

**RESOLUTION NO. \_\_\_\_-2020**

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL  
AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT AMENDMENT  
FOR THE DESIGN OF THE MAPLE STREET STORM DRAIN AND ALLEYS  
REHABILITATION PROJECT, PROJECT NO. PWP-00116, INCREASING THE  
AMOUNT OF THE DESIGN CONTRACT WITH R.E.Y. ENGINEERS, INC., BY  
A NOT TO EXCEED AMOUNT OF \$41,280.88 (ACCOUNT NO. 405-4870-0731)**

**WHEREAS**, the City of Fort Bragg entered into a contract in the amount of \$124,890.00 with R.E.Y. Engineers Inc. (R.E.Y.) to complete construction design bid documents for the Maple Streets Storm Drain and Alleys Rehabilitation Project (Project); and

**WHEREAS** COVID-19 has impacted the timeline of the project resulting in additional staff costs and time; and

**WHEREAS**, the scope of the design project has experienced incremental changes as the investigations into underlying and subsurface conditions on public and private properties has been more fully explored; and

**WHEREAS**, staff and the R.E.Y. design team have been diligently contacting and working with property owners along the project limits to ensure that site specific issues are incorporated into the design; and

**WHEREAS**, the project constructability and life span of improvements will be greatly improved by the increased attention to detail at this phase in the project; and

**WHEREAS**, many of the scope increases are due in part to unknown existing conditions infrastructure requiring corrections as well as the addition of many good neighbor corrections which will result in reduced incidence of flooding and ponding on private properties for a higher quality project and longer pavement life; and

**WHEREAS**, fixing and implementing problems prior to the bid phase will result in cost savings to the City as post-bid contract changes are charged at a premium since those changes occur outside of the competitive bidding environment; and

**WHEREAS**, the scope of work changes which will save the City money in construction, have inevitably created additional costs for the design contract; and

**WHEREAS**, R.E.Y. has tracked and logged all scope changes impacting the budget to the 90% plan review and determined the total increased costs are projected to be 33% above the contracted amount; and

**WHEREAS**, per the Fort Bragg Municipal Code Section 3.20.060, the City Manger's signing authority for change orders may not exceed 10% of the approved contract cost; and

**WHEREAS**, the Project is exempt pursuant to the California Environmental Quality Act ("CEQA") and Title 14, the California Code of Regulations ("CEQA Guidelines"), Section 15301 (c) & 21080 b. (1); and

**WHEREAS**, funds in the amount of \$650,000 were appropriated in the FY 2019/20 budget for this project and sufficient funds are available for this contract; and

**WHEREAS**, based on all the evidence presented, the City Council finds as follows:

1. The Scope of work for the project has changed for the betterment of the project.
2. Construction cost savings will be achieved through these front-end expenses.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby approve an amendment to the Professional Services Agreement with R.E.Y. Engineers, Inc. for the Maple Street Storm Drain and Alleys Rehabilitation Project design and authorizes the City Manager to execute the contract amendment in the sum of \$41,280.88 for a total Amount Not to Exceed \$166,170.88 (Account 405-4870-0731).

The above and foregoing Resolution was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and passed and adopted at a special meeting of the City Council of the City of Fort Bragg held on the 29<sup>th</sup> day of June, 2020, by the following vote:

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**  
**RECUSED:**

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**WILLIAM V. LEE**  
Mayor

**ATTEST:**

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**June Lemos, CMC**  
City Clerk