

**FIRST AMENDMENT  
TO PROFESSIONAL SERVICES AGREEMENT WITH  
R.E.Y. ENGINEERS, INC.  
FOR 2020 MAPLE STREET STORM DRAIN AND ALLEYS  
REHABILITATION PROJECT**

**THIS FIRST AMENDMENT** is made and entered into this \_\_\_\_ day of June, 2020, by and between the CITY OF FORT BRAGG, hereinafter referred to as "City," and R.E.Y. ENGINEERS, INC., hereinafter referred to as "Consultant."

**WHEREAS**, the City and Consultant entered into a Professional Services Agreement ("Contract") on January 16, 2020; and

**WHEREAS**, the Contract states that Consultant will provide professional services to design improvements for the 2020 Maple Street Storm Drain and Alleys Rehabilitation Project, City Project No. PWP-00116 ("Project"); and

**WHEREAS**, the parties desire to add to the Contract's scope of work to include new activities as described in Exhibit A to this First Amendment; and

**WHEREAS**, the cost of providing these additional services is **Forty-one Thousand Two Hundred Eighty Dollars and Eighty-eight Cents (\$41,280.88)**, which sum is 33% above the contracted amount, for a total Not To Exceed amount of \$166,170.88; and

**WHEREAS**, the City Council on June 22, 2020, adopted Resolution \_\_\_\_-2020 authorizing this Contract Amendment; and

**WHEREAS**, there are still sufficient funds budgeted for these activities; and

**WHEREAS**, City and Consultant desire to amend the Contract to augment the Scope of Services, increase the Not to Exceed Amount, and extend the completion date of the Project;

**NOW, THEREFORE**, for the aforementioned reasons and other valuable consideration, the receipt and sufficiency of which is acknowledged, City and Consultant hereby agree that the Professional Services Agreement for professional services to design improvements for the 2020 Maple Street Storm Drain and Alleys Rehabilitation Project between the City and Consultant dated January 16, 2020, is hereby amended as follows:

1. **Scope of Work:**

Paragraph 1.1 (Scope of Work) is hereby amended to include the additional work described in Exhibit A attached hereto and incorporated herein by reference.

2. **Compensation:**

Paragraph 2.1 (Compensation), is hereby amended to state, "Consultant's total compensation shall not exceed **One Hundred Sixty-six Thousand One Hundred Seventy Dollars and Eighty-eight Cents (\$166,170.88)**."

3. **Time of Performance:**

Paragraph 3.1 (Commencement and Completion of Work) is hereby amended to change the date of completion from July 1, 2020 to **October 1, 2020**.

4. **Term and Termination:**

Paragraph 4.1 (Term) is hereby amended to state that the Agreement shall expire on **January 1, 2021**.

5. Except as expressly amended herein, the Professional Services Agreement between the City and Consultant dated January 16, 2020, is hereby reaffirmed.

**IN WITNESS WHEREOF**, the parties have executed this Amendment the day and year first above written.

**CITY OF FORT BRAGG:**

**CONSULTANT:**

By: \_\_\_\_\_  
**Tabatha Miller**  
**City Manager**

By: \_\_\_\_\_  
**Jim Fisher, PE**  
**Principal in Charge**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**June Lemos, CMC**  
**City Clerk**

\_\_\_\_\_  
**Keith F. Collins**  
**City Attorney**

# EXHIBIT A

R.E.Y. ENGINEERS, INC.  
Civil Engineers | Land Surveyors | LiDAR  
905 Sutter Street, Suite 200 Folsom, CA 95630  
Phone: (916) 366-3040 Fax: (916) 366-3303  
www.reyengineers.com



June 10, 2020

Chantell O'Neal,  
Assistant City Engineer - Public Works  
City of Fort Bragg  
416 N. Franklin St.  
Fort Bragg, CA 95437

*Sent via email only*

**Subject: Contract Change Order Request No. 1  
2020 Maple Street Storm Drain and Alleys Rehabilitation Project  
City Project No. PWP-00116**

Dear Ms. O'Neal,

The design of the 2020 Maple Street and Alleys Rehabilitation Project is progressing well. We have submitted and received comments on the 60% design documents and are preparing the 90% documents for submittal.

Throughout development of the 60% design documents we have experienced tasks which are projected to come in under budget and tasks which are projected to exceed budget.

Clarifications and directions given during our 60% design review meeting and subsequent to that meeting have also contributed to expansion of our work scope.

At the kick-off meeting we agreed that items of work would likely arise which were not included in our negotiated scope and that these items should be documented for a contract change order. Our budget is approaching that time where a change order should be considered.

The out of scope items of work which have been discovered throughout development of the design documents and subsequent discussions are identified below.

#### Project Management

- Two additional months of project management
  - \*Extension of schedule for the convenience of R.E.Y. will not result in charges to the City.

#### Surveying

- South side of Maple Street from Lincoln to S. Corry Street
- Definition of underground storm drain infrastructure within alleys
- Definition of ground from S300K east to the existing storm drain on the north side of the Mormon church
- Extension of survey limits at alley S300G to include the east-west leg of the alley

#### Plans, Specifications, and Estimates

- Maple Street
  - Rehabilitation of full width from Lincoln to S. Corry Street
  - Relocation of domestic water crossings to avoid proposed storm drain

- Relocation of storm drain to center of street to increase depth of coverage
- Evaluation of abandonment in place or remove and replace of existing storm drain
- 4 way stop control at Maple Street and S. Harold Street
- S300K
  - Design of storm drain to avoid conflict with existing sewer crossings
- S300G
  - Rehabilitation of full length of alley from Maple to S. Harrison
  - Design of underground storm drain from S300K to the existing pipe on the north side of the Mormon Church
  - Regrade alley to convey storm drain toward eastern edge of alley to proposed DI to facilitate proposed sanitary sewer manholes
  - Evaluation and inclusion of mountable AC Dike, where necessary, to prevent SD flows onto 402 S Harrison St
- N102G
  - Relocation of DI at south end to eliminate blind connection into the existing 24” SD system
  - Provide positive drainage from rear yard of 151 N Whipple Street into the underground SD system
- S600E
  - Evaluation of an underground storm drainage solutions
  - Design of storm drain solution using a combination of underground and roadside conveyance
- Inclusion of sanitary sewer manholes at existing blind connections
  - Maple St at Park Street
  - S300G where alley turns from N/S to E/W
- Inclusion of additional storm drain inlets
  - S300G where alley turns from N/S to E/W
  - Maple Street (Final locations and quantity to be determined)
- Facilitate residential storm drain connections into the underground system prior to surface improvements
- Miscellaneous analysis and requests, such as, evaluation interference between proposed new residential sewer and storm drain connections and the designed storm drain and existing sewer system

The table below summarizes the costs to-date and projections through completion.

Contract Task	Contract Amount	Earned Value	Write-off	Additional Cost to Complete	Requested Budget	Change from Contract
1 Project Management (4 months)	11,802.00	12,361.70	0.00	4,000.00	16,361.70	4,559.70
2 Surveying	24,708.00	35,719.03	(7,304.83)	0.00	28,414.20	3,706.20
3 Soils Investigation	22,560.00	19,225.92	0.00	2,834.08	22,060.00	(500.00)
4 Letter Report	7,610.00	3,494.50	0.00	1,000.00	4,494.50	(3,115.50)
5 Plans, Specifications and Estimates	56,536.00	60,266.48	(10,000.00)	29,500.00	79,766.48	23,230.48
6 Bid Period Services	1,674.00	0.00	0.00	1,674.00	1,674.00	0.00
7 S600E Storm Drainage Solution	0.00	0.00	0.00	4,000.00	4,000.00	4,000.00
8 S300G SS and SD/Grading	0.00	0.00	0.00	2,500.00	2,500.00	2,500.00
9 Water Details	0.00	0.00	0.00	700.00	700.00	700.00
10 N102G DI / Yard Drainage	0.00	0.00	0.00	1,200.00	1,200.00	1,200.00
10 Miscellaneous Analysis and	0.00	0.00	0.00	5,000.00	5,000.00	5,000.00
<b>Total</b>	<b>124,890.00</b>	<b>131,067.63</b>	<b>(17,304.83)</b>		<b>166,170.88</b>	<b>41,280.88</b>
				<b>Change from Original Budget</b>		<b>33%</b>

The Write-off column is the amount that R.E.Y. is absorbing as our investment into the City of Fort Bragg. First projects with new jurisdictions can, at times, require additional effort to become familiar with city processes, procedures, and standards; we do not pass these additional costs on to the City.

R.E.Y. respectfully requests a contract change order in the amount of \$41,280.88 as compensation for the items of work which are identified as beyond the negotiated scope of work.

Should you have any questions during your evaluation of this request, please do not hesitate to call me.

Sincerely,

A handwritten signature in blue ink that reads "Aaron Brusatori". The signature is written in a cursive, flowing style.

Aaron Brusatori, PE  
Project Manager