



CITY OF SAN LEANDRO

MEMORANDUM

DATE: May 3, 2021

TO: Frances Robustelli, City Manager
City Manager's Office

FROM: Sheila Marquises, Director
Engineering and Transportation Department

DocuSigned by:
Sheila Marquises
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BY: Nicole Noronha Castelino, Senior Engineer
Engineering and Transportation Department

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Nicole Castelino
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**SUBJECT: Amendment #4 to CSA with Nichols Consulting Engineers (NCE)
Annual Street Overlay/Rehabilitation 2019-21
Project No. 2020.0050**

This memo explains the need for Amendment No. 4 to the existing Construction Services Agreement (CSA) with NCE. Amendment No. 4 is for additional effort required to incorporate the Complete Streets elements in the project, and the additional work for the design of Hesperian Blvd. was added to the scope of work based on receiving a grant for Class IV Bike Lanes and Landscaping from Alameda County Transportation Authority.

NCE has a CSA with the City to provide a design for the Annual Street Overlay/Rehabilitation 2019-21. The project will reconstruct a total of fourteen street segments in two phases, comprising of arterials, collectors, and residential streets in the poorest condition at an anticipated total project cost of \$11 million.

The attached Amendment No. 4 modifies the contract by adding the design of Aurora Dr. to NCE's contract. The fee for this additional effort is \$239,957 which increases the contract compensation from \$1,012,525 to \$1,541,109.

Please let me know if you need any additional information.

**AMENDMENT NO. 4 TO CONSULTING SERVICES AGREEMENT BETWEEN
THE CITY OF SAN LEANDRO AND
NICHOLS CONSULTING ENGINEERS
FOR
ANNUAL STREET OVERLAY/REHABILITATION 2019-21 PROJECT**

This **Amendment No. 4** (“Amendment”) is made by and between the City of San Leandro (“City”) and Nichols Consulting Engineers (“Consultant”) (together sometimes referred to as the “Parties”) as of June 3, 2022, 10:11:30 AM EDT, 2022, and amends that certain Consulting Services Agreement (“Agreement”) dated June 17, 2020, between the Parties.

WHEREAS, City and Consultant have executed the Agreement, pursuant to which Consultant has provided certain consulting services to City with regard to the Annual Street Overlay/Rehabilitation 2019-21 Project, Project No. 2020.0050; and

WHEREAS, the Parties desire to amend the Agreement to include additional design consulting services.

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Agreement as follows:

1. Section 2 of the Agreement entitled “Compensation” is hereby amended to pay Consultant a sum not to exceed One Million, Five hundred and Forty-one Thousand, One Hundred Nine dollars (\$1,541,109); and

2. Exhibit A of the Agreement entitled “Scope of Services” is hereby amended as follows:
Add the following task

Task 1A Additional Project Coordination

Additional effort for ongoing project needs and additional work requested by the City.

Task 1B Utility Coordination

Additional effort for utility coordination related exhibits, conflict review, and pavement design alternatives to accommodate extensive utility conflicts with proposed cement treated base pavement design.

Task 1C – UPRR Coordination at Hesperian Blvd. and UPRR Niles Subdivision

Additional effort for Railroad Coordination with Union Pacific as well as ACTC to coordinate with their project.

Task 3D – Complete Streets Design

Additional effort for four project streets – 70%, 100% and Bid Set design of complete street features on Bancroft Blvd., Grand Ave., Hesperian Blvd. and Manor Blvd., including RRFB, curb bulb-outs and road diets.

Task 3E– Pavement Failures at 1105 Bancroft

Design deep Pavement Repair for pavement failure due to underlying 30” pipe.

Task 3F – Traffic Engineering Tasks thru Fehr and Peers

Traffic Counts for Grand Ave at Joaquin Ave, RRFB’s at 4 selected locations and recommendations for bike facilities at Hesperian Blvd. and Grand Ave.

Task 4 – Hesperian Boulevard Landscape Schematic Design

Additional effort to develop the Schematic design, Draft Schematic Streetscape Master Plan, Agency Review, Final Schematic Streetscape Master Plan for the Hesperian Boulevard Landscape Design

Task 5 – Hesperian Boulevard Landscape Design PS&E:

Additional effort to complete 70%, 100% and Bid Set plans, specifications and estimate for planting and irrigation plans for Hesperian Boulevard.

3. Exhibit B of the Agreement entitled “Compensation Schedule & Reimbursable Expenses” is hereby amended to include:

Task 1 – Project Management & Meetings

Amendment No. 4	\$126,760
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Task 3 – Plans, Specs and Estimate

Amendment No. 4	\$239,624
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Task 4 – Hesperian Boulevard Landscape - Schematic

Amendment No. 4	\$58,100
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Task 1 – Hesperian Boulevard Landscape PS&E

Amendment No. 4	\$104,100
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Amendment No.4	\$528,584
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Original Contract	\$691,511
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Amendment No. 1	\$25,680
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Amendment No. 2	\$55,377
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Amendment No. 3	\$239,957
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New PO Total	\$1,541,109 (revised)
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4. All other terms shall remain in full force and effect.

This Amendment may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

SIGNATURES ON FOLLOWING PAGE

RESOLUTION THE CITY COUNCIL OF THE CITY OF SAN LEANDRO

RESOLUTION NO. 2022-034

RESOLUTION OF THE CITY OF SAN LEANDRO CITY COUNCIL TO APPROVE AMENDMENT NO. 4 FOR \$528,584 TO AN EXISTING CONSULTING SERVICES AGREEMENT WITH NICHOLS CONSULTING ENGINEERS FOR DESIGN SERVICES ON THE ANNUAL STREET OVERLAY/REHABILITATION 2019-2021 PROJECT, PROJECT NO. 2020.0050

WHEREAS, an agreement dated June 17, 2020, exists between the City of San Leandro and Nichols Consulting Engineers (NCE); and

WHEREAS, Amendment Nos. 1, 2 and 3 to the agreement between the City of San Leandro and Nichols Consulting Engineers have been executed; and

WHEREAS, a contract amendment is required to compensate for an increase in the scope of work for the design of the Annual Street Overlay/Rehabilitation 2019-2021 Project in the amount of \$528,584 for a total contract amount of \$1,541,109; and

WHEREAS, Amendment No. 4 to the agreement, a copy of which is attached, was presented to this City Council; and

WHEREAS, the City Council is familiar with the contents thereof; and

WHEREAS, the City Manager recommends approval of said amendment to the agreement.

NOW, THEREFORE, the City Council of the City of San Leandro RESOLVES as follows:

That said Amendment No. 4 is hereby approved and execution by the City Manager is hereby authorized.

Introduced by Councilmember Aguilar and passed and adopted this 22nd day of February 2022, by the following vote:

Members of the Council:

AYES: Councilmembers Aguilar, Azevedo, Ballew, Cox, Lopez, Simon, Mayor Cutter (7)

NOES: None (0)

ABSENT: None (0)

ATTEST: Relly Clancy for
Leticia I. Miguel, City Clerk