



# 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 Agreements for On-Call Civil Engineering Services

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**RECOMMENDED ACTION:** Authorize the Mayor to execute Amendment No. 1 to Professional Services Agreement with Kimley Horn & Associates, Inc. and Amendment No. 1 to Professional Services Agreement with Kasraie Consulting for On-Call Civil Engineering Services to extend the term of the existing agreements 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.100-3008-5100 (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 Civil Engineering Services agreements provide various engineering services to the City, including plan checking and civil engineering design services.

On August 10, 2020 the City entered into agreements with Kimley Horn & Associates and Kasraie Consulting to provide On-Call Civil Engineering Services. These agreements have been used for a variety of engineering services including updating the City's Pavement Management Plan, civil engineering design services for Bluffs Park Walkway

Repairs, Harbor Vista Drive and Malibu Canyon Road intersection improvements, and Annual Street Maintenance projects, several disaster recover projects, providing engineering grant assistance, and performing plan checking services.

Kimley Horn & Associates and Kasraie Consulting have performed successfully with the tasks assigned to them. The term of these agreements is scheduled to expire on August 10 and Amendment No. 1 will extend the term of the agreements for one additional year.

Staff recommends the City Council approve Amendment No. 1 to Agreement with Kimley Horn & Associates and Amendment No. 1 to Agreement with Kasraie Consulting.

ATTACHMENTS:

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

## 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 10, 2020, the City entered into an Agreement with Consultant for On-Call Civil Engineering Services (the "Agreement").

B. The City desires to amend the Agreement extending 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 10, 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  
*Sri Chakravarty*  
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\_\_\_\_\_  
By: Sri Chakravarty  
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%.

## 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 Kasraie Consulting, hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

### RECITALS

A. On August 10, 2020, the City entered into an Agreement with Consultant for On-Call Civil Engineering Services (the "Agreement").

B. The City desires to amend the Agreement extending 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:

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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 10, 2023.

CITY OF MALIBU:

\_\_\_\_\_  
PAUL GRISANTI, 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:

  
\_\_\_\_\_  
By: Hassan Kasraie, Kasraie Consulting  
Title: President

**KASRAIE CONSULTING**

Ventura, CA 93003

Phone: (805) 340-4744

Email: kasraie@kasraieconsulting.com | www.KasraieConsulting.com

**CITY OF MALIBU**  
**PUBLIC WORKS PROJECTS**  
**RATE SHEET**

July 1, 2023 through December 31, 2024

	POSITION TITLE	HOURLY BILLING RATES
1	Principal Project Manager	\$224
2	Senior Project Manager	\$213
3	Senior Project Engineer	\$202
4	Senior Civil Engineer/Senior Hydrologist	\$175
5	Civil Engineer / Water Resource Engineer / Hydrologist	\$142
6	GIS Specialist	\$131
7	Engineering Technician/CAD Operator	\$115
8	Office Support/Admin Staff	\$79

**MISCELLANEOUS**

Printing, reproduction, postage, delivery, and other services

At Cost

Mileage outside Ventura County

At Current IRS Rate

Subconsultant Markup

15 Percent

Other direct and miscellaneous charges encountered in performance of services, such as permits, supplies not normally used to perform a specific job, etc. are billed at cost with no additional service charge.