

4. Amendment to Professional Services Agreement with Integrated Performance Consultants, Inc.

Recommended Action: Authorize the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Integrated Performance Consultants, Inc. (IPC) for operations, maintenance, and management services at Civic Center and Paradise Cove Stormwater Treatment Facilities.



# Council Agenda Report

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

Prepared by: Travis Hart, Deputy Public Works Director

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

Approved by: Steve McClary, City Manager

Date prepared: April 11, 2024 Meeting date: May 13, 2024

Subject: Amendment to Professional Services Agreement with Integrated Performance Consultants, Inc.

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**RECOMMENDED ACTION:** Authorize the Mayor to execute Amendment No. 2 to the Professional Services Agreement with Integrated Performance Consultants, Inc. (IPC) for operations, maintenance, and management services at Civic Center and Paradise Cove Stormwater Treatment Facilities.

**FISCAL IMPACT:** Funding for this agreement is included in the Adopted Budget for FY 2023-24 in Account No. 100-3007-5610 (Civic Center) and 100-3007-5610-01 (Paradise Cove). This amendment does not modify the compensation of this agreement.

**STRATEGIC PRIORITY:** This item is part of the day-to-day operations identified in the Adopted FY 2023-24 Strategic Priority Project List.

**DISCUSSION:** The City owns and operates two separate stormwater treatment facilities, the Civic Center Stormwater Treatment Facility and the Paradise Cove Stormwater Treatment Facility. The Civic Center Stormwater Treatment Facility, including two pump stations located on Cross Creek Road and near the Malibu Lagoon were constructed in 2007. The Paradise Cove Stormwater Treatment Facility was constructed in 2010. These facilities capture, filter, and disinfect stormwater flows. Routine maintenance services are required at each facility to insure effective and efficient operation.

On February 1, 2018, the City issued a Request for Qualifications/Proposals (RFQ/P) for the operation, maintenance and management of the Civic Center and Paradise Cove Stormwater Treatment Facilities. On May 14, 2018, the City entered into an agreement for

professional services with IPC for both Stormwater Treatment Facilities. On April 26, 2021 Council approved Amendment No. 1 extending the term of the agreement through May 14, 2024. IPC has continued to perform satisfactory service and management over the last six years and this amendment will allow IPC to continue such services.

Staff recommends Council approve Amendment No. 2 to Agreement with IPC extending the term of the agreement for an additional one year. This amendment will not modify the compensation schedule of the agreement.

ATTACHMENTS: Amendment No. 2 to Agreement with IPC, Inc.

## AMENDMENT NO. 2 TO AGREEMENT

THIS AMENDMENT NO. 2 TO AGREEMENT is made and entered in the City of Malibu on May 13, 2024, by and between the CITY OF MALIBU, hereinafter referred to as City, and Integrated Performance Consultants, Inc., hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

### **RECITALS**

- A. On May 14, 2018, the City entered into an Agreement with Consultant for operation, maintenance and management of the Civic Center and Paradise Cove Stormwater Treatment Facilities (the "Agreement").
- B. On April 26, 2021, the City amended the Agreement to extend the term of the Agreement.
- C. The City desires to amend the Agreement to extend the term of the Agreement.

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 May 14, 2025.
- 2. 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.
- 3. All terms and conditions of the Agreement not amended by this Amendment No. 2 remain in full force and effect.

This Agreement is executed on \_\_\_\_\_, at Malibu, California, and effective as of May 14, 2024.

CITY OF MALIBU:

\_\_\_\_\_  
STEVE UHRING, 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: Mardi Meadors  
Title: President