

**THIRD AMENDMENT TO PROJECT SPECIFIC AGREEMENT FOR ON-CALL
PROFESSIONAL CONSULTANT SERVICES FOR
SUNNYMEAD MDP LINE F AND LINE F-7
PROJECT NO. 804 0008**

This Third Amendment to Agreement is made and entered into this ____ day of _____ 2023 ("Effective Date"), by and between the City of Moreno Valley, a municipal corporation in the County of Riverside, State of California, hereinafter referred to as the "City," and **WSP USA Inc**, a New York corporation, hereinafter referred to as "Consultant."

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "PROJECT SPECIFIC AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated September 28, 2020.

Whereas, the Consultant is providing Professional Consultant Design Services for the **Sunnymead MDP Line F and Line F-7, Project No. 804 0008.**

Whereas, the Agreement was amended by the "First Amendment to Agreement for Professional Consultant Services" dated January 11, 2021.

Whereas, the Agreement was amended by the "Second Amendment to Agreement for Professional Consultant Services" dated January 5, 2022.

Whereas, it is desirable to amend the Agreement to extend the Agreement termination date, modify the scope of the work, and modify the payment terms as is more particularly described in Section 1 of this Third Amendment.

Whereas, the Consultant has submitted a Proposal for additional services dated July 20, 2023, for the Sunnymead MDP Lines F and Line F-7 scope of work to be performed. A copy of the said Proposal is attached as Exhibit "A" and is incorporated herein by this reference.

**THIRD AMENDMENT TO PROJECT SPECIFIC AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 804 0008**

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date is extended from December 31, 2023, to **December 31, 2024**, unless the termination date is further extended by an Amendment to the Agreement.

1.2 Exhibit "B" to the Agreement is hereby amended by modifying the scope of work section described in said "Exhibit A – Third Amendment."

1.3 Exhibit "D" to the Agreement is hereby further amended by adding the cost as included in "Exhibit A" of this Third Amendment.

1.4 The total "Not-to-Exceed" fee for this contract is \$603,970 (\$30,230.00 for the Original Agreement, \$44,566.00 for the First Amendment, \$404,919.00 for the Second Amendment, plus \$124,225.00 for the Third Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW:

**THIRD AMENDMENT TO PROJECT SPECIFIC AGREEMENT FOR
PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 804 0008**

IN WITNESS HEREOF, the parties have each caused their authorized representative to execute this Agreement.

City of Moreno Valley

WSP USA Inc

BY: _____

Mike Lee, City Manager

Date

BY: _____

TITLE: _____

(President or Vice President)

Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

City Attorney

Date

RECOMMENDED FOR APPROVAL:

Public Works Director/City Engineer

Date

BY: _____

TITLE: _____

(Corporate Secretary)

Date

Enclosures: Exhibit "A" – Consultant Proposal for Additional Services



EXHIBIT "A"

July 20, 2023

Josh Frohman, P.E., Senior Engineer
City of Moreno Valley, Public Works
14177 Frederick St.
Moreno Valley, CA 92553

SUBJECT: Sunnymead MDP SD Lines F and F-7, Project No. 804 0008
Request for Additional Services for Final Design, Environmental
Clearance and Permitting

Dear Mr. Frohman:

Please accept this letter as a request for additional services the Sunnymead MDP Storm Drain Lines F and F-7 in the City of Moreno Valley, California. This request is necessary for the 100% completion of the design per our last meeting with RCFC&WCD, additional environmental coordination for the approval of the project's CEQA documentation, and per a request from the City.

Scope of Work:

1. Additional effort related to CEQA, Technical Studies and assistance to the City for stakeholder coordination for Biological, Cultural (Tribal), and Jurisdictional Delineation

- Additional coordination with the City for authorization of rights of entry for the private parcels associated with the project, including the parcels affected by the construction of the storm drain line and storm water retention basin, and the parcels to be used for construction staging. The property owners were previously identified, but the rights-of-entry from them were not acquired. The task to acquire these rights of entry was not included in previous scopes of work. Since this effort needed to be undertaken, we need to request budget for this effort.
- Additional offsite parcels to be environmentally cleared for use in construction staging. As a part of the WSP process, WSP needed to clear any potential offsite parcels that would be used for construction staging by the contractor. Clearing these offsite parcels is essential for the WSP process as this will be required and WSP would not want the environmental footprint to be expanded after the approval of the documents. WSP did not anticipate the need for the detailed refinement of the offsite staging areas to clear these parcels in the original proposal.
- Oversight and coordination with the Environmental Subconsultants. WSP had various internal and external teams assisting us with the technical studies. These teams need additional engineering and construction activity exhibits from the engineering team to complete their technical studies. This additional effort was not originally anticipated.
- From our last meeting with the City's environmental planners, it was identified that our subconsultant, ECORP, will need additional budget to complete the DBESP tasks that resulted from the determination of the environmental technical studies and identification of environmental impacts.

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San Bernardino, CA 92408

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wsp.com



Estimate of hours:	70
Labor:	\$13,315
<u>Subconsultants:</u>	<u>\$22,945</u>
Total:	\$36,260

2. Revise the storm drain plans per the 60% design review meeting with RCFC&WCD:

- Convert the project from NVGD29 to NAVD88 datum. This process still needs to be completed. The steps include:
 - Get a vertical conversion between from the '29 datum to the '88 datum.
 - Change all of the reference files, including the topography, from the '29 datum elevation to the '88 datum elevation
 - Update all of the design files to the new '88 elevations.
 - Update the sheets with new elevation callout's for the plan and profile views
 - Complete a full QC of the plans to ensure all of the elevation callouts have been updated to the '88 datum.
- 18 storm drain sheets and 9 street improvement sheets will need to be updated. Revise the storm water retention basin to be in accordance with RCFC&WCD standards
 - Revise the basin side slopes
 - Revise the flow of the basin to remove the open low water channel
- Remove the south basin from the project
- RCFC&WCD did not have these comments on the 30% review, and they were new for the 60%.
- Sheets to be revised include:
 - SD-001
 - SD-100
 - SD-103
 - SD-104
 - SD-107
 - SD-108
 - SD-112
 - SD-301

Estimate of hours: 158

Fee: \$21,020

3. Compose the Legal Description and Plat Maps for the private property parcels for the construction for the storm drain improvements.

- The private property parcels include:
- APN 292-250-005, the apartment parcel. 3 total L&P's required.
- APN 292-250-013, parcel south of SR-60, east of the natural wash. 1 L&P.
- APN 292-250-012, parcel south of SR-60, east of the natural wash. 1 L&P.
- APN 292-250-020, Commercial parcel south of Sunnymead Blvd. 1 L&P
- Six (6) legals and plats total
- WSP will obtain the owner's notarized signatures. We anticipate four (4) owners that will need to be contacted for signatures.
- The City will be responsible for the acceptance certification and recording of the easement documents.

Estimate of hours: 94

Fee: \$17,745

4. Hydrology and Hydraulics (H&H) Report (PE):



- Revise the hydraulics design to account for the changes (per Task 2) in the basin
- Revise the hydraulics for the removal of the south basin
- Address the comments from RCFC&WCD to include:
 - Update hydrology exhibits to a larger scale
 - Provide verification of how flows confluence and split to different facilities at the upstream side of Sunnymead Blvd.
 - Provide additional calculations and analysis of excluded tributary area downstream of SR60:
 - Area east of Basin E, west of proposed improvements
 - Basin D limits to be extended
 - Assist the City and County with the Maintenance Agreement between said parties
 - Revise the natural channel improvements to allow for District maintenance
 - Revise the north basin to conform to District O&M standards
 - Remove south basin from project
- RCFC had the opportunity to make these same comments at the 30% submittal but that the comments were all new at the 60%.

Estimate of hours: 180

Fee: \$27,680

5. Additional Project Management, Meetings, Administration, and Quality Assurance/Quality Control for the above tasks.

- Management and coordination between the City, District, Engineering and Environmental Teams and Subconsultants.
- Additional meetings: up to 6 (anticipated)
- Administration of the project to include meeting agendas, minutes, project schedule updates, progress updates, and invoicing
- Perform QA/QC of all project deliverables

Estimate of hours: 84

Fee: \$20,820

The estimate of effort is **586 labor hours** for a total of **\$124,225** (including \$700 for ODC's).

Please review the request and let me know if you have any questions or require additional information. If the above looks acceptable, please process this request for a contract amendment. WSP will look for a written NTP to begin these tasks and the contract amendment paperwork from the City for review and approval. Once the NTP is received, WSP will create new tasks in our system and begin the design effort. For any questions, please contact Chris Turnage, Project Manager, at (909) 386-2832.

Kind regards,

Steven Yoshizumi, PE
Senior Vice President I

for Ali H. Mir, ENV SP
Vice President

CC : Chris Turnage, PE