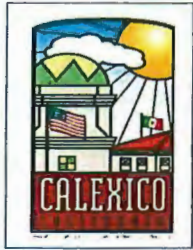


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CITY COUNCIL AGENDA STAFF REPORT

DATE: May 4, 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. 1 to the Agreement of Professional Services with West and Associates Engineering, Inc., for Engineering Services to Review the Plans and Specifications for New River Improvement Project – Calexico Reach.

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Recommendation:

Authorize Interim City Manager to Sign Amendment No. 1 to the Agreement of Engineering Services with West and Associate Engineering, Inc., to review the plan and specifications for 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 Waste Water 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

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(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, have been not finalized for bidding and construction purposes. On January 19, 2022, the City of Calexico Council authorized the City Manager to entered into separate contracts: (1) with West and Associate Engineering, Inc. (WAE) to provided to MBI formal comments as the City Engineer on the plans and specifications so MBI can finalize the plans and specifications for bidding and construction purposes; and (2) with MBI to address all comments the City received from other agencies and prepared by the City Engineer and City Project Manager so that it can finalize the plans and specifications for the Project. Since then, WAE has provided to MBI the City Engineer formal and comprehensive comments in writing. Subsequently, on April 8, 2022, MBI provided to the City revised plans and specifications, which require additional work from WAE that is not covered under the current City-WAE contract, including reviewing the revised plans and specifications. This Item before the City Council allows WAE to conduct the additional work to ensure the City has accurate final plans and specifications and Project cost estimates for construction purposes. This additional work is also necessary so that the City can issue Invitations to Bid for the construction of the Project.

Discussion & Analysis:

On January 19, 2022, the City Council of the City of Calexico authorized the City Manager to sign agreement of Professional Services with WAE in the amount of \$38,000.00 for to review and provide written comments on behalf of the City on the plans and specifications for New River Improvement Project – Calexico Reach. Since then, WAE provided to MBI comprehensive written comments on the plans and specifications. The City also provided to MBI comments from the City Project Manager and comments the City received from other agencies. In turn, and pursuant to the comments it received, MBI provided to the City revised plans and specifications and its Opinion on Probable Construction Costs (OPCC) for the Project on April 8, 2022.

WAE needs to review the revised documents provided by MBI to ensure they satisfactorily address the above-mentioned comments, the revisions are technically justified, and the revised OPCC is as accurate as possible for bidding and construction purposes. Therefore, City staff is requesting that the City Council of the City of Calexico authorize the Interim City Manager to sign Amendment No. 1 of the Agreement of Professional Services between the City of Calexico and WAE in the amount of \$4,950.00. Please note that funding for said amendment is 100% funded by the State of California Department of Water Resources and there is no impact to the General Fund.

Fiscal Impact:

Capital Improvement Program Budgeted Item for FY 2021-2022	
State Grant – State of California Department of Water Resources	\$4,950.00
Total	\$4,950.00

Coordinated With:

City Manager's Office.
Public Works Department.

Attachment(s):

1. Amendment No. 1 of Agreement of Professional Services between the City of Calexico and West and Associate Engineering, Inc.

ATTACHMENT NO. 1

**AMENDMENT NUMBER 1 TO THE AGREEMENT FOR
PROFESSIONALSERVICES BETWEEN THE CITY OF CALEXICO
AND WEST AND ASSOCIATE ENGINEERING, INC.**

AMENDMENT NUMBER 1 dated May 4, 2022, to the agreement for professional services between the City of Calexico ("City") and West and Associates Engineering, Inc. ("Consultant") dated January 3, 2022 (the "Agreement") concerning 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 April 12, 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: Interim City Manager

Title: Phillip West, P.E., Principal

Date: _____

Date: _____

By: _____

Title: Carlos Campos, City Attorney

Date: _____

By: _____

Title: Gabriela Garcia, City Clerk

Date: _____

April 12, 2022

Ms. Lilliana Falomir and Mr. Jose Angel, P.E.
Public Works Manager / City Project Manager
City of Calexico
608 Heber Avenue
Calexico, CA 92231 =

Subject: Final Review of PS&E (New River Improvement Project – Calexico Reach)

Dear Ms. Falomir and Mr. Angel,

Per our telephone and email conversations, it is our understanding that the City of Calexico (City) is in the process of finalizing the Plans, Specifications, and Cost Estimate (PS&E) for the subject project. Since the project will be advertised for construction bids within the coming days, the City is in need of a 2nd (final) review of the PS&E to ensure that the biddable work is clear and precise to the extent possible. Below please find our Scope of Services and Fee for this Project.

Scope of Services

We hereby propose to provide the following services for the City:

- **Final Review of PS&E:** Develop "redline" comments on the Plans (in PDF format). Develop supplemental list/log of comments (in Word and PDF format). Any final comments on the PS&E will focus on major components of the project which could help maintain (relatively) lower bid prices and avoid change orders during construction.
- **Close-Out Coordination:** Coordinate with the City and design consultant (Michael Baker) via email and telephone. Develop list of recommendations for the City on the overall approach for bidding and construction based on the review of the PS&E above.

Due to remaining budget in our original contract, please note that the work described above is already in progress as of Friday (04/08/22).

Fee Estimate

Our fee to provide the services described above shall be **\$4,950**. This fee is based on the previous review of the project and a remaining amount of \$3,000 in the original budget. A breakdown of our fee (for the services above) is provided under separate cover.

Thank you for this opportunity. Please contact me if you have any questions.

Sincerely,



Phillip West, P.E., QSD/QSP
Principal/President
West & Associates Engineering, Inc.
(949) 716-7670 Office | (714) 728-8082 Cell
philw@westaeng.com

FEE PROPOSAL

DETAILED FEE ESTIMATE (Additional Amount to Original Remaining Budget)

Task No.	ITEM	PM	ENGR	ELEC ENGR	STRCT ENGR	TOTAL	
		\$130	\$120	\$175	\$175	HRS.	\$
NON-OPTIONAL WORK LISTED IN RFP							
TASK 1 - FINAL REVIEW OF PS&E							
1	Final Review of PS&E	2	6	8	2	18	\$2,730
2	Prepare List of Final Comments	2				2	\$260
Subtotal		4	6	8	2	20	\$2,990
TASK 2 - CLOSE-OUT COORDINATION							
1	Final Email and Telephone Coordination with City/Design Consultant	8				8	\$1,040
2	Recommendations for Bidding and Construction	4		2		6	\$870
Subtotal		12	0	2	0	14	\$1,910
Direct Costs (printing, reproduction, shipping, mileage, etc.)						N/A	\$50
TOTAL NON-OPTIONAL WORK		16	6	10	2	34	\$4,950

Key Positions

Position	Hourly Rates
Project Manager	\$130
Engineer	\$120

Other Positions

Position	Hourly Rates
Structural Engineer	\$175
Electrical Engineer	\$175

Reimbursable In-House Costs

Vehicle mileage, between engineer's office and project site and/or client offices	\$ 0.58/mile
Reproduction, printing, and any other services performed by subcontractor	cost + 15%
Postage Delivery Service, Express Mail	cost + 15%

NOTE: All rates are effective until December 31, 2022.