



## Legislation Details (With Text)

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**File #:** 22-01065      **Version:** 1

**Type:** Administrative Item      **Status:** Agenda Ready

**File created:** 11/22/2022      **In control:** BOARD OF SUPERVISORS

**On agenda:** 12/6/2022      **Final action:** 12/6/2022

**Title:** Consider recommendations regarding amendments to the Agreements for Services of Independent Contractor with Bengal Engineering and Hamner, Jewell and Associates for the Lower Mission Creek Flood Control Project Reach 4, First District, as follows:

Acting as the Board of Directors, Flood Control and Water Conservation District:

- a) Approve and authorize the Chair to execute Amendment No. 3 to the Agreement for Services of Independent Contractor with Bengal Engineering (a local vendor) to provide engineering design services for the Lower Mission Creek Flood Control Project, Reaches 3 and 4 (BC 17-117), extending the term from December 31, 2022 to December 31, 2024, and increasing the contract amount from \$434,545.00 to a not to exceed limit of \$493,791.00, an increase of \$59,246.00, and updating the Fee Schedule to reflect current year rates;
- b) Authorize an increase of \$5,924.60 to the contingency amount of \$43,454.50 to a total contingency amount of \$49,379.10 to the Agreement for Services with Bengal Engineering for additional work that may be needed to complete the project and authorize the Public Works Director or designee to extend the term of the Agreement by up to two additional years to December 31, 2026 to complete the work within the Scope of the Agreement;
- c) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Services of Independent Contractor with Beacon Integrated Professional Resources DBA: Hamner, Jewell and Associates (a Tri-County vendor) to provide real property services for the Lower Mission Creek Flood Control Project, Reach 4 (BC 20-123), extending the term from June 30, 2023 to December 31, 2024, increasing the contract amount from \$130,000.00 to a not to exceed limit of \$228,100.00, an increase of \$98,100.00, adding a clause delegating authority to approve future Immaterial Changes, and updating the Fee Schedule to current year rates;
- d) Authorize an increase of \$9,810.00 to the contingency amount of \$13,000.00 to a total contingency amount of \$22,810.00 to the Agreement for Services with Hamner, Jewell and Associates for additional work that may be needed to complete the project and authorize the Public Works Director or designee to extend the term of the Agreement by up to two additional years to December 31, 2026 to complete the work within the Scope of the Agreement; and
- e) Find that pursuant to the California Environmental Quality Act Guidelines section 15162, no substantial changes are proposed. There are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore, this action is within the scope of the project covered by the Environmental Impact Report/Environmental Impact Statement for the Lower Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent environmental document is required.

**Sponsors:** PUBLIC WORKS DEPARTMENT, BOARD OF DIRECTORS, FLOOD CONTROL AND WATER CONSER

**Indexes:**

**Code sections:**

**Attachments:** 1. Board Letter, 2. Attachment A - Amend No. 3 to the Agreement with Bengal Engineering, 3. Attachment B - Amend No. 1 to the Agreement with HJ&A, 4. Attachment C - Copy of Agreement with Bengal Engineering BC 17-117, 5. Attachment D - Amend Nos 1 and 2 to the Agreement with Bengal Engineering, 6. Attachment E - Copy of Agreement with Hamner, Jewell & Assoc, 7. Executed Amendment Attach. A, 8. Executed Amendment Attach. B, 9. Minute Order

Date	Ver.	Action By	Action	Result
12/6/2022	1	BOARD OF SUPERVISORS	Acted on as follows:	Pass

Consider recommendations regarding amendments to the Agreements for Services of Independent Contractor with Bengal Engineering and Hamner, Jewell and Associates for the Lower Mission Creek Flood Control Project Reach 4, First District, as follows:

Acting as the Board of Directors, Flood Control and Water Conservation District:

a) Approve and authorize the Chair to execute Amendment No. 3 to the Agreement for Services of Independent Contractor with Bengal Engineering (a local vendor) to provide engineering design services for the Lower Mission Creek Flood Control Project, Reaches 3 and 4 (BC 17-117), extending the term from December 31, 2022 to December 31, 2024, and increasing the contract amount from \$434,545.00 to a not to exceed limit of \$493,791.00, an increase of \$59,246.00, and updating the Fee Schedule to reflect current year rates;

b) Authorize an increase of \$5,924.60 to the contingency amount of \$43,454.50 to a total contingency amount of \$49,379.10 to the Agreement for Services with Bengal Engineering for additional work that may be needed to complete the project and authorize the Public Works Director or designee to extend the term of the Agreement by up to two additional years to December 31, 2026 to complete the work within the Scope of the Agreement;

c) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement for Services of Independent Contractor with Beacon Integrated Professional Resources DBA: Hamner, Jewell and Associates (a Tri-County vendor) to provide real property services for the Lower Mission Creek Flood Control Project, Reach 4 (BC 20-123), extending the term from June 30, 2023 to December 31, 2024, increasing the contract amount from \$130,000.00 to a not to exceed limit of \$228,100.00, an increase of \$98,100.00, adding a clause delegating authority to approve future Immaterial Changes, and updating the Fee Schedule to current year rates;

d) Authorize an increase of \$9,810.00 to the contingency amount of \$13,000.00 to a total contingency amount of \$22,810.00 to the Agreement for Services with Hamner, Jewell and Associates for additional work that may be needed to complete the project and authorize the Public Works Director or designee to extend the term of the Agreement by up to two additional years to December 31, 2026 to complete the work within the Scope of the Agreement; and

e) Find that pursuant to the California Environmental Quality Act Guidelines section 15162, no substantial changes are proposed. There are no substantial changes in circumstances and no new information of substantial importance has come to light regarding environmental effects of the project or feasibility of mitigation measures and, therefore, this action is within the scope of the project covered by the Environmental Impact Report/Environmental Impact Statement for the Lower Mission Creek Flood Control Project as well as the Findings, and Statement of Overriding Considerations approved and adopted by the Board on May 10, 2011, and therefore, no subsequent environmental document is required.