

**REPORT TO CITY COUNCIL**

**DATE: JULY 10, 2024**

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

**FROM: NATHAN HAMBURGER, CITY MANAGER**

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

**SUBJECT: APPROVE FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES WITH NATIONAL UTILITY LOCATORS LLC FOR FISCAL YEARS 2024-26**

---

On April 28, 2021, the City Council approved the agreement for Consultant Services with the National Utility Locators LLC for the Fiscal Years 2021-24 to locate and mark all City of Agoura Hills (City) owned utilities when notified of a potential excavation.

California Assembly Bill No. 1166 requires any contractor or homeowner planning to do any excavation to contact Dig Alert (USA) at least 48-hours prior to the start of work. Dig Alert (USA) is a non-profit mutual benefit organization that links the excavation community and the owners of underground lines with an accessible toll free number (811). Dig Alert (USA) notifies all applicable agencies that have utilities in the area that an excavation is proposed. Each agency is required to mark all applicable utilities in that area or notify the excavator that the site is clear of their facilities. As of January 1, 2021, "Electronic Positive Response" (EPR) through the center is now mandated by the State of California. EPR is an immediate 24-hours communication from the utility member (contract locator) to the excavator regarding the status of the ticket. EPR allows the excavator to check responses through the website, SMS, Dig Alert apps and email (if provided) any time during the life of the ticket.

Under this law, the City is required to mark all City owned utilities. These utilities include but are not limited to, the following:

<b>Type of Utility</b>	<b>Location</b>
Street Lights	Agoura Road, from the Westerly City Limits to Cornell Road
Fiber Optic Cable-	Agoura Road, from the Westerly City Limits to Kanan Road
Fiber Optic Cable(Traffic Signal Cameras)	Kanan Road, from Canwood Street to Eagleton Street
Fiber Optic(Traffic Signal Camera)	Thousand Oaks Boulevard, from Kanan Road to Argos Street

The initial term of the authorized agreement was three (3) years, which concludes at the end of current Fiscal Year 2023 (June 30, 2024). The agreement documents allow for the extension of the agreement up to one (1) additional two-year period, upon mutual agreement between the City and the Consultant. The agreement extension is agreed to be based on the terms, conditions, and prices of the initial agreement, as executed by the Consultant in Fiscal Year 2021. The agreement amount shall not exceed \$45,000 per year for a total agreement price of \$90,000. The Fiscal Year 2024 would be the first extension of the agreement with National Utility Locators, LLC. The proposed amendment was reviewed by the City Attorney and approved as to form.

## **FISCAL IMPACT**

Sufficient funding for Utility Locating services is appropriated annually. The proposed Fiscal Year 2024-25 Traffic Safety Contract Services Account (010-4510-5520.00) budget includes funding for the agreement. These services will continue to be budgeted annually into the future.

## **RECOMMENDATION**

Staff respectfully recommends the City Council:

- (1) Approve, the First Amendment to the Agreement for Consultant Services with National Utility Locators LLC, for Utility Locating Services; in the amount of \$90,000, for a total agreement amount of \$240,000; and
- (2) Authorize the Mayor to sign the agreement on behalf of the City Council.

Attachment: First Amendment to Agreement for Consultant Services

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

NAME OF CONSULTANT:	National Utility Locators LLC
RESPONSIBLE PRINCIPAL OF CONSULANT:	Attn: Mark Baghdassarian
CONSULTANT'S ADDRESS:	2010 W. Ave K Lancaster, CA 93536
CITY'S ADDRESS:	City of Agoura Hills 30001 Ladyface Court Agoura Hills, CA 91301 Attn: City Manager
PREPARED BY:	Brian E. Woodworth
COMMENCEMENT DATE:	July 01, 2024
TERMINATION DATE:	June 30, 2026
CONSIDERATION:	Amendment Amount: \$0  Total Contract Price \$240,000.00 Not to Exceed: \$ 45,000.00 /yr

**FIRST AMENDMENT TO AGREEMENT BETWEEN  
CITY OF AGOURA HILLS AND NATIONAL UTILITY LOCATORS, LLC**

THIS **FIRST AMENDMENT** is made and entered into as of **June 21, 2024**, by and between the City of Agoura Hills, a municipal corporation (hereinafter referred to as "City"), and National Utility Locators, LLC (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, 2021**, the City and Consultant entered into that certain Agreement entitled "Agreement for Consultant Services", in the amount of One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00)

b. On **June 21, 2024**, the City and Consultant entered into the **First Amendment** to that certain Agreement entitled "Agreement for **Consultant Services**," to extend the term of the agreement to June 30, 2026.

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, 2026, unless sooner terminated pursuant to the provisions of this Agreement."

3. 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:

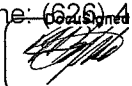
\_\_\_\_\_  
Kimberly M. Rodrigues, MMC  
City Clerk  
*Date Approved by City  
Council* \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Candice K. Lee,  
City Attorney

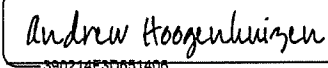
**CONSULTANT**

National Utility Locators, LLC  
Mark Baghdassarian  
2010 W. Ave K  
Lancaster, CA 93536  
Phone: (626) 485-1547

By:   
\_\_\_\_\_  
EDAE9839B432492...

Print Name: Mark Baghdassarian

Title: Owner

By:   
\_\_\_\_\_  
390214F3D651408...

Print Name: Andrew Hoogenhuizen

Title: Owner

**[Signatures of Two Corporate Officers Required]**