



REPORT TO CITY COUNCIL

DATE: SEPTEMBER 9, 2015

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: RAMIRO ADEVA, PUBLIC WORKS DIRECTOR/CITY ENGINEER 

SUBJECT: APPROVAL OF FIRST AMENDMENT TO AGREEMENT FOR ADDITIONAL SERVICES FOR DESIGN OF FIBER OPTIC INTERCONNECT ALONG THE AGOURA ROAD WIDENING PROJECT, WITH KIMLEY-HORN AND ASSOCIATES, INC.

This report seeks City Council approval of additional construction engineering services to the contract with Kimley-Horn and Associates, Inc. (KHA) to provide final design plans, specifications, and estimates for a fiber optic interconnect to be constructed within the Agoura Road Widening Project (Project) limits (westerly City limits to Cornell Road).

In January 2015, the City entered into an Agreement with KHA to provide construction engineering services during the construction of the Project, which included construction meetings, addendum plan update, submittal and request of information review, field change review, and record plan preparation.

On April 30, 2015, this item was brought to the Public Works Subcommittee (Mayor Illece Buckley Weber and Councilmember Denis Weber), and they expressed their support of a fiber optic interconnect as part of the Agoura Road Widening Project.

Consistent with the City Council's past directive, the inclusion of fiber optic interconnects provides an opportunity to ensure that the local business community will have access to current technological infrastructure. The ability to have access to fiber optic networks is one of the major factors that many businesses look for in site selection, as it serves as the backbone of their business operations. Preparing for current and future demand for fiber optics also ensures that the City's infrastructure remains consistent with current standards and supports the economic development efforts needed to attract and retain high-quality business in the Agoura Hills community.

Based on Section 4 of the Agreement, additional work over \$25,000 must be approved by City Council. The additional services being requested are in the amount of \$39,700. This would be the first amendment of the agreement with KHA for construction engineering services on the Project. Funding for the additional design services will be entirely through Measure R.

The proposed amendment has been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Approve the first amendment to the design professional consultant services agreement with Kimley-Horn and Associates, Inc.
2. Authorize the Mayor to sign the first amendment to the agreement on behalf of the City Council.

Attachment: Amendment

**FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES
WITH THE CITY OF AGOURA HILLS**

NAME OF CONSULTANT:	Kimley-Horn and Associates, Inc.
RESPONSIBLE PRINCIPAL OF CONSULTANT:	Attn: Michael Choi, PE
CONSULTANT'S ADDRESS:	660 S. Figueroa St., Ste. 2050 Los Angeles, CA 90017
CITY'S ADDRESS:	City of Agoura Hills 30001 Ladyface Court Agoura Hills, CA 91301 Attn: City Manager
PREPARED BY:	Charmaine Yambao
COMMENCEMENT DATE:	September 9, 2015
TERMINATION DATE:	June 30, 2016
CONSIDERATION:	Contract Price Not to Exceed: \$339,700.00 (Increase by \$39,700.00 from \$300,000.00 to \$339,700.00)

**FIRST AMENDMENT TO AGREEMENT BETWEEN
CITY OF AGOURA HILLS AND KIMLEY-HORN AND ASSOCIATES, INC.**

Agoura Road Widening Project – Construction Engineering Services

This FIRST AMENDMENT TO AGREEMENT (“Amendment”) is made and entered into as of the 9th day of September, 2015, by and between the City of Agoura Hills, a municipal corporation (hereinafter referred to as “City”) and Kimley-Horn and Associates, Inc. (hereinafter referred to as “Consultant”). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. This Amendment is made with respect to the following facts and purposes:
 - a. On January 14, 2015, the City and Consultant entered into that certain Agreement entitled “Agreement for Design Professional Consultant Services Between the City of Agoura Hills and Kimley-Horn and Associates, Inc.”, in the amount of Three Hundred Thousand Dollars and Zero Cents (\$300,000.00).
 - b. The parties now desire to add scope of work and increase the payment in the amount of Thirty-Nine Thousand Seven Hundred Dollars and Zero Cents (\$39,700.00), and to amend the Agreement as set forth in this Amendment.
2. Section 4 of the Agreement entitled “**PAYMENT**” at paragraph “A” is hereby amended to read as follows:

“The City agrees to pay Consultant monthly, in accordance with the payment rates and schedules and terms set forth in Exhibit B, Payment Rates and Schedule, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. Any terms in Exhibit B, other than the payment rates and schedule of payment, are null and void. The First Amendment amount shall not exceed Thirty-Nine Thousand Seven Hundred Dollars and Zero Cents (\$39,700.00), for additional engineering design services for a total Agreement amount of Three Hundred Thirty-Nine Thousand Seven Hundred Dollars and Zero Cents (\$339,700.00).”
3. Exhibit “A” to the Agreement is hereby amended by adding thereto the items set forth on Attachment “A” to this Amendment, which is attached hereto and incorporated here in as though set forth in full.
4. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this FIRST Amendment to Agreement to be executed the day and year first above written:

CITY OF AGOURA HILLS

KIMLEY-HORN AND ASSOCIATES, INC.

660 South Figueroa Street Suite 2050

Los Angeles, CA 90017

Michael Choi, P.E.

(o) 213-261-4038

Illece Buckley Weber,
Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk
*Date Approved by City
Council* _____

APPROVED AS TO FORM:

Candice K. Lee,
City Attorney

By: _____

Print Name: _____

Title: _____

By: _____

Print Name: _____

Title: _____

[Signatures of Two Corporate Officers Required]

ATTACHMENT A
SCOPE OF SERVICES

The Scope of Services described below is based on the Consultant's letter proposal, dated August 18, 2015.

The consultant's services shall include, but not be limited to, the following:

Consultant shall prepare a Plans, Specifications and Estimate (PS&E) package for the fiber optic interconnect facilities along Agoura Road, from Westerly City Limits to Cornell Road. These plans will be added to the current tasks and plans as described and set forth in Exhibit A of the Agreement.

The services described below will be complete within 2 months of written notice to proceed.

Task 1 –Project Management and Meetings

Consultant shall provide project management for each task detailed in this scope of services, which shall consist of providing project administration and attending meeting with the City Staff.

Task 2 –Conceptual Design Development

Consultant shall prepare a conceptual layout plan that will outline the potential routing of fiber optic interconnect along Agoura Road. The plan will identify the side of the street to install the interconnect, as well detailing different segments of the roadway to minimize conflicts with existing and proposed utilities. This plan will also show the locations of signal controller cabinets along the fiber routing. These plans will be routed for review and comments.

Task 3.0 – Final Design

Consultant shall prepare final design plans for fiber optic interconnect. These plans shall be prepared using AutoCAD (latest version) software. These plans shall also be included as part of the "As-Built" plans for the Agoura Road Widening Project. Two stages of plan submittals will be provided to the City: 90 and 100% submittals. Technical Specifications shall be provided with both submittal, based upon Green Book and Caltrans Standard Specifications. Opinion of Probable Construction Cost estimate will also be provided with both submittals.