



## Staff Report

### November 9, 2021

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**TO:** Honorable Mayor and Members of the Town Council  
**FROM:** Merrill Buck, Town Engineer  
**DATE:** November 3, 2021  
**RE:** Approve an Amendment to the Contract with UNICO Engineering Authorizing a Total Not to Exceed Contract Amount of \$250,000 for On-Call Engineering Services

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#### **Recommendation**

Staff recommends that the Town Council adopt a resolution approving Amendment No. 1 to the Contract with UNICO Engineering, authorizing a total not to exceed contract amount of \$250,000 to continue providing on-call professional engineering services.

#### **Background**

The Public Works Department released a Request for Qualifications (RFQ) for on-call civil engineering services in December 2018. From the thirteen proposals received, four were selected and approved by the Town Council on March 12, 2019 for on-call contracts. One of the selected firms was UNICO Engineering, which the Town has been using for field surveying work along with inspections in the areas of stormwater, grading, encroachment permits and capital projects.

The March 12, 2019 staff report approving the on-call contract with UNICO indicated that the contract would be for \$50,000 and extend over three years. The contract itself was drafted and executed, however, with a not to exceed amount of \$211,500. This discrepancy was recently discovered as staff looked to recommend a higher contract amount to Council so that it could continue to utilize UNICO for other as-needed professional services. Over the two and a half years that the contract has been active, approximately \$143,000 has been expended with \$57,500 of budget remaining on the executed contract's not to exceed amount.

#### **Discussion**

The Engineering Division is responsible for managing numerous projects and services that the public relies upon including traffic engineering, administering the clean water and solid waste programs, resolution of complaints regarding public infrastructure in the right-of-way, plan review and inspection of private development, encroachment permit administration, and the oversight of design and construction for the Town's capital improvements. To achieve all this, the Town Engineer relies upon specialized expertise provided by part-time, as-needed, contract staff selected through a qualifications-based selection process.

UNICO Engineering is one of the firms that the Town utilizes in this capacity. Significant efforts that UNICO is currently performing include weekly stormwater compliance and grading inspections along with encroachment permit and capital project inspections. This has included the PG&E gas line repair projects on Taylor Road and Bankhead Road along with field inspections on the recent paving projects.

Forward looking efforts which staff would like to contract with UNICO to perform include surveying of the library parking lot and entryway concrete to determine the reconstruction limits for making the building ADA compliant and accessible, surveying for concrete drainage improvements on the northeast corner of Taylor Road and Horseshoe Bar Road and the extension of sidewalk from the corner of Taylor Road at Webb Street to the Town's parking lot. The inspection of future public improvements at the Grove Subdivision on Humphrey Road is also about to begin, which UNICO staff would inspect under an encroachment permit.

The contract with UNICO is set up so that individual projects can be authorized as task orders, under the Town Manager's authority, so long as the total of all tasks does not exceed the contract amount. Given the work completed to date and the additional work proposed over the term of the contract that runs through February 2022, an amendment bringing the not to exceed amount to \$250,000 is recommended.

### **CEQA Requirements**

There are no CEQA implications associated with the recommended action.

### **Financial and/or Policy Implications**

Funding for work performed by UNICO is available from Transportation Funds identified in the Public Works Budget. A significant portion of the cost for their work is also recoverable from fees collected for grading and encroachment permits.

### **Attachment**

- A. Resolution
- B. Amendment 1

**TOWN OF LOOMIS**

**RESOLUTION 21 - XX**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS  
APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES CONTRACT  
WITH UNICO ENGINEERING AUTHORIZING  
A NOT TO EXCEED CONTRACT AMOUNT OF \$250,000**

**WHEREAS**, the Town and UNICO Engineering have entered into a professional services agreement dated March 13, 2019 to assist the Town with on-call surveying and civil engineering services; and

**WHEREAS**, the staff report approving the professional services agreement had a not to exceed amount of \$50,000 which is different than the not to exceed amount of \$211,500 that was written into the executed contract; and

**WHEREAS**, the Town would like to resolve this discrepancy by authorizing Amendment No. 1 to the contract with UNICO that will increase the total amount payable under the contract to a not to exceed amount of \$250,000; and

**WHEREAS**, funding is available for Amendment No. 1 from Transportation Funds identified in the Public Works Department budget.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Manager of the Town of Loomis is hereby authorized and directed to execute Amendment No. 1 to the professional services contract with UNICO Engineering, to increase the total amount payable under the contract to a not to exceed amount of \$250,000.

PASSED AND ADOPTED this 9<sup>th</sup> day of November 2021 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Deputy Town Clerk

**Item 10 Attachment B**

**AMENDMENT NO. 1**

**TO THE CONTRACT FOR SERVICES  
BETWEEN THE TOWN OF LOOMIS AND UNICO ENGINEERING  
AUTHORIZING A NOT TO EXCEED AMOUNT OF \$250,000**

This Amendment No. 1 to the Contract for Services between the Town of Loomis ("Town") and UNICO Engineering ("Consultant") is made and entered into on November 9, 2021 (the "Effective Date").

**RECITALS**

**WHEREAS**, the Town and Consultant have entered into a professional services contract dated March 13, 2019 to assist the Town with on-call surveying and civil engineering services; and

**WHEREAS**, the parties desire to amend the Contract to increase the total amount payable under the contract to a not to exceed amount of \$250,000.

**NOW, THEREFORE**, the parties hereto do mutually agree as follows:

**1.0 COMPENSATION**

The reference to the total amount payable in Section 4, "Allowable Costs and Payments" of the Contract is amended to reflect a revised, not to exceed total compensation amount of \$250,000.

**2.0 REMAINING PROVISIONS**

Except as expressly provided herein, nothing in this Amendment shall be deemed to waive or modify any of the other provisions of the Contract. In the event of any conflict between this Amendment and the Contract, the terms of this Amendment shall control.

**IN WITNESS WHEREOF** the parties hereto have executed this Amendment as of the Effective Date.

**CITY:**

**CONSULTANT:**

By: \_\_\_\_\_  
Sean Rabé  
Town Manager

By: \_\_\_\_\_  
Cesar Montes de Oca, PE  
UNICO Engineering

**ATTEST:**

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Carol Parker  
Deputy Town Clerk

By: \_\_\_\_\_  
Jeffrey A. Mitchell  
Town Attorney