



Staff Report

TO: City Council
FROM: Robert Vestal, Assistant Director of Public Works
DATE: August 15, 2023
SUBJECT: Second Amendment to the Professional Service Agreement with EXP U.S. Services, Inc.

Description Second Amendment to the Professional Services Agreement for Engineering Services to EXP U.S. Services, Inc. for the Beaumont Master Drainage Plan (MDP) Line 2, Stage 1 Project (CIP2019-019).

Background and Analysis:

On March 17, 2020, City Council amended the FY19/20 Capital Improvement Project (CIP) Budget to include the Beaumont Master Drainage Plan (MDP) Line 2, Stage 1 Project (Stage 1). Stage 1 was incorporated into the CIP in the amount of \$5,000,000 with the source of funds being the Riverside County Flood Control and Water Conservation District (District) via a cooperative funding agreement. On September 1, 2020, City Council approved the cooperative agreement and on September 22, 2020, the District fully executed the agreement. On December 15, 2020, City Council awarded a Professional Service Agreement (PSA) to EXP U.S. Services, Inc. (EXP) to perform preliminary and final engineering services.

On November 15, 2022, City Council approved Amendment No. 1 which modified the scope of services to include additional hydraulic analysis and extended the term of agreement to February 16, 2024.

The second amendment to the professional services agreement is proposed to accommodate increases in subconsultant fees and extend the term of agreement by one (1) year with a new termination date of February 16, 2025. No additional services are proposed. EXP and subconsultants submitted a fee rate as part of the original bid response which was good for one year. EXP and subconsultants did not request a change in fee for the first year; however, due to inflation and operating costs, the subconsultants are now requesting the fee to be adjusted.

The following is a summary of the subconsultants requesting fee increases:

<u>Subconsultant</u>	<u>Original Fee (2020)</u>	<u>Requested Fee (2023)</u>
DEA (Survey)	\$34,571.00	\$41,962.96 (+21%)
Epic (Utilities and R/W)	\$45,720.00	\$46,880.00 (+ 3%)
Converse (Geotechnical)	\$22,255.00	\$33,707.00 (+51%)

The proposed increase in fee for all three subconsultants is \$20,003.96. The second amendment proposes a new not to exceed amount of \$524,064.96 for the PSA. A summary of the allocation of funds for the original agreement and the proposed amendment is provided in the following table.

<u>Agreement Summary</u>	<u>Original Fee (2020)</u>
Original Agreement	\$442,214.00
Amendment No. 1	\$61,847.00
<u>Amendment No. 2</u>	<u>\$20,003.96</u>
Total PSA:	\$524,064.96

Project Background and Update – During preliminary analysis, Berkshire Channel and other downstream facilities were determined to not have enough capacity to safely convey the ultimate design flow. EXP, Riverside County Flood Control, and City staff identified the need to evaluate a possible detention basin to mitigate for downstream limitations. The evaluation took an extended time due to the considerable size needed for a basin site and the limited availability of viable parcels. The preliminary results of the evaluation indicate that the modification to Berkshire Channel and potential downstream facilities may accommodate the design flow. The District tentatively approved the approach and the project is moving forward.

EXP is finalizing the hydrology and hydraulic study with Riverside County Flood Control. Utility research and field survey have started. Once the Pennsylvania Widening project is completed, EXP’s field crew can finish the survey and begin preliminary alignment design. EXP is also researching the potential for CEQA exemption. Final design is anticipated to be completed in July 2024.

Fiscal Impact:

The cost of preparing the staff report is estimated to be \$500. The funding for this contract amendment would be paid from the Beaumont Master Drainage Plan (MDP) Line 2, Stage 1 Project (CIP2019-019) budget. Refer to following table for the accounting summary.

2019-019 MDP Line 2 Project Accounting Summary				
Funding Summary				
Funding Year	Funding Source		Amount	
19/20	RCFC		\$100,000	
20/21	RCFC		\$1,500,000	
21/22	RCFC		\$3,400,000	
Total Project Funding =			\$5,000,000	
Budget Summary				
Project Component	Budget	Encumbered	Paid to Date	Remaining Budget
Project Management	\$0	\$0	\$0	\$0
Preliminary Services	\$0	\$0	\$0	\$0
Environmental	\$0	\$0	\$0	\$0
Design	\$550,000	(\$504,061)	(\$84,657.17)	\$45,939
Construction	\$4,450,000	\$0.00	\$0.00	\$4,450,000
Construction Management	\$0	\$0	\$0	\$0
Permits	\$0	\$0	\$0	\$0
Equipment	\$0	\$0	\$0	\$0
Project Summary Totals	\$5,000,000	(\$504,061)	(\$84,657.17)	\$4,495,939

Recommended Action:

Approve a second amendment to the Professional Services Agreement with EXP U.S. Services, Inc. to extend the term for one-year and a new not-to-exceed amount of \$524,064.96.

Attachments:

- A. Second Amendment to the Professional Services Agreement with EXP U.S. Services, Inc.
- B. Professional Services Agreements with EXP (Original Agreement)
- C. First Amendment to the Professional Services Agreement with EXP U.S. Services, Inc.
- D. Levine Act Statement