



# Administrative Report

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H.12., File # 21-3167

Meeting Date: 10/19/2021

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**To:** MAYOR AND CITY COUNCIL  
**From:** TED SEMAAN, PUBLIC WORKS DIRECTOR

## **TITLE**

APPROVE AN AGREEMENT WITH CWE, A CALIFORNIA CORPORATION, FOR ON-CALL PROFESSIONAL SERVICES FOR CIVIL AND DRAINAGE ENGINEERING SERVICES FOR THE AMOUNT NOT TO EXCEED \$100,000 FOR THE TERM OCTOBER 19, 2021 - OCTOBER 18, 2023

## **EXECUTIVE SUMMARY**

In an effort to accelerate CIP project delivery, Public Works Department staff has negotiated on-call professional service agreements with engineering, architecture and surveying firms to allow for quick assignment of smaller work tasks by setting up the contract conditions in advance. On-call service contracts are, by definition, not fully defined as to the scope, amount and encumbrance of a funding source. To overcome these uncertainties, these contracts include a mechanism for staff to receive quotes and award work on a task by task basis, with a "not to exceed" limit for the amount of work awarded to a consulting firm over the life of the contract. Funding for each task comes from projects and programs that have already received Council appropriations.

The City Council has awarded a number of these contracts in the past, and they have been successfully used in a number of projects to accelerate project delivery timelines. Staff is now bringing an additional contract forward for award by the City Council. This additional on-call contract with CWE, is needed to provide professional services related to civil and drainage engineering, specifically anticipated to assist with multiple spot repairs and targeted improvements to the City's storm drain network. The proposed contract is included as an attachment.

## **BACKGROUND**

During the City's process for the FY2018-19 budget cycle, a Budget Response Report identified several tools that would be useful in accelerating the pace of delivery of CIP projects. One tool that staff strongly recommended is on-call contracting for professional services. On-call service contracts are, by definition, not fully defined as to the scope, amount and encumbrance of a funding source. To overcome these uncertainties, the contracts include a mechanism for staff to receive quotes and award work on a task by task basis, with a "not to exceed" limit for the amount of work awarded to a vendor. This allows staff to quickly assign smaller work tasks (e.g. geotechnical engineering, surveying, etc.) without having to develop and present an individual contract to City Council for award. Funding sources for on-call contracts are not identified at the time of award. Rather, as tasks are assigned to an on-call vendor, the funding is assigned (using the purchase order) from the already appropriated funding source for the particular project to which the work applies.

The Engineering Services Division and the City Attorney's office worked together to develop a contract template for solicitation of RFP's for on-call consulting services. The template stipulates a two-year term with a not to exceed value of \$100,000 over the two years.

On December 18, 2018, the City Council awarded six firms with on-call contracts and on February 19, 2019 seven additional contracts were awarded. Another was added in December of 2019. Use of these services accelerated delivery of many projects, as intended and so several of these agreements were also amended by the City Council on December 1, 2020 to extend the life of the contracts. These agreements provide the City with a deep and broad "bench" of firms to supplement staff efforts to deliver CIP projects. Staff is now bringing an additional contract with CWE forward for award by the City Council. CWE is a civil and municipal engineering consultant who specializes in drainage and water resources engineering. CWE was one of the 51 firms that responded to the 2018 solicitation for on-call firms but at the time there no immediate need for the services in which they specialize. This additional on-call contract is now needed to provide civil and drainage engineering services related to the citywide Drainage Improvement Program, Job No. 60260.

### **COORDINATION**

The on-call contract development has been coordinated between the City Attorney's Office and the Public Works Department. The City Attorney's Office prepared and approved the professional services agreement.

### **FISCAL IMPACT**

No additional funding impacts occur by approving the contract. Funding is committed as tasks are assigned by staff and only from funds that have already been appropriated by City Council to the various CIP projects and programs.

### **APPROVED BY:**

*Joe Hoefgen, City Manager*

### **ATTACHMENTS**

1. On-Call Professional Services Agreement with CWE