

**FIRST AMENDMENT
TO PROFESSIONAL SERVICES AGREEMENT WITH
LACO ASSOCIATES**

THIS FIRST AMENDMENT is made and entered into this 28th day of June, 2022, by and between the CITY OF FORT BRAGG, hereinafter referred to as "City," and LACO ASSOCIATES, hereinafter referred to as "Consultant."

WHEREAS, the City and Consultant entered into a Professional Services Agreement ("Contract") on April 20, 2020 to design and prepare construction documents for the Pudding Creek Water Main Relocation Project, City Project No. WTR-00014, in the amount of \$114,000.00; and

WHEREAS, the scope of the design project has changed, as set forth in City Council Resolution ___-2022, adopted on June 27, 2022; and

WHEREAS, the parties desire to amend the Contract to modify the Scope of Work, as set forth in Exhibit A attached hereto; and

WHEREAS, the cost of the additional work described in Exhibit A is \$25,126.25, making the total sum of the project Not to Exceed \$139,126.25; and

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

WHEREAS, the time of completion of the project was initially set for December 31, 2021 and later extended to June 30, 2022 by Contract Change Order No. 1 dated December 16, 2021; and

WHEREAS, City and Consultant desire to amend the Contract to extend the time of completion to December 31, 2022 and the term of the contract to March 31, 2023.

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 design services for the Pudding Creek Water Main Relocation Project between the City and Consultant dated April 20, 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 and Billing:**
Paragraph 2.1 (Compensation) is hereby amended to state that total compensation shall not exceed **One Hundred Thirty-nine Thousand One Hundred Twenty-six Dollars and Twenty-five Cents (\$139,126.25)**.
3. **Time of Performance:**
Paragraph 3.1 (Commencement and Completion of Work) is hereby amended to extend the time of completion of the project to **December 31, 2022**.

4. **Term and Termination:**

Paragraph 4.1 (Term) is hereby amended to extend the expiration date of the Contract to **March 31, 2023.**

5. Except as expressly amended herein, the Professional Services Agreement between the City and Consultant dated April 20, 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: _____
David Spaur
City Manager

By: _____
Rodney Wilburn, PE
Vice President of Engineering

ATTEST:

June Lemos, MMC
City Clerk

APPROVED AS TO FORM:

Keith F. Collins
City Attorney

Exhibit A



May 4, 2022

8135.13

City of Fort Bragg
416 N Franklin Street
Fort Bragg, CA 95437
Sent via email: jsmith@fortbragg.com

Attention: John Smith

Subject: Request for Amendment
 Pudding Creek Water Main Relocation Design

Dear Mr. Smith:

The purpose of this letter is to request an amendment to account for the increased cost related to integrating the water main crossing plans into the overall Caltrans bridge widening plans. The original scope included preparing construction documents for a standalone project that the City would bid and build. As such, plans were developed based on this approach. The decision was then made to include the water main crossing into the overall bridge project. This required the nearly complete plans to be modified to Caltrans satisfaction and integrated into the overall Caltrans construction documents.

While this will ultimately make this an easier project for the City to manage, it did lead to some unanticipated extra cost.

- Additional Survey Work – When the original project topographic survey was conducted there was no requirement to tie into Caltrans monumentation. Project control was based on local boundary monumentation and other local control. Stationing for the proposed alignment was based on an assumed starting point. Caltrans requested that the project be tied to their stationing and control. The Caltrans design plans did not provide enough points in common with establish project points, therefore LACO survey field crew had to locate and tie Caltrans monumentation up to 600 feet north and south of the bridge.
- Place existing plan set on Caltrans title block - This was original interpreted as creating new sheets at the correct scale on Caltrans title block with a LACO logo included, to be stamped and signed by the LACO engineer. The ultimate finish plan would be a properly scaled drawing. Caltrans rejected this approach and requested that the original sheet simply be randomly scaled to fit and inserted as PDFs into the Caltrans title block. This approach is not recommended and has required an extra step and additional cost each time the plans need to be produced.
- Increased sheet count. - Caltrans requested that each detail be placed on an individual full sheet. This increased the total sheet count for 13 at the 90% submittal to 33 for the Caltrans submittal. This required setting up an additional 20 sheets just to comply with this request. The additional effort was amplified by the need to produce pdfs, rescale and insert into the Caltrans title block.
- Additional coordination with Caltrans. Including this project with the overall bridge project has led to additional coordination meetings and emails than was originally anticipated.

This additional work has led to \$25,126.25 in additional project management, survey, design and plan productions cost. It is however anticipated that this change will require less budget dedicated to bid support. At this time the following changes are proposed:

| Phase | Description | Original Contract | Amendment | Total |
|-----------------------------|-----------------------------------|-------------------|--------------------|---------------------|
| 1000 | Project Management | \$18,000 | - | \$18,000 |
| 2000 | Survey | \$22,000 | - | \$22,000 |
| 3000 | Engineering Design | \$64,000 | - | \$64,000 |
| 3010 | Caltrans Revisions & Coordination | - | \$25,126.25 | \$25,126.25 |
| 4000 | Bid Phase Services | \$10,000 | - | \$10,000 |
| Total Estimated Fees | | \$114,000 | \$25,126.25 | \$139,126.25 |

LACO requests an overall change of the contract value from \$114,000 to \$139,126.25

Sincerely,



Chad C Mosier, PE, PLS
 Regional Manager
 LACO Associates