

RESOLUTION NO. _____ (CM)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WATSONVILLE APPROVING FOURTH AMENDMENT TO CONTRACT BETWEEN THE CITY OF WATSONVILLE AND HARRIS & ASSOCIATES, A CORPORATION, EXTENDING THE TERM OF THE CONTRACT TO JUNE 30, 2023, FOR DESIGN OF THE NEXT PHASE OF THE RAILTRAIL; AND AUTHORIZING AND DIRECTING THE CITY MANAGER PRO TEMPORE TO EXECUTE SAME

WHEREAS, on May 22, 2018, Council adopted Resolution No. 76-18 (CM) approving Contract for Consultant Services with Harris & Associates, for preparation of improvement plans for the Rail Tail, in an amount not to exceed \$121,665; and

WHEREAS, On December 10, 2019, Council adopted Resolution No. 183-19 (CM) approving the First Contract Amendment with Harris & Associates, Inc., increasing the cost by \$207,445, bringing the total contract amount to \$329,110 and extending the term of the contract from June 30, 2020 to June 30, 2022; and

WHEREAS, on March 9, 2021, Council adopted Resolution No. 69-21 (CM) approving the Second Contract Amendment with Harris & Associates, Inc., increasing the cost by \$13,992 and bringing the total contract amount to \$343,102; and

WHEREAS, on March 9, 2021, Council adopted Resolution No. 70-21 (CM) approving the Third Contract Amendment with Harris & Associates, Inc., increasing the cost by \$14,784 and bringing the total contract amount to \$357,886.

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; and

WHEREAS, this Fourth Contract Amendment will extend the contract term from June 30, 2022, to June 30, 2023.

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 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 Fourth Contract Amendment 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 Pro Tempore is hereby authorized and directed to execute said Fourth Amendment for and on behalf of the City of Watsonville with minor revisions that may be approved by the City Manager Pro Tempore and the City Attorney.
