

RESOLUTION NO. ____-2022

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL
AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT AMENDMENT
FOR THE DESIGN OF THE 2022 STREETS REHABILITATION PROJECT,
PROJECT NO. PWP-00120, INCREASING THE AMOUNT OF THE DESIGN
CONTRACT WITH R.E.Y. ENGINEERS, INC., BY A NOT TO EXCEED
AMOUNT OF \$32,900 (ACCOUNT NO. 421-4870-0731)**

WHEREAS, on December 13, 2021, the City of Fort Bragg entered into a contract in the amount of \$175,000.00 with R.E.Y. Engineers Inc. (R.E.Y.) to complete construction design bid documents for the 2022 Streets Rehabilitation Project (Project); and

WHEREAS, the scope of the design project has changed twice during design team meetings, review of existing City studies, and investigations of the underlying and subsurface conditions; and

WHEREAS, scope changes in the proposed Third Amendment to Professional Services Agreement are intended to create more flexibility in project bidding by creating clear divisions in project components which can be used to bid and track pieces as separate projects if necessary; and

WHEREAS, the proposed changes to the Harold Street portion of the project plan sets are necessary to ensure that that piece can remain eligible for Highway Safety Improvement Program (HSIP) grant funding to cover some construction costs; and

WHEREAS, the proposed changes to the Bollards and Street Lights portion of the project plan sets were requested to allow this portion of the project to be separately bid to remain on schedule; and

WHEREAS, the proposed changes positively impact the project constructability and timing of the proposed improvements; and

WHEREAS, R.E.Y. has tracked and logged all proposed scope changes impacting the budget and determined the total increased costs are projected to be 12.5% above the contracted amount; and

WHEREAS, per the Fort Bragg Municipal Code Section 3.20.060, the City Manager'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); and

WHEREAS, funds in the amount of \$2,600,000 were appropriated in the FY 2022/23 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. The Consultant has the necessary skills and licensure to prepare the requested changes.

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 2022 Streets Rehabilitation Project design and authorizes the City Manager to Execute the Contract Amendment in the Sum of \$32,900.00 for a total Amount Not to Exceed \$296,400.00 (Account 421-4870-0731).

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 11th day of October, 2022, by the following vote:

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

BERNIE NORVELL
Mayor

ATTEST:

June Lemos, MMC
City Clerk