

## REPORT TO CITY COUNCIL

**DATE:** JUNE 24, 2020

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** GREG RAMIREZ, CITY MANAGER

**BY:** JESSICA FORTE, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

**SUBJECT:** REQUEST FOR APPROVAL OF FIRST AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES WITH KIMLEY-HORN AND ASSOCIATES, INC.

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Since 2007, Kimley-Horn and Associates, Inc. (Kimley-Horn) has provided the City with professional engineering services. Specifically, their contract scope of work includes, but is not limited to:

- Plan checking of public improvement plans, grading plans, hydrology/drainage reports, and subdivision maps.
- Traffic engineering services, which includes reviewing: technical traffic studies, land development projects, traffic control plans, public infrastructure plans, and environmental impact reports.
- Preparing the Pavement Management System (PMS) update.
- Providing in-house engineering design as-needed.
- Providing additional engineering assistance upon request.

On June 28, 2017, the City Council authorized the contract award to Kimley-Horn which allowed for three years of guaranteed work, with the option of two additional one-year extensions, for a total of five years. Kimley-Horn's work product has been exceptional, providing technical expertise and advice for engineering-related issues. They have gained the confidence and trust from staff, the City Council, and the community as a whole. Therefore, staff feels it is in the best interest of the City to approve the first amendment, which will extend the agreement until June 30, 2021.

The proposed budget for FY 2020-21 covers the costs of these services through a combination of General Fund, Gas Tax, Measure M (Local), Measure R (Local) and Traffic Safety accounts.

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

## **RECOMMENDATION**

Staff respectfully recommends the City Council approve the First Amendment to the Agreement for Professional Engineering Services with Kimley-Horn and Associates, Inc.

Attachment: Amendment to Agreement

WITH THE CITY OF AGOURA HILLS

NAME OF CONSULTANT:	Kimley-Horn & Associates, Inc.
RESPONSIBLE PRINCIPAL OF CONSULTANT:	Attn: Sri Chakravarthy
CONSULTANT'S ADDRESS:	660 South 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:	Kelly Fisher
COMMENCEMENT DATE:	July 1, 2020
TERMINATION DATE:	June 30, 2021
CONSIDERATION:	Amendment Amount: \$500,000  Total Contract Price Not to Exceed: \$500,000/yr

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

**ON-CALL PROFESSIONAL ENGINEERING SERVICES**

THIS FIRST AMENDMENT is made and entered into as of July 1, 2020, by and between the City of Agoura Hills, a municipal corporation (hereinafter referred to as "City"), and Kimley-Horn & 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 the respect to the following facts and purposes:

a. On July 1, 2017, the City and Consultant entered into that certain Agreement entitled "Agreement for On-call Professional Engineering Services in the amount of Five Hundred Thousand Dollars and Zero Cents (\$500,000) per year,

b. The parties now desire to extend the term of the agreement to June 30, 2021, increase the payment in the amount of Five Hundred Thousand Dollars and Zero Cents (\$500,000), and to amend the Agreement as set forth in this Amendment.

2. Section 1 of the Agreement entitled "**TERM**" is hereby amended to read as follows:

"This Agreement shall remain and continue in effect until tasks herein are completed, but in no event later than June 30, 2021, unless sooner terminated pursuant to the provisions of this Agreement."

3. Section 5 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 Five Hundred Thousand Dollars and Zero Cents (\$500,000), for additional professional services for a total Agreement amount of Two Million Dollars and Zero Cents \$2,000,000."

4. Exhibit "B" 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 herein as though set forth in full.

5. 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**

\_\_\_\_\_  
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

**CONSULTANT**

Kimley-Horn & Associates, Inc.  
660 South Figueroa St, Ste. 2050  
Los Angeles, CA 90017  
Sri Chakravarthy  
213-261-4037

By: Greg Kyle

Print Name: Gregory S. Kyle

Title: Senior Vice President

By: [Signature]

Print Name: Sri Chakravarthy, P.E 73629

Title: Vice President

[Signatures of Two Corporate Officers  
Required]

**ATTACHMENT A**

**KIMLEY-HORN AND ASSOCIATES, INC.  
LOS ANGELES**

**HOURLY BILLING RATES  
FOR CITY OF AGOURA HILLS  
ON-CALL, AS NEEDED SERVICES**

**Effective through June 30, 2021**

TECHNICIAN .....	\$95.00
SUPPORT STAFF .....	\$100.00
TECHNICAL STAFF .....	\$115.00
ANALYST .....	\$130.00
JR. PROFESSIONAL .....	\$145.00
TRAFFIC ENGINEER/ PROFESSIONAL .....	\$175.00
SR. PROFESSIONAL I .....	\$200.00
SENIOR PROFESSIONAL II.....	\$225.00
PRINCIPAL .....	\$240.00

***EXPENSES***

SUBCONSULTANT MANAGEMENT/DIRECT EXPENSE .....	15%
OFFICE EXPENSES (Allocation) .....	6%
(Covers direct expenses, such as in-house duplicating and blueprinting, local mileage, telephone calls, electronic messaging, postage, and word processing)	

*Note: Billing Rates are reviewed and adjusted annually on June 30th.*