

RESOLUTION NO. 2015-124

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT PARK AUTHORIZING AND APPROVING THE THIRD AMENDMENT TO TASK ORDER 2011-06 WITH BRELJE & RACE CONSULTING CIVIL ENGINEERS FOR DESIGN REVIEW/VALUE ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES FOR ADRIAN DRIVE SEWER AND WATER REHABILITATION PROJECT NO. 2012-04

WHEREAS, the City entered into a Master Agreement with Brelje & Race Consulting Civil Engineers for Design Professional Services on February 25, 2011 pursuant to City Council Resolution No. 2011-13 adopted on February 22, 2011; and

WHEREAS, pursuant to City Council Resolution No. 2012-083 adopted on July 24, 2014, the City entered into a Task Order No. 2011-06 with Brelje & Race Consulting Civil Engineers for Design Review/Value Engineering and Construction Management for the Adrian Drive Sewer and Water Rehabilitation Project No. 2012-04 on July 24, 2012 for the Adrian Drive Water and Sewer Project Phase 1 (Arlen to Santa Barbara) in an amount not to exceed \$226,530; and

WHEREAS, pursuant to City Council Resolution No. 2014-039 adopted on May 13, 2014, the City amended Task Order No. 2011-06 with Brelje & Race Consulting Civil Engineers and authorized Brelje & Race to continue their work for Phase 2 of the Adrian Drive Water and Sewer Project (Santa Barbara to East Cotati) for an amount not to exceed \$195,020; and

WHEREAS, pursuant to City Council Resolution No. 2015-008 adopted on January 13, 2015, the City amended Task Order No. 2011-06 with Brelje & Race Consulting Civil Engineers and authorized an additional \$48,000 on services bringing the total contract value to \$469,550; and

WHEREAS, the schedule for the Adrian Drive Water and Sewer Project Phase 2 was extended for a number of reasons including some that were beyond the prime contractor's control; and

WHEREAS, the cost of construction inspection and management services is directly related to the contract time; and

WHEREAS, the City has assessed liquidated damages for delays attributable to the prime contractor's actions and has used these funds to offset the costs of construction management and inspection services caused by the schedule delays; and

WHEREAS, to retain continuity of inspection services and project understanding, staff requested Brelje & Race Consulting Civil Engineers to assist with finalizing the Adrian Drive Water and Sewer Project, which is now complete; and

WHEREAS, a proposal to amend Task Order No. 2011-06 for a not to exceed an additional Twenty-Nine Thousand Dollars Three Hundred Dollars (\$29,300.00) has been submitted by Brelje & Race Consulting Civil Engineers; and

WHEREAS, the City Council considered the amendment of Task Order No 2011-06 at its duly noticed regular meeting of June 23, 2015;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park that it does hereby authorize and approve the Third Amendment to Task Order No. 2011-06 by and between Brelje & Race Consulting Civil Engineers, a California Corporation, and the City of Rohnert Park, a municipal corporation, for Design Review/Value Engineering and Construction Management Services for the Adrian Drive Sewer and Water Rehabilitation Project No 2012-04.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to take all actions to effectuate this the Third Amendment to Task Order No. 2011-06 for and on behalf of the City of Rohnert Park, including execution, if necessary, in substantially similar form to the Third Amendment attached hereto and incorporated by this reference as Exhibit "A," subject to minor modifications by the City Manager or City Attorney.

BE IT FURTHER RESOLVED the Finance Director is hereby authorized and directed to make appropriations as necessary to fund this amendment.


DULY AND REGULARLY ADOPTED this 14th day of July, 2015.

CITY OF ROHNERT PARK



Amy O. Ahanotu, Mayor

ATTEST:


JoAnne M. Buergler, City Clerk

CALLINAN: AYE MACKENZIE: ABSENT STAFFORD: AYE BELFORTE: AYE AHANOTU: AYE
AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)

**AMENDMENT 3 TO
TASK ORDER NO. 2011-06
CITY OF ROHNERT PARK AND
BREJE & RACE CONSULTING CIVIL ENGINEERS**

**AUTHORIZATION FOR DESIGN REVIEW/VALUE ENGINEERING AND
CONSTRUCTION MANAGEMENT SERVICES FOR THE ADRIAN DRIVE SEWER
AND WATER REHABILITATION PROJECT NO. 2012-04**

This Third Amendment to Task Order No. 2011-06 ("Second Amendment") between the City of Rohnert Park ("City") and BREJE & RACE CONSULTING CIVIL ENGINEERS ("Consultant") for certain additional design review/value engineering and construction management services is entered into as of the _____ day of _____, 2015 ("Effective Date") by and between City and Consultant on the following terms and conditions:

SECTION 1 – RECITALS

On February 25, 2011, 2011, City and Consultant entered into a MASTER AGREEMENT for professional services authorized through Resolution 2011-13.

The purpose of the MASTER AGREEMENT is to provide the City with access to qualified municipal engineering service providers to augment staff resources as needed.

On August 24, 2012, the City Council of the City of Rohnert Park it Resolution No. 2012-083 retaining Consultant to provide design review/value engineering and construction management services for the Adrian Drive Sewer and Water Rehabilitation Project Phase 1 for an amount not to exceed \$ 226,530.

On May 13, 2014, the City Council of the City of Rohnert Park it Resolution No. 2014-039 amending the Task Order to include services for the Adrian Drive Sewer and Water Rehabilitation Project Phase 2 for an amount not to exceed \$ 195,020 and bringing the total value of services authorized by the Task Order to \$421,550.

On January 13, 2015, the City Council of the City of Rohnert Park it Resolution No. 2015-008 amending the Task Order for an amount not to exceed \$ 48,000 and bringing the total value of services authorized by the Task Order to \$469,550.

During the construction of the Phase 2 Project, the contractor encountered a very shallow gas line, necessitating relocation by Pacific Gas and Electric Company and requiring that additional time be added to the contract. This initial delay led to weather delays in finishing the project. The addition of contract time necessitates additional inspection and construction management services. Consultant is uniquely qualified to continue to provide inspection services because of its history and familiarity with the project and its design.

SECTION 2 – SCOPE OF WORK

Consultant shall provide additional daily inspection and construction management services for the Adrian Drive Sewer and Water Rehabilitation Project Phase 2.

SECTION 3 – COMPENSATION AND PAYMENT

The Consultant shall provide the additional work described in SECTION 2 on a time and materials basis for an amount not to exceed \$29,300. Total compensation under Task Order 2011-06, with this Third Amendment shall, not exceed \$498,850. Payment provisions shall be in accordance with the MASTER AGREEMENT for professional services between City and Consultant.

SECTION 4 – TIME OF PERFORMANCE

The work described in SECTION 2 shall be completed during Fiscal Year 2015/16.

SECTION 5 – AGREEMENT IN EFFECT

Except as expressly modified by this Third Amendment, all terms and conditions contained in (a) the MASTER AGREEMENT and (b) Task Order No. 2011-06 shall remain in full force and effect and binding on the parties.

SECTION 6 – COUNTERPART SIGNATURES

This Third Amendment may be signed in multiple counterparts, which when signed by all parties, shall constitute a binding amendment.

SECTION 7 – EFFECTIVE DATE.

This Third Amendment shall not become effective until the date it has been formally approved by the City Council and executed by the appropriate authorities of the City and Consultant.

Approved this 14th day of July, 2015.

CITY OF ROHNERT PARK

**BRELJE & RACE
CONSULTING CIVIL ENGINEERS**

Darrin Jenkins, City Manager
Per Resolution No. 2015-_____ adopted by the
Rohnert Park City Council at its meeting of July 14, 2015

John S. Locey, President

Attest:

City Clerk