1, 2021 to October 31, 2022)

PERSONNEL CLASSIFICATION			BILLING RATES (\$/HOUR)
ENGINEERS			
Engineer 8	E8	Managing Engineer	\$273
Engineer 7	E7	Supervising Engineer	\$246
Engineer 6	E6	Principal Engineer	\$229
Engineer 5	E5	Senior Engineer	\$204
Engineer 4	E4	Engineer	\$190
Engineer 3	E3	Associate Engineer	\$171
Engineer 2	E2	Assistant Engineer	\$152
Engineer 1	E1	Junior Engineer	\$130
CAD / DESIGNERS			
Designer 6	T6	Principal Designer	\$190
Designer 5	T5	Principal Designer	\$171
Designer 4	T4	Principal Designer	\$152
Designer 3	T3	Principal Designer	\$130
Designer 2	T2	Principal Designer	\$113
Designer 1	T1	Principal Designer	\$95
FIELD PROFESSIONALS			
Field Professional 5	F5	Senior Resident Engineer	\$204
Field Professional 4	F4	Resident Engineer	\$190
Field Professional 3	F3	Senior Inspector	\$171
Field Professional 2	F2	Inspector	\$152
Field Professional 1	F1	Assistant Inspector	\$130
ADMINISTRATIVE			
Administrative 4	A4	Senior Contract Manager	\$149
Administrative 3	A3	Contract Manager	\$137
Administrative 2	A2	Senior Word Processor	\$128
Administrative 1	A1	Word Processor / Admin. Assistant	\$118