



# Council Agenda Report

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

Prepared by: Jorge Rubalcava, Senior Civil Engineer

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

Approved by: Steve McClary, Interim City Manager

Date prepared: June 9, 2021 Meeting date: June 28, 2021

Subject: Amendment to Professional Services Agreement with Kimley-Horn and Associates, Inc.

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**RECOMMENDED ACTION:** Authorize the Mayor to execute Amendment No. 4 to the Professional Services Agreement with Kimley-Horn and Associates, Inc. (KHA) extending the term of the agreement for an additional year to expire July 1, 2022, and increasing the Compensation for Services in the amount of \$40,000 for a total not to exceed \$408,000 for continued engineering plan check services on Woolsey Fire Rebuild projects.

**FISCAL IMPACT:** Funding for this agreement has been included in the Proposed Budget for Fiscal Year 2021-2022 in Account Number 102-3002-5100.04 (Woolsey Fire Operations – Public Works Fire Rebuilds).

**WORK PLAN:** This item was included as Item 2a in the Adopted Work Plan for Fiscal Year 2020-2021 and the proposed Work Plan for Fiscal Year 2021-2022.

**DISCUSSION:** On July 1, 2019, the City entered into an agreement with KHA for engineering plan check services on Woolsey Fire Rebuild projects. On October 28, 2019, the City Council authorized an amendment to the agreement to include additional services for a total not to exceed \$74,500. On January 27, 2020, the City Council authorized a second amendment to the agreement to include additional services in the amount of \$48,500 for a total not to exceed \$123,000. On September 14, 2020, the Council approved amending the agreement for additional services in the amount of \$245,000 for a total not to exceed \$368,000.

Staff recommends Council approve Amendment No. 4 to the agreement with KHA extending the term of the agreement an additional year to expire on July 1, 2022 and increase the compensation in the amount of \$40,000 for a total not to exceed \$408,000.

ATTACHMENTS: Amendment No. 4 to Professional Services Agreement with Kimley-Horn and Associates, Inc.

**AMENDMENT NO. 4 TO AGREEMENT**

THIS AMENDMENT NO. 4 TO AGREEMENT is made and entered in the City of Malibu on June 28, 2021, 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 July 1, 2019, the City entered into an Agreement with Consultant for engineering plan check services on the Woolsey Fire Rebuild projects (the "Agreement").
- B. On October 28, 2019, the City amended the agreement to include additional services for a total not to exceed \$74,500.
- C. On January 27, 2020, the City amended the agreement to include additional services in the amount of \$48,500 for a total not to exceed \$123,000.
- D. On September 14, 2020, the City amended the agreement to include additional plan checking services in the amount of \$245,000 for a total not to exceed \$368,000.
- E. The City desires to amend the Agreement to increase the compensation of services and extend the term of the Agreement, and Consultant has submitted a proposal for this purpose that is acceptable to the City.

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 July 1, 2022.
- 2. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended in the amount of \$40,000 for a total not to exceed \$408,000.
- 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. 4 remain in full force and effect.

This Agreement is executed on \_\_\_\_\_, 2021, at Malibu, California, and effective as of July 1, 2021.

CITY OF MALIBU:

\_\_\_\_\_  
PAUL GRISANTI, Mayor

ATTEST:

\_\_\_\_\_  
KELSEY PETTIJOHN, Acting City Clerk  
(seal)

APPROVED AS TO FORM:

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

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JOHN COTTI, Interim City Attorney

CONSULTANT:

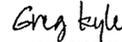


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By: Sri Chakravarthy  
Title: Vice President

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DocuSigned by:



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By: Greg S. Kyle  
Title: Senior Vice President

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