

**THIRD AMENDMENT TO CONSULTANT SERVICES CONTRACT
BETWEEN THE CITY OF WATSONVILLE
AND MESITI-MILLER ENGINEERING, INC.**

THIS THIRD AMENDMENT TO CONTRACT for consultant services is entered into by and between the **City of Watsonville** ("City") and **Mesiti-Miller Engineering, Inc.** ("Consultant") this _____. The City and Consultant agree as follows:

RECITALS

WHEREAS, the City and Consultant have previously executed a Consultant Services Contract to revise for On-Call Engineering Design Services for the Lee Road Trail Project dated October 6, 2021; and

WHEREAS, the City and Consultant have executed a contract in the amount of \$95,748 for the design of the Lee Road Trail Project Phase 1 on October 6, 2021; and

WHEREAS, the City and Consultant have executed Amendment No. 1 to said Consultant Services Agreement to extend terms of contract to December 31, 2024; and

WHEREAS, the City and Consultant have executed Amendment No. 2 to said Consultant Services Agreement to add additional tasks of work and extend terms of contract to December 31, 2025; and

WHEREAS, the City has added additional task to the work program of the Consultant causing additional cost and time to the project completion; and

WHEREAS, the third amendment of the Contract for Consultant Services is in the best interest of the City of Watsonville.

NOW, THEREFORE, the City and the Consultant agree that the Contract shall be amended as follows:

Section 1 is hereby amended to add the following:

“Section 1. Scope of Services. In addition to the performance of services specified in detail in Exhibit "A" and “Exhibit 1” of the second amendment of the Contract, the additional service as specified in detail in Exhibit "A," entitled THIRD AMENDMENT TO SCOPE OF SERVICES, will be added, which is attached hereto and incorporated herein.”

Section 3 is hereby amended to read:

“In addition to the schedule of performance of services specified in detail in Exhibit “B” of contract, consultant shall perform a schedule specified in detail in the following and incorporated herein:

- 1. 99% submittal of Plans and specs and review period for Partners and Agencies July 20 to August 20, 2024.***
- 2. 100% submittal of Plans and Specifications to Agencies and City for permits - September 16, 2024.***

“Exhibit C” is hereby amended to read:

“Exhibit C” Compensation. Paragraph a. Total Compensation. The total obligation of City under this Contract is increased in a not-to-exceed amount of \$88,704 for a total obligation of \$188,702 as described below:

<i>Original Contract Amount</i>	<i>\$ 95,748</i>
<i>Amendment No. 2</i>	<i>\$ 4,250</i>
<i>Exhibit “A” Amend. 3</i>	<i>\$ 80,640</i>
<i><u>Additional Services not included in Exhibit “A”</u></i>	<i><u>\$ 8,064</u></i>

<i>Total Obligation under this contract</i>	<i>\$188,702</i>
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Furthermore, “Exhibit C” Compensation. Second paragraph of Paragraph item b . Basis of Payment. As described in the attached letter, dated June 24, 2024, from Rodney Cahill to Eda Herrera concerning the Contract Amendment no. 3- Lee Road Trail Design Phase 1 for Engineering Services during Permitting and Construction MME Project No.: 18196:P5

All other terms and conditions of the Contract dated October 6, 2021, as amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this ~~Second~~^{Third} Amendment to Consultant Services Contract the day and year first hereinabove written.

CITY OF WATSONVILLE

By _____
Tamara Vides, Interim City Manager

MESITI-MILLER ENGINEERING, INC

By Rodney Cahill
Rodney Cahill, Principal

ATTEST:

By _____
Irwin I. Ortiz, City Clerk

APPROVED AS TO FORM:

By _____
Samantha Zutler, City Attorney

EXHIBIT "A"

THIRD AMENDMENT TO SCOPE OF SERVICES

The scope of services is as follows:

As described in the attached letter, dated June 24, 2024, from Rodney Cahill to Eda Herrera regarding and titled, "Contract Amendment No. 3- Lee Road Trail Design Phase 1 for Engineering Services During Permitting and Construction MME Project No.: 18196:P5".

See Attachment labeled **"EXHIBIT A1"**, for third amendment scope of services.



June 24, 2024

Eda Herrera

Project Manager

City of Watsonville Public Works, Engineering Department

250 Main Street, Watsonville, Ca 95076

Re: Contract Amendment 3 - Lee Road Trail Design Phase 1 for Engineering Services During Permitting and Construction

MME Project No: 18196:P5

Dear Eda,

Thank you for asking MME to present this amendment to our existing agreement dated 10/6/2021, for the following additional services. As you know, this project has multi-layered approvals process due to the number of jurisdictions and partners with oversight.

1. Engineering Support During Permitting Approvals. City currently estimates four months of permitting approvals ahead from June through September 2024. 99% PS&E due July 12. 100% due 3wks after comments received. Work items:
 - a. Review County of Santa Cruz Conditions of Approval and incorporate into 100% Construction Documents. Revise silt and ESA fencing layout in accordance with upcoming site visits by City and Ecosystems West. Indicate sensitive habitat locations on plans and surround with ESA fence
 - b. Update plans to include County Mitigation Measures that may include fencing and notes.
 - c. Update Erosion Control Seed Mix to match the native site-specific mix provided by Eco-systems West
 - d. Coordinate with the Geotechnical Engineer to share plans and specifications and estimate for review and secure a plan review letter
 - e. Prepare an impervious area figure for County of Santa Cruz drainage fee calculation
 - f. Prepare miscellaneous exhibits from the Caltrans Local Assistance Procedures Manual that may be requested by the City of Caltrans. Update the technical specifications to the current version of Caltrans
 - g. Revise plans per California Department of Fish and Wildlife comments, that have yet to be provided.
 - h. Add a SWPPP requirement to the Construction Cost Estimate and Specs for the contractor to prepare
 - i. Layout and adjust the staging area to avoid driving under overhead utilities and make notes regarding removing and replacing fences



2. Engineering support during Bidding and Pre-Construction over a period of approximately three months from October 2024 to December 2025.
 - a. Bid addendums during procurement
 - b. Prepare temporary construction easement details per City direction. Does not include any official surveyor-signed documents.
3. Engineering Support During Construction, City currently estimates six months of construction from April 2025 through September 2025. Work items include:
 - a. Participate in two additional meetings during construction.
 - b. Review submittals when necessary.
 - c. Prepare as-built plans based on contractor markups of bid documents.

For clarity, our scope does not include biological services, archeological services, coastal commission permitting, final bridge designs, interfacing directly or applicant services with the permitting agencies, construction inspection, daily construction management, prevailing wage monitoring, negotiation of change orders, resident engineer services, materials testing, and so forth.

Compensation

As in our original agreement, compensation for all services rendered in connection with this project will be based on time and expenses. Charges will be in accordance with our current 2024 Standard Billing Rates, attached.

Due to the uncertain nature of the Scope of Work and schedule, the precise fee is difficult to estimate so we have estimated a Not to Exceed figure.

1. Approval Process Support
Approximately four months June through September of support during the approval process, and that this may take approximately two days per week of Engineer III services at a rate of \$11,520 per month, or \$46,080.
2. Bidding and Preconstruction Support
Approximately three months from October through December of support during the bidding and preconstruction process, and that this may take approximately one half day per week of services at rate of \$2,880 per month, or \$8,640.
3. Approximately 6 months of Engineering Services During Construction from April 2025 through September 2025 at a rate of three days per month, \$4,320 per month, or \$25,920.
4. Based on information available to us at this time, it is our opinion the probable cost of our additional services will not exceed \$80,640.

We look forward to working together with you to build this first phase of the trail project. Should you have any questions please call me.

Rodney Cahill, P.E.
Principal



Billing Rates 2024

Effective through December 31, 2024
Increase 4% for 2025

Professional Services

Engineer I	\$ 140 / hour
Engineer II	\$ 160 / hour
Engineer III	\$ 180 / hour
Engineer IV	\$ 200 / hour
Engineer V	\$ 220 / hour
Engineer VI	\$ 240 / hour
Principal Engineer	\$ 260 / hour
Expert Witness Services	\$ 400 / hour
Technician I	\$ 80 / hour
Technician II	\$ 100 / hour
Technician III	\$ 120 / hour
Technician IV	\$ 140 / hour
Administrative Assistant	\$ 100 / hour
Administrative Manager	\$ 140 / hour

Field Survey (Prevailing Wage)

Chief of Party	\$235 / hour
Instrumentman	\$225 / hour
Chainman / Rodman	\$215 / hour
Flagperson / Pedestrian Monitor	\$170 / hour

Reimbursable Expenses

Sub-Consultants	Direct Billing x 1.10
Outside Services	Direct Cost x 1.15
Printing, delivery, equipment rental and other direct project expenses	
In-House Services	
Photocopies	\$ 0.10 sheet
Plotting	-internal check plots / plots on bond \$ 2.00 sheet
	-final plots on mylar \$ 10.00 sheet
Travel	
Automobile mileage	\$ 0.67 mile
Airfare, Car Rental, etc.	Direct Cost x 1.15
Per Diem Allowance (varies by location)	\$ 200/day

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