



Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Brandie Ayala, Administrative Analyst

Reviewed by: Rob DuBoux, Public Works Director/City Engineer

Approved by: Steve McClary, City Manager

Date prepared: June 2, 2023 Meeting date: July 10, 2023

Subject: Amendment to Professional Services Agreement for On-Call Traffic Engineering Services

RECOMMENDED ACTION: Authorize the Mayor to execute Amendment No.1 to Professional Services Agreement with Kimley Horn & Associates, Inc. for On-Call Traffic Engineering Services to extend the term of the existing agreement for one-year and update the rates.

FISCAL IMPACT: No appropriation is required. Funding for this agreement is included in the Adopted Budget for FY 2023-24 in Account No.100-3008-5125 (Professional Services). The agreement amount is per the updated rates attached to the amendment and is based on an hourly rate for services rendered.

WORK PLAN: This item was not included in the Adopted Work Plan for FY 2022-23. This project is part of normal staff operations. Staff continue to work on ongoing projects and normal business while the FY 2023-24 Work Plan is finalized.

DISCUSSION: The On-Call Traffic Engineering Services agreement provides various traffic engineering services to the City, including traffic development reviews, evaluating existing traffic conditions and providing recommendations, and assisting the City with developing specific traffic engineering standards.

On August 24, 2020, the City entered into an agreement with Kimley Horn & Associates to provide On-Call Traffic Engineering Services. This agreement has been used for a variety of traffic engineering services including reviewing traffic reports for proposed

development, conducting an engineering speed study, evaluating request for new stop signs, and collecting traffic data throughout the City.

Kimley Horn & Associates has performed successfully with the tasks assigned to them. The term of the agreement is scheduled to expire on August 24 and Amendment No. 1 will extend the term of the agreement for one additional year.

Staff recommends the City Council approve Amendment No. 1 to Agreement with Kimley Horn & Associates extending the term of the agreement for one year and updating their rate schedule.

ATTACHMENTS:

1. Amendment No. 1 to Agreement with Kimley Horn & Associates, Inc.

AMENDMENT NO. 1 TO AGREEMENT

THIS AMENDMENT NO. 1 TO AGREEMENT is made and entered in the City of Malibu on July 10, 2023, by and between the CITY OF MALIBU, hereinafter referred to as City, and Kimley-Horn and Associates, Inc. hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

RECITALS

A. On August 24, 2020, the City entered into an Agreement with Consultant for On-Call Traffic Engineering Services (the "Agreement").

B. The City desires to amend the Agreement to extend the term of the Agreement and update the rate schedule.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

1. Section 2.0 – Term of Agreement, of the Agreement, is hereby extended to August 24, 2024.
2. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended as set forth in Exhibit B attached hereto.
3. The Parties agree that this Amendment will be considered signed when the signature of a party is delivered physically or by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.
4. All terms and conditions of the Agreement not amended by this Amendment No. 1 remain in full force and effect.

This Agreement is executed on _____, at Malibu, California, and effective as of August 24, 2023.

CITY OF MALIBU:

BRUCE SILVERSTEIN, Mayor

ATTEST:


KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

TREVOR RUSIN, Interim City Attorney

CONSULTANT:

DocuSigned by:


By: Sri Chakravarthy
Title: Vice President/ P.E. 73629

EXHIBIT B

Compensation Schedule

KIMLEY-HORN AND ASSOCIATES, INC.

HOURLY BILLING RATES

SUPPORT STAFF	\$110.00
DESIGNER	\$145.00
ANALYST I	\$135.00
ANALYST II	\$155.00
PROJECT SUPPORT STAFF	\$160.00
PROFESSIONAL I	\$180.00
PROFESSIONAL II	\$210.00
PROFESSIONAL III	\$235.00
SENIOR PROFESSIONAL I	\$270.00
SENIOR PROFESSIONAL II	\$300.00

EXPENSES

OFFICE EXPENSES (Allocation)..... 5%
(Covers direct expenses, such as in-house duplicating and blueprinting, local mileage, telephone calls, electronic messaging, postage, and word processing)

Other Direct Costs: Outside Printing/Reproduction, Delivery Services/USPS, Misc. Field Equipment/Supplies, and Travel Expenses will be billed at cost plus 10%. Mileage will be billed at the Federal Rate.

Subconsultants: Billed at cost plus 10%.