

# Mayor and Council Communication

**DATE:** 05/14/24

**M&C FILE NUMBER:** M&C 24-0389

**LOG NAME:** 20RAY WHITE ROAD AMENDMENT 4

**SUBJECT**

(CD 4 and CD 7) Authorize Execution of Amendment Number 4 to the Professional Engineering Services Agreement with Burns & McDonnell, Inc. in an Amount Not to Exceed \$200,363.00 for a Total Revised Contract Amount of \$2,806,492.00 for the Ray White Road Improvements Project (2022 Bond Program)

**RECOMMENDATION:**

It is recommended that the City Council authorize execution of Amendment Number 4 to the Professional Engineering Services Agreement with Burns & McDonnell, Inc., City Secretary Contract No. 56195, in an amount not to exceed \$200,363.00 for a total revised contract amount of \$2,806,492.00 for the Ray White Road Improvements project (City Project Number 103270).

**DISCUSSION:**

In the fall of 2021, funds were allocated to advance delivery of the 2022 Bond Program projects. On August 19, 2021, an Engineering Service Agreement with Burns & McDonnell Engineering Company, Inc. (City Secretary Number 56195) in the amount of \$98,870.00 was administratively authorized to get early design activities started. The agreement was subsequently amended on June 28, 2022 in the amount of \$2,288,958.00 to provide for the full scope of the required design activities. Amendment Number 2 in the amount of \$210,301.00 for right-of-way services was approved on October 25, 2022. Amendment Number 3 was administratively approved in June 24, 2023 in the amount of \$8,000.00 to provide peer review for the modifications of a roundabout.

This Mayor and Council Communication (M&C) will authorize execution of Amendment Number 4 to the Agreement and increase the contract amount by \$200,363.00 for a revised contract amount of \$2,806,492.00. Additional scope of work by the consulting engineer has become necessary, as a result of the need for:

1. Value engineering sessions with the contractor and an independent cost estimate of the contract price for the purpose of evaluating the proposed cost of the construction and determine any cost savings potential.
2. Specific geotechnical engineering due to the vertical clearance of a storm drain box relative to the final pavement section.
3. Evaluation of a detention pond on the south end of the project which will receive storm water from Ray White Road.
4. Preparation of a Nationwide Permit 14 from the Corps of Engineers on the north end of the project where storm water from the roadway will discharge into Big Bear Creek.
5. Additional right-of-way acquisition documents beyond those anticipated.

The following table summarizes the design services contract history with Burns & McDonnell:

Contract	Amount	Description	Mayor & Council Action	Date Approved
Original Contract, CSN 49556	\$98,870.00	Advanced delivery of 2022 Bond Program projects	Administratively Authorized	August 19, 2021
Amendment No. 1 CSN 49556-A1	\$2,288,958.00	Amendment to prepare design plans & specifications	M&C 22-0530	June 28, 2022
Amendment No. 2 CSN 49556-A2	\$210,301.00	Right-of-way acquisition services	M&C 22-0873	October 25, 2022
Amendment No. 3 CSN 49556-A3	\$8,000.00	Roundabout review services	Administratively Authorized	July 24, 2023
Amendment No. 4	\$200,363.00	Funding for various services	Proposed	

The following table demonstrates the funding history for the project:

Fund	Existing Funding	Additional Funding	Project Total
30104 Developer Contribution Fund	\$1,800,000.00		\$1,800,000.00
30108 Transportation Impact Fee Capital Fund	\$1,000,000.00		\$1,000,000.00
39403 Street Improvements Fund	\$250,000.00		\$250,000.00

Fund	Existing Funding	Additional Funding	Project Total
34027 2022 Bond Program Fund	\$11,652,500.00		\$11,652,500.00
<b>Project Total:</b>	<b>\$14,702,500.00</b>		<b>\$14,702,500.00</b>

Funding is budgeted in the 2022 Bond Program Fund for the TPW Dept Highway & Streets Department for the purpose of funding the Ray White Road, as appropriated.

MWBE OFFICE – Burns & McDonnell, Inc. agrees to maintain its initial M/WBE commitment of 20% made in the original agreement and extend and maintain the same M/WBE commitment of 20% for all prior amendments up to and inclusive of Amendment No. 4. Therefore Burns & McDonnell, Inc. remains in compliance with the City's MWBE Ordinance and attests to its commitment by its signature on the Acceptance of Previous MWBE Commitment form executed by an authorized representative of its company.

The project is in COUNCIL DISTRICTS 4 and 7.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the 2022 Bond Program Fund for the Ray White Road project to support the approval of the above recommendation and execution of the amendment. Prior to any expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:**    Jessica McEachern    5804

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