



Staff Report

TO: City Council
FROM: Robert L. Vestal, Public Works Director
DATE: August 19, 2025
SUBJECT: EXP U.S. Services, Inc. Contract Amendment and Restatement (Contract No. C23-133.1)

Description: Amended and restated Professional Services Agreement with EXP U.S. Services for the Cherry Channel Drainage (CIP R-07).

Background and Analysis:

Beaumont Municipal Code Section 3.02.060 – Award of Contract states in part, “*City Council approval is required for all contracts for professional services when the cost of the services is \$75,000 or more.*” On November 20, 2023, the City Manager executed a Professional Services Agreement (PSA) with EXP U.S. Services, Inc. for the design of the Cherry Channel Drainage (Project) in the amount of \$74,598.05. The scope of services included the development of a full set of plans, specifications, and an estimate package ready for construction bidding, as well as bidding and construction support services for the proposed Project. The original agreement with EXP is provided as Attachment A for reference.

The Project proposes to line the existing channel with concrete to improve channel flow conditions and alleviate the increasing level of maintenance by City staff. The existing channel is lined with a turf-reinforced geo-mat along the side slope and channel bottom.

In October 2024, the City initiated Amendment No. 1 to the Professional Services Agreement (PSA). Processing the amendment was delayed due to the absence of a current Certificate of Insurance (COI) and required insurance endorsements. The City has now received the necessary insurance documents from EXP. As a result of this delay, the contract will need to be amended and restated to extend the term to November 20, 2026. The amended and restated agreement with EXP is provided as Attachment B for reference.

New PSA

No additional funds are needed at this time to complete the final design work. However, the existing contract expired on November 20, 2024.

Per Beaumont Municipal Code Chapter 3.02.070 – Term of Professional Services, the term of any professional services contract awarded shall be a maximum of five years, with two one-year renewals, subject to City Council approval. An expired contract requires an amended and restated agreement in order to extend the contract. An Amended and Restated Agreement consolidates and replaces the previous PSA and subsequent amendments, creating a new, integrated, and updated agreement.

City staff is recommending issuing an Amended and Restated Agreement per Beaumont Municipal Code Chapter 3.02.050(c.)– Exemptions to competitive procurement procedure, which states, “Upon obtaining approval from the City Council, the Purchasing Officer may engage the services of a professional firm or individual without complying with the competitive procurement procedures in the following circumstances: C. Public exigency or emergency will not permit delay.”

Public exigency is needed to avoid serious financial harm to the City. The award of an Amended and Restated Agreement allows the current design consultant to advance the 60% level and complete the design and avoid costly delays.

Fiscal Impact:

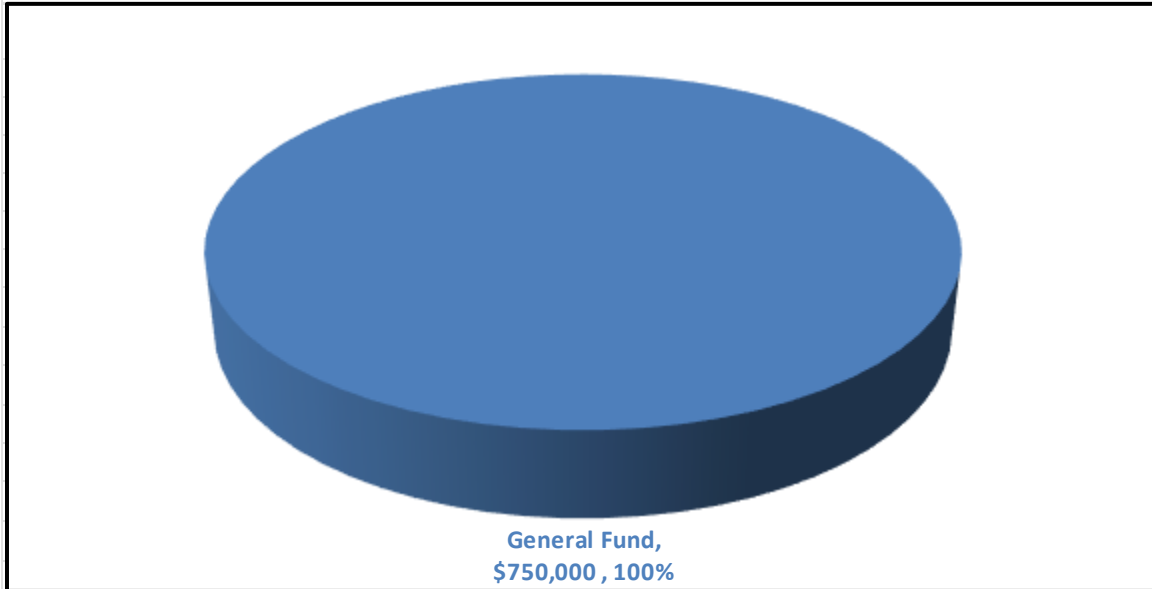
The cost to prepare this staff report is estimated to be \$350.

No additional funds are being requested. The amount for the amended and restated agreement is \$74,598.05.

The following is a summary of the funding and budget for the CIP R-07 Cherry Channel Drainage (Project):

CIP R-07 Cherry Channel Drainage (Lining) Project Funding Summary

Estimated Project Cost= \$750,000



CIP R-07 Cherry Channel Drainage (Lining) Project Budget Summary

Project Component	Budget	Encumbered	Paid to Date	Remaining Budget
Project Management				
Preliminary Services	\$7,930	\$(7,930)	\$(7,930)	
Environmental	\$180,000	\$(177,254)	\$(151,264)	\$2,746
Design	\$95,000	\$(74,598)	\$(22,001)	\$20,402
Permits	\$22,070			\$22,070
Right-of-Way				
Construction	\$445,000			\$445,000
Construction Management				
Equipment				
Total	\$750,000	\$(259,782)	\$(181,195)	\$490,218

Recommended Action:

Approve the amended and restated agreement with EXP U.S. Services for professional design services, for the period of November 20, 2024, through November 20, 2027, in an amount not to exceed \$74,598.05;

Authorize the Mayor to execute the agreement with EXP U.S. Services and all related documents as listed below; and,

Authorize the issuance of a revised purchase order to EXP U.S. Services in the amount of \$74,598.05 for the purchase of professional design services.

Attachments:

- A. Original Agreement – EXP U.S. Services
- B. Amended and Restated Agreement – EXP U.S. Services
- C. Levine Act Statement – EXP U.S. Services