

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works/City Engineer

DATE: November 29, 2022

SUBJECT: Approve Third Amendment to Agreement with Mark Thomas & Company, Inc. for the I-15 Congestion Relief Project, PW19-02

PREPARED BY: Amer Attar, Engineering Manager
Avlin R. Odviar, Principal Civil Engineer

RECOMMENDATION: That the City Council:

1. Approve the third amendment to the agreement with Mark Thomas & Company, Inc., in the amount of \$100,000, for additional contingency in support of the professional design and environmental services for the I-15 Congestion Relief Project, PW19-02; and
2. Increase the City Manager's authority to approve extra work authorizations by the same amount.

BACKGROUND: On September 10, 2019, the City Council approved the agreement for consultant services with Mark Thomas & Company, Inc. to provide professional design and environmental services for the I-15 Congestion Relief Project, PW19-02. The agreement, as amended, is for \$1,001,568.00, plus \$300,156.80 contingency under the City Manager's authority (\$100,156.80 original contract contingency, \$100,000 for the First Amendment, and another \$100,000 for the Second Amendment).

Several extra work authorizations have been issued for services including additional geotechnical investigations and reporting, preparation and application for grant funding, design of additional retaining walls, additional environmental noise analysis and NEPA disqualification, additional water quality and traffic analyses, additional project management and plans preparation, and revalidation of the environmental document. This additional work has depleted 100% of the contingency, while additional work is needed to complete the design and environmental phases, such as converting the project plans and specifications to the latest 2022 Caltrans Standard Plans and Standard Specifications.

This Third Amendment adds \$100,000 in contingency and allows for bringing additional services into the agreement through extra work authorizations. Approval of the Third Amendment results

in an agreement amount of \$1,001,568.00 and a contingency amount of \$400,156.80, for a total encumbrance of \$1,401,724.80.

FISCAL IMPACT: The I-15 Congestion Relief Project is identified in the City's Capital Improvement Program (CIP) budget for Fiscal years 2023-27, and is funded with General Fund, Caltrans State Highway Operation and Protection Program (SHOPP), and the Pechanga Tribe through an executed Intergovernmental Agreement (IGA). There are sufficient project funds to cover the \$100,000 associated with the Third Amendment.

ATTACHMENTS:

1. Amendment
2. CIP Budget Sheet