

## 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, PUBLIC WORKS DIRECTOR / CITY ENGINEER

**SUBJECT:** REQUEST FOR APPROVAL OF FIFTH AMENDMENT TO AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR TERM EXTENSION FOR THE KANAN ROAD/AGOURA ROAD ULTIMATE INTERSECTION IMPROVEMENTS PROJECT

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This report seeks City Council approval of a fifth amendment to the agreement with Kimley-Horn and Associates, Inc., (KHA) for a term extension for the Kanan Road/Agoura Road Ultimate Intersection Improvements Project (Project).

KHA is currently under contract to complete the design improvements of the intersection, coordinate aesthetic elements from the Agoura Village Specific Plan (AVSP) and provide the California Environmental Quality Act (CEQA) analysis for the Project and the AVSP update, which included the Project as a central element of its revisions. The new signalized intersection design was planned as a “gateway” between the City and the Santa Monica Mountains.

On May 22, 2024, the City Council adopted the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, completing the CEQA compliance documentation for the Project.

With the completion of the environmental analysis, the final steps for the Project will be approval of the Gateway Monument conceptual design and completion of the final plans, specification and estimates for construction. The Project design is estimated to be completed by June 2025, which requires extension of KHA’s agreement to June 30, 2025. The fifth amendment to KHA’s agreement only extends the term, not increasing the fee.

There is an executed Memorandum of Understanding (MOU) between the City and Los Angeles County Metropolitan Transportation Authority (Metro) to fund the design of the Project through Measure R.

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

## **FISCAL IMPACT**

Funding for this contract amendment has been budgeted in Fiscal Year 2024-25 to account 018-4640-6309.00 Measure R – Street Improvements Kanan/Agoura Road Intersection with a \$148,000 appropriation.

The amendment to KHA's contract only extends the term and does not increase the contract amount.

## **RECOMMENDATION**

Staff respectfully recommends the City Council:

1. Approve Fifth Amendment to the Agreement for Design Professional Consultant Services with Kimley-Horn and Associates, Inc.; and
2. Authorize the Mayor to sign the amendment to the agreement on behalf of the City Council.

Attachment: Fifth Amendment to Agreement for Design Professional Consultant Services

FIFTH AMENDMENT TO AGREEMENT FOR DESIGN PROFESSIONAL  
CONSULTANT SERVICES  
WITH THE CITY OF AGOURA HILLS

NAME OF CONSULTANT: Kimley-Horn and Associates, Inc.

RESPONSIBLE PRINCIPAL OF CONSULANT: Attn: Sri Chakravarthy, P.E., T.E.

CONSULTANT'S ADDRESS: 660 S. Figueroa Street, 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: July 1, 2024

TERMINATION DATE: June 30, 2025

CONSIDERATION: Amendment Amount: \$0.00  
Total Contract Price  
Not to Exceed: \$1,037,585.00 /yr

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

**Kanan Road/Agoura Road Ultimate Intersection Improvements Project**

THIS FIFTH AMENDMENT is made and entered into as of June 30, 2024, by and between the City of Agoura Hills, a municipal corporation (hereinafter referred to as "City"), and Kimley-Horn and Associates, Inc., a Corporation (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 February 11, 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 Two Hundred Ninety-Nine Thousand Nine Hundred Eighty-Six Dollars and Zero Cents (\$299,986.00).

b. On October 28, 2020, the City and Consultant entered into the First Amendment to that certain Agreement entitled "Agreement for Design Professional Consultant Services between the City of Agoura Hills and Kimley-Horn and Associates, Inc." to add additional design services, extend the term of the agreement to June 30, 2022, and increase the payment in the amount of Four Hundred Sixty-Five Thousand One Hundred Seventy-Nine Dollars and Zero Cents (\$465,179.00).

c. On September 8, 2021, the City and Consultant entered into the Second Amendment to that certain Agreement entitled "Agreement for Design Professional Consultant Services between the City of Agoura Hills and Kimley-Horn and Associates, Inc." to add scope of work and increase the payment in the amount of Two Hundred Seven Thousand Two Hundred Dollars and Zero Cents (\$207,200.00).

d. On January 25, 2023, the City and Consultant entered into the Third Amendment to that certain Agreement entitled "Agreement for Design Professional Consultant Services between the City of Agoura Hills and Kimley-Horn and Associates, Inc." to add scope of work, extend the term of the agreement to June 30, 2024, increase the payment in the amount of Sixty-Five Hundred Two Hundred Twenty Dollars and Zero Cents (\$65,220.00).

e. On April 26, 2023, the City and Consultant entered into the Fourth Amendment to that certain Agreement entitled "Agreement for Design Professional Consultant Services between the City of Agoura Hills and Kimley-Horn and Associates, Inc." to add scope of work, and increase the payment in the amount of Fifty Thousand Two Hundred Dollars and Zero Cents (\$50,200.00).

f. The parties now desire to extend the term of the agreement to June 30, 2025, 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, 2025 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 FIFTH 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 and Associates, Inc.  
660 S. Figueroa Street, Suite 2050  
Los Angeles, CA 90017  
Sri Chakravarthy, Vice President  
213-261-4037

By: \_\_\_\_\_  
DocuSigned by:  
Sri Chakravarthy  
FAD38E0EAA2646C...

Print Name: Sri Chakravarthy

Title: Vice President, PE 73629

By: \_\_\_\_\_  
DocuSigned by:  
Laura Forinash  
A867DBDC93C3496...

Print Name: Laura Forinash

Title: Asst. Secretary

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