



SAN RAFAEL
THE CITY WITH A MISSION

Agenda Item: 4.g

Meeting Date: May 6, 2024

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Theo Sanchez, Associate Civil Engineer
April Miller, Public Works Director

City Manager Approval: 

TOPIC: THIRD STREET REHABILITATION PROJECT

SUBJECT: AUTHORIZE THE CITY MANAGER TO ENTER INTO THE SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH COASTLAND CIVIL ENGINEERING FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES ASSOCIATED WITH THE THIRD STREET REHABILITATION PROJECT, IN AN ADDITIONAL AMOUNT OF \$21,280, INCREASING THE TOTAL NOT-TO-EXCEED AMOUNT OF THE AGREEMENT TO \$1,569,580

RECOMMENDATION:

Staff recommends that the City Council:

1. Authorize the City Manager to enter into the second amendment to the professional services agreement with Coastland Civil Engineering for construction management and inspection services associated with the Third Street Rehabilitation Project, in an additional amount of \$21,280, increasing the total not-to-exceed amount of the agreement to \$1,569,580.
2. Authorize a supplemental budget appropriation with Gas Tax funds (#206) in an amount not to exceed \$21,280.

BACKGROUND:

The [Third Street Rehabilitation Project](#) proposes roadway, pedestrian, and bicycle improvements from Miracle Mile to Union Street.

On [June 21, 2021](#), the City Council awarded the professional services agreement for construction management, inspection, and material testing associated with the Third Street Rehabilitation Project to Coastland Civil Engineering for \$1,168,300.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

On [April 3, 2023](#), the City Council authorized the City Manager to enter into a first amendment to the agreement with Coastland Civil Engineering for \$380,000, increasing the total not-to-exceed amount under the agreement to \$1,548,300.

ANALYSIS:

Due to several change orders, including expanded pavement rehabilitation, conversion of B Street to two-way traffic, and revisions to the traffic signal lights at A Street, Third Street, Second Street, and Fourth Street, the planned construction management and inspection hours were exhausted. As a result, there is a need for additional construction management and inspection hours to support the completion of the project.

FISCAL IMPACT:

The proposal from Coastland Civil Engineering to provide additional construction management and inspection services totals \$21,280. These additional services would increase their total contract amount from \$1,548,300 to \$1,569,580.

Because the cost of this amendment exceeds the approved budget of \$1,548,300, a supplemental budget appropriation for \$21,280 is required. Gas Tax funds (#260) are available to support this budget augmentation.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Authorize the City Manager to enter into the second amendment to the agreement and supplemental budget appropriation as recommended.
2. Do not authorize the City Manager to enter into the second amendment to the agreement nor supplemental budget appropriation and provide further direction to staff.

RECOMMENDED ACTION:

Staff recommends that the City Council:

1. Authorize the City Manager to enter into the second amendment to the professional services agreement with Coastland Civil Engineering for construction management and inspection services associated with the Third Street Rehabilitation Project, in an additional amount of \$21,280, increasing the total not-to-exceed amount of the agreement to \$1,569,580.
2. Authorize a supplemental budget appropriation with Gas Tax funds (#206) in an amount not to exceed \$21,280.

ATTACHMENT:

1. Second Amendment to the Professional Services Agreement with Coastland Civil Engineering

**SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH
COASTLAND CIVIL ENGINEERING, LLP FOR THE THIRD STREET
REHABILITATION PROJECT**

THIS SECOND AMENDMENT to the Professional Services Agreement by and between the **CITY OF SAN RAFAEL** (hereinafter “**CITY**”), and **COASTLAND CIVIL ENGINEERING, LLP** (hereinafter “**CONSULTANT**”), is made and entered into as of the

_____.

RECITALS

WHEREAS, the **CITY** and **CONSULTANT** entered into a Professional Services Agreement dated June 23, 2021 to perform professional services in connection with **CITY’S** Third Street Rehabilitation Project, for an amount not to exceed \$1,168,300 (the “**Agreement**”); and

WHEREAS, the **CITY** and **CONSULTANT** entered into a First Amendment to the Professional Services Agreement dated June 1, 2023 to perform additional professional services in connection with **CITY’S** Third Street Rehabilitation Project, for an amount not to exceed \$380,000 and increasing the total not to exceed under the Agreement to \$1,548,300; and

WHEREAS, under the terms of the Agreement, the Term of the Agreement was to expire on June 23, 2023; however **CITY** and **CONSULTANT** agreed informally that the Term of the Agreement would be extended, and now wish to ratify and memorialize that extension; and

WHEREAS, **CITY** requires additional professional services from the **CONSULTANT**, and the **CONSULTANT** is willing to provide such services.

AMENDMENT TO AGREEMENT

NOW, THEREFORE, the parties hereby agree to amend the Agreement as follows:

1. Article II of the Agreement, entitled “**DUTIES OF CONSULTANT**” is hereby amended to include the additional services set forth in **CONSULTANT’S** proposal dated December 19, 2023, attached to this Second Amendment as Exhibit A and incorporated herein by reference.

2. Article IV of the Agreement, entitled "COMPENSATION" is hereby amended to include additional compensation payable to **CONSULTANT** for the services described in Exhibit A to this Second Amendment, on a time and materials basis in accordance with the Exhibit A, in a not-to-exceed amount of \$21,280, and to change the total not-to-exceed amount under the Agreement to \$1,569,580.
3. Article V of the Agreement, entitled "TERM OF AGREEMENT" is hereby amended, effective as of June 23, 2023, to extend the Agreement term by one year through June 23, 2024.
4. Except as specifically amended herein, all of the other provisions, terms and obligations of the Agreement between the parties shall remain valid and shall be in full force.

IN WITNESS WHEREOF, the parties have executed this Second Amendment on the day, month, and year first above written.

CITY OF SAN RAFAEL

CONSULTANT

CRISTINE ALILOVICH, City Manager

By: Michael Janet
Michael Janet (Apr 11, 2024 14:02 PDT)

Name: Michael Janet

Title: Vice President

ATTEST:

[If Contractor is a corporation, add signature of second corporate officer]

LINDSAY LARA, City Clerk

By: _____

APPROVED AS TO FORM:

Name: _____

Title: _____

GENEVIEVE COYLE, Assistant City Attorney



Coastland

Civil Engineering - Construction Management - Building Dept. Services

Exhibit A

December 19, 2023

April Miller, Director
City of San Rafael Department of Public Works
111 Mophew St.
San Rafael, CA 94901

Subject: **3rd Street Rehabilitation Project
Request for Contract Amendment #2**

Dear April:

This letter is to request a contract amendment for Coastland's Construction Management and Inspection services for the 3rd Street Rehabilitation Project in the amount of **\$21,280.00**.

The reason for the anticipated budget over-run is as follows:

1. The application of pavement striping and markers, traffic signal activation, and change order work impacted the project completion date, for reasons that are neither the City's nor Coastland's fault. With the extended duration of the project we have consumed all of the planned construction management and inspection hours.
2. The required overtime inspection for paving operations exceeded our estimate of the number of overtime hours required.

We estimate that from today's date, there will be a total of 20 days construction management effort required to close out the project, and 40 hours of on-site inspection left to complete the remaining contract work.

One full time Inspector for remaining contract work: 40 hours @ \$165/hour.....	\$6,600.00
Inspection hours already expended (overbudget) 40 hours @ \$165/hour	\$6,600.00
Subtotal Inspection	\$13,200.00

We also anticipate the following Construction Management work to Project Close Out:

Construction Manager: 40 hours @ \$185/hour	\$7,400.00
Subtotal Construction Management	\$7,400.00
Vehicle Hours: 40 hours @ \$17/hour	\$680.00
Subtotal of additional estimated work.....	\$21,280.00

If you have any questions, please call me at (707) 494-6464.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Janet", with a light blue circular stamp or watermark behind it.

Mike Janet
Construction Services Manager

cc: John Wanger; Andrea Tidwell

