

RESOLUTION NO. 2019-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCKLIN  
AUTHORIZING THE CITY MANAGER TO EXECUTE  
AMENDMENT NO. 4 TO THE CONSULTANT SERVICES AGREEMENT WITH  
KIMLEY-HORN AND ASSOCIATES INC. FOR THE ROCKLIN ROAD AT PACIFIC STREET ROUNDABOUT

The City Council of the City of Rocklin does resolve as follows:

WHEREAS, the City and Kimley-Horn and Associates, Inc., entered into an agreement on September 13, 2016, to provide design services for the Rocklin Road at Pacific Street Roundabout, which was approved and adopted by Resolution No. 2016-211 (the "Agreement"); and

WHEREAS, due to delays caused by environmental/cultural findings at the site, three amendments have been issued (Reso. 2016-275, 2018-54, 2019-10) to increase the contract amount for a total not to exceed amount of \$535,942.23 and extended the performance period to February 18, 2020; and

WHEREAS, as a result of the Caltrans Headquarters - Cultural Studies Office review, additional environmental assessments/revisions are being requested that will require the City's design consultant to amend the existing environmental study resulting in additional environmental work, final design revisions and project management in an amount not to exceed \$16,718.00.

WHEREAS, Amendment No. 4 to the Agreement with Kimley-Horn and Associates Inc. will increase the contract amount by \$16,718.00 for a total contract amount not to exceed \$552,660.23. No fiscal impacts have been identified as the amount noted in this request is included in the original budget plus any additional appropriations as approved by Council; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rocklin as follows:

Section 1. The City Council of the City of Rocklin hereby authorizes the City Manager to execute Amendment No. 4 to the Agreement with Kimley-Horn and Associates, Inc. for the design of the Rocklin Road at Pacific Street roundabout in substantially the form attached hereto as Exhibit 1.

PASSED AND ADOPTED this 9th day of July, 2019, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

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Joe Patterson, Mayor

ATTEST:

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Mona Forster, City Clerk

## EXHIBIT 1

### AMENDMENT NO. 4

#### TO CONSULTANT SERVICES AGREEMENT BETWEEN THE CITY OF ROCKLIN AND KIMLEY-HORN AND ASSOCIATES, INC. FOR DESIGN SERVICES FOR THE ROCKLIN ROAD AT PACIFIC STREET ROUNDABOUT, EXECUTED SEPTEMBER 13, 2016

THIS AMENDMENT is entered into as of July 9, 2019, by and between the City of Rocklin, a municipal corporation ("City"), and Kimley-Horn and Associates, Inc. ("Consultant"), who agree as follows:

#### RECITALS

WHEREAS, City and Consultant entered into an agreement on September 13, 2016, in the amount not to exceed \$378,142.03, for design services for the Rocklin Road at Pacific Street Roundabout (the "Agreement"); and

WHEREAS, Amendment No. 1 was approved by the City Council on December 13, 2016, to extend the performance period in Article IV to February 18, 2018; and

WHEREAS, due to additional environmental/cultural findings requiring further analysis, which increased the scope, length and cost of the services, Amendment No. 2 was approved by the City Council to extend the performance period in Article IV to February 18, 2019, and to increase the contract amount by \$122,744.20, for a total not to exceed amount of \$498,886.23; and

WHEREAS, due to additional environmental/cultural findings requiring further analysis, which increased the scope, length and cost of the services, Amendment No. 3 was approved by the City Council to extend the performance period in Article IV to February 18, 2019, and to increase the contract amount by \$37,056.00, for a total not to exceed amount of \$535,942.23; and

WHEREAS, due to continued environmental delays, the parties agree to increase the contract amount by \$16,718.00 for additional project administration and environmental services, for a total not to exceed contract amount of \$552,660.23.

#### AGREEMENT

NOW, therefore, the City and Consultant hereby agree to amend the Agreement as follows:

1. Exhibit A, Consultants Cost Proposal, is hereby amended to increase the contract amount by \$16,718.00, for an amount not to exceed \$552,660.23, as set forth in Exhibit A to this amendment, attached hereto and incorporated herein.

2. Exhibit B, Consultants Scope of Services, is hereby amended to include Consultant's performance of additional Project Coordination and Tasks, as set forth in Exhibit B to this amendment, attached hereto and incorporated herein.

Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is a conflict between this Amendment and the Agreement, the terms of this Amendment will prevail.

Executed as of the day first above stated:

CITY OF ROCKLIN  
A Municipal Corporation

By: \_\_\_\_\_  
Steve Rudolph, City Manager

CONSULTANT

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

APPROVED AS TO FORM:

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Sheri Chapman  
City Attorney

ATTEST:

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Mona Forster  
City Clerk

**EXHIBIT A  
CONSULTANT'S COST PROPOSAL**

The City of Rocklin agrees to pay Consultant a fee not to exceed \$552,660.23. See below for cost breakdown of additional services to be performed pursuant to this Amendment:

Attachment A				
Contract Amendment A04				
Task	Description	Contract Fee (per Amendment A-3)	Amendment No. 4	Total
1	Project Management	\$ 73,233.42		\$ 73,233.42
2	Surveying, Potholling, ROW Maps	\$ 37,287.02		\$ 37,287.02
3	Preliminary Engineering	\$ 52,889.15		\$ 52,889.15
4	Environmental Services	\$ 140,108.04		\$ 156,826.04
	A04 - Caltrans Section 106 Documentation		\$ 16,718.00	
5	Right of Way Support	\$ 40,337.55		\$ 40,337.55
6	Utility Support Services	\$ 10,041.75		\$ 10,041.75
7	Finalize Design & Bid	\$ 129,669.75		\$ 129,669.75
8	Prepare Record Dwgs	\$ 5,002.46		\$ 5,002.46
	Misc Cost	\$ 230.00		\$ 230.00
	<i>Fee Subtotal</i>	\$ 488,799.14	\$ 16,718.00	\$ 505,517.14
	Contingency	\$ 47,143.09		\$ 47,143.09
	<i>Total Fee (Subtotal + Contingency)</i>	\$ 535,942.23	<b>\$ 16,718.00</b>	<b>\$ 552,660.23</b>
	Total Requested Budget Amendment:			<b>\$ 16,718.00</b>

**EXHIBIT B**  
**CONSULTANT'S SCOPE OF SERVICES**

In addition to the scope of services set forth in the Agreement and subsequent amendments thereto, Consultant agrees to perform additional Project Coordination and Tasks set forth below at the costs set forth in Exhibit A to this Amendment:

**Task 4.3 NEPA Compliance and the contract costs are hereby supplemented as follows:**

**(A04) Task 4.3.2 Caltrans 106 Documentation**

InContext will coordinate with Caltrans Headquarters on the comments received and will revise and resubmit the following documents:

- Historic Preservation Survey Report (HPSR)
- Finding Of Effect (FOE)
- Environmentally Sensitive Area (ESA) Action Plan
- Archaeological Evaluation Report (AER)
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InContext will prepare and submit the Late Discovery Plan, as required by Caltrans Headquarters comments.

InContext will address minor comments received on the resubmitted documents and resubmit to SHPO for approval.