



Staff Report

December 12, 2023

TO: Honorable Mayor and Members of the Town Council
FROM: Merrill Buck, Town Engineer
RE: Approve Amendment #3 to the Contract with UNICO Engineering

Recommendation

Staff recommends that the Town Council adopt a resolution approving Amendment #3 to the contract with UNICO Engineering, authorizing a \$200,000 increase to the contract amount and a one-year extension.

Background

The Engineering Division is responsible for managing numerous programs, 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 delivery of the Town's capital improvement projects through design and construction. 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.

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 for on-call contracts and approved by the Town Council on March 12, 2019. UNICO Engineering was one of the firms selected. Significant duties that UNICO is currently fulfilling include Subdivision Map Act compliance reviews as the Town Surveyor, weekly stormwater compliance checks and grading inspections, along with encroachment permit and capital project inspections. For this, UNICO utilizes three separate part-time staff members. Because these duties are specialized and represent less than a full-time effort, it is more efficient to hire these services out, rather than to bring them in-house by authorizing new positions.

The contract with UNICO was originally approved in the amount of \$211,500 for a three-year term. On November 9, 2021, the Town Council approved Amendment #1 which provided an additional \$38,500 in budget. And on July 12, 2022, the Town Council approved Amendment #2, which provided an additional \$300,000 in budget along with a two-year extension scheduled to end on March 1, 2024.

The "burn rate" for UNICO's services originally averaged around \$12,000 to \$15,000 per month but has more recently been at a rate of \$20,000 to \$25,000 per month given the significant amount of capital project activity that is being inspected, along with a higher than usual amount of development work to oversee, including the on-site grading and frontage improvement work at Costco.

It is anticipated that early next year, the Engineering Division will issue a new Request for Qualifications solicitation for on-call engineering services, and will start over with the selection process for determining the most qualified consultants to work with going forward. Until then, an amendment to continue utilizing UNICO's services is necessary, as the Town does not have internal staff or contracts with other consultants that can perform the work that UNICO is doing. Authorizing a contract amendment in the amount of \$200,000, with a one-year extension, will allow the Town to continue utilizing UNICO until March 1, 2025.

CEQA Requirements

There are no CEQA implications associated with the recommended action.

Financial and/or Policy Implications

A significant portion of the cost for UNICO's services is recoverable from Development Impact Fees collected for map review, grading, and encroachment permits. Funding is also provided from Transportation Funds identified in the Public Works Budget along with expenditures against the funding source being used by individual projects in the adopted FY 2022-23 and FY 2023-24 Capital Improvement Budget.

Attachment

- A. Resolution
- B. Amendment #3

TOWN OF LOOMIS

RESOLUTION 23 - ____

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS
APPROVING AMENDMENT #3 TO THE CONTRACT FOR SERVICES
WITH UNICO ENGINEERING AUTHORIZING A
\$200,00 INCREASE TO THE CONTRACT AMOUNT AND A ONE-YEAR EXTENSION**

WHEREAS, the Town and UNICO Engineering have entered into a contract for services dated March 13, 2019 in the amount of \$211,500 to assist the Town with on-call surveying and civil engineering services; and

WHEREAS, on November 9, 2021, the Town Council approved Amendment #1, which brought the total allowable compensation under the contract to \$250,000; and

WHEREAS, on July 12, 2022, the Town Council approved Amendment #2, which added an additional \$300,000 in budget along with a two (2) year extension which extended the contract term to March 1, 2024; and

WHEREAS, the Town has identified the need for additional on-call professional services to perform the duties of Town Surveyor and to perform field inspections in the areas of stormwater compliance, grading, encroachment permits and capital projects; and

WHEREAS, the Town and UNICO Engineering desire the approval of a Third Amendment to the Contract, to increase the total allowable compensation by \$200,000 and to extend the contract duration by one (1) year; and

WHEREAS, Amendment #3 will bring the total not to exceed contract amount to \$750,000, and extend the contract term to March 1, 2025; and

WHEREAS, funding is available for Amendment #3 from either Transportation Funds identified in the Public Works budget, Development Impact Fees, or the funding source being used by individual projects in the adopted FY 2022-23 and FY 2023-24 Capital Improvement Budget.

NOW, THEREFORE, BE IT RESOLVED that the Town Manager of the Town of Loomis is hereby authorized and directed to execute Amendment #3 to the Contract for Services with UNICO Engineering Inc., to increase the total amount payable under the contract to a not to exceed amount of \$750,000 and to extend the contract term to March 1, 2025.

PASSED AND ADOPTED this 12th day of December 2023, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

Mayor

ATTEST:

Town Clerk

**AMENDMENT #3
TO THE CONTRACT FOR SERVICES BETWEEN THE TOWN OF LOOMIS AND
UNICO ENGINEERING DATED MARCH 13, 2019**

This Amendment #3 to the Contract for Services between the TOWN OF LOOMIS ("Town") and UNICO ENGINEERING ("Consultant"), which was entered into on March 13, 2019, is made and entered into this 12th day of December, 2023 (the "Effective Date").

RECITALS

WHEREAS, on March 13, 2019, the Town and Consultant entered into a Contract for Services in the amount of \$211,500 to retain UNICO Engineering to provide on-call land surveying and professional engineering services; and

WHEREAS, on November 9, 2021, the Town Council approved Amendment #1, which brought the total allowable compensation under the contract to \$250,000; and

WHEREAS, on July 12, 2022, the Town Council approved Amendment #2, which provided an additional \$300,000 in budget along with a two (2) year extension, extending the contract duration to March 1, 2024; and

WHEREAS, the Town has identified the need for additional on-call professional services to perform the duties of Town Surveyor and field inspection in the areas of stormwater compliance, grading, encroachment permits and capital project; and

WHEREAS, the Town and UNICO Engineering desire the approval of a Third Amendment to the Contract, to increase the total allowable compensation by \$200,000, for a total not to exceed contract amount of \$750,000, and to extend the contract duration by one (1) year.

NOW, THEREFORE, IT IS MUTUALLY AGREED by parties hereto, to amend said Contract as follows:

I. Amendment:

- A. Section 4, "Allowable Costs and Payment", of the Contract is hereby amended by replacing the figure \$211,500 with \$750,000.
- B. Section 2, "Performance Period", of the Contract is hereby amended with a new completion date of March 1, 2025.

II. Remaining Terms Unaffected:

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.

TOWN OF LOOMIS

UNICO ENGINEERING, INC.

By: _____
Wes Heathcock, Town Manager

By: _____
Cesar Montes de Oca, President

Attest:

Approved as to form:

By: _____
Carol Parker, Deputy Town Clerk

By: _____
Jeffrey Mitchell, Town Attorney