

**RESOLUTION NO. \_\_\_\_\_ (CM)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING FIFTH AMENDMENT TO CONTRACT BETWEEN THE CITY OF WATSONVILLE AND HARRIS & ASSOCIATES, INC., A CORPORATION, FOR ENVIRONMENTAL CONSULTANT SERVICES FOR THE LEE ROAD TRAIL PROJECT, NO. CT-19-01; EXTENDING THE TERM OF THE CONTRACT; ADDING TO SCOPE OF WORK, INCREASING COMPENSATION IN THE AMOUNT OF \$4,000; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE SAME**

**WHEREAS**, on May 14, 2019, Council adopted Resolution No. 66-19 (CM) approving Contract for Consultant Services with Harris & Associates, Inc., for environmental consultant services for the Lee Road Trail Project, No. CT-19-01, in an amount not to exceed \$119,144.74; and

**WHEREAS**, on August 25, 2020, Council adopted Resolution No. 143-20 (CM) approving First Amendment to Contract with Harris & Associates, Inc., adding to the scope of work, increasing the total contract amount to \$42,879.50, and extending the completion date to December 31, 2021; and

**WHEREAS**, on July 6, 2021, Council adopted Resolution No. 186-21 (CM) and approving Second Amendment to Contract with Harris & Associates, Inc. adding to the scope of work, increasing the total contract amount \$27,150.00, and extending the completion date to June 30, 2022; and

**WHEREAS**, on March 3, 2022, Council adopted Resolution No. 43-22 (CM) approving Third Amendment to Contract with Harris & Associates, Inc. adding to the scope of work, increasing the total contract amount \$112,948.00, and extending the completion date to June 30, 2023; and

**WHEREAS**, On April 28, 2023, Council adopted Resolution No. 63-23 (CM) approving Fourth Amendment to Contract with Harris & Associates, Inc. extending the completion date to June 30, 2024; and

**WHEREAS**, § 3-5.170 of the Municipal Code provides that amendments to contracts that reasonably relate to the scope of the original contract, are based on post-award information that requires modification of the contract based on unforeseen conditions and were originally approved by Council shall be approved by Council.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WATSONVILLE, CALIFORNIA, AS FOLLOWS:**

1. This action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15378(b)(5), in that adopting a Resolution amending a contract to Harris and Associates, Inc. for the Lee Road Trail project does not meet CEQA's definition of a "project," because the action does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and if a "project," is exempt under the "common sense" exception (14 Cal. Code Regs. § 15061(b)(3)) because it can be seen with certainty that there is no possibility that this action may have a significant effect on the environment.

2. This Fifth Amendment to Contract between the City of Watsonville and Harris & Associates, Inc., a corporation, a copy of which is attached hereto and incorporated herein by this reference, is hereby approved.

3. The City Manager is hereby authorized and directed to execute said Fifth Amendment for and on behalf of the City of Watsonville with minor revisions that may be approved by the City Manager and the City Attorney.

\*\*\*\*\*