



## CONSENT CALENDAR

### City of San Bernardino Request for Council Action

**Date:** April 17, 2024

**To:** Honorable Mayor and City Council Members

**From:** Charles A. Montoya, City Manager;  
Lynn C. Merrill, Director of Public Works

**Department:** Public Works

**Subject:** **Approve Contract Amendment No.4 with Kabbara Engineering for the Pepper Avenue Rehabilitation Project (Wards 3, 6)**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the execution of Amendment No. 4 to the Professional Services Agreement with Kabbara Engineering in the amount of \$10,000, for additional construction engineering support services, for a total contract amount of \$265,531 for Pepper Avenue Rehabilitation Project.

#### **Executive Summary**

Public Works staff are requesting the approval of Amendment No. 4 for additional construction engineering support services, including project management and coordination. The modified scope of services is required by the project due to additional services needed to provide design services support during construction. If approved, Amendment No. 4 to the Professional Services Agreement will increase the project cost by \$10,000, and authorize a contract change order, bringing the total amount of the contract to \$265,531 to complete the design phase of the project. There is no impact to the general fund with this action.

#### **Background**

Pepper Avenue from Baseline Road to Mill Street was previously identified in the City's approved Pavement Management Analysis in need of immediate rehabilitation. The project in general will consist of, but not limited, to pavement rehabilitation; grind of existing asphalt at Pepper Avenue between Baseline Road and Mill Street, for total of approximately 2 miles; repair damaged portion and overlay with new asphalt and restripe; replace damaged curb, gutter, and sidewalk within the project limits.

On February 17, 2021, the Mayor and City Council awarded a Professional

Services Agreement with Kabbara Engineering for design services for Pepper Avenue project in the amount of \$234,911.00.

On February 2, 2022, the Mayor and City Council approved Amendment No.1 to the Master Agreement, for the purpose of including additional funds for the performance of services under the Master Agreement for the amount of \$6,120.00 for a new contract amount of \$241,031.00.

On August 3, 2022, the Mayor and City Council approved Amendment No. 2 to the Master Agreement, to include additional funds for the continued performance of the services in accordance with the compensation provisions of the Master Agreement, in the amount of \$4,500.00 for a new contract amount of \$245,531.00.

On January 17, 2024, the Mayor and City Council approved Amendment No. 3 to the Master Agreement, to include additional funds for the continued performance of the services in accordance with the compensation provisions of the Master Agreement, in the amount of \$10,000.00 for a new contract amount of \$255,531.00.

### **Discussion**

Following Mayor and City Council approval of a Professional Services Agreement with Kabbara Engineering, the firm began designing the improvements to the Pepper Avenue project, finalizing the initial design in 2022. Over the past year, the Public Works Department staff met with Kabbara Engineering and received additional construction engineering support services necessary to complete the final stage of the Pepper Avenue Rehabilitation project.

Public Works Department staff met with Kabbara Engineering and received input on the requested modifications to the Project. The modifications and additional tasks include:

#### **1. Construction Engineering Support - Kabbara Engineering**

Design and construction of Pepper Ave. project are consistent with the designated use of this funding as completion of the project will support safety, reduce accidents due to potholes or uneven terrain, will be resistant to weathering and erosion, will require less maintenance and last longer. Kabbara Engineering provided a proposal for an amendment to the contract in the amount of \$10,000 to complete the project and have designed the pavement section at Pepper Ave and Rialto Ave intersection to accommodate the existing shallow cover conditions on the storm drain. Additionally, during specific project stages, the consultant assisted in calculating certain quantities to verify the contractor's estimated construction quantities, aiming to prevent change order requests.

Funding for the Project was established in FY 2020/21 City's Annual Operating Budget which included Capital Improvement Plan (CIP) SS20-010. The current balance remaining for the project is \$2,645,411.56. The total project cost breakdown is as follows:

Original Construction Contract Amount	\$234,911.00
Amendment No. 1 Amount	\$6,120.00
Amendment No. 2 Amount	\$4,500.00
Amendment No. 3 Amount	\$10,000.00
Amendment No. 4 Amount	\$10,000.00
<b>Total Project Professional Services Cost</b>	<b>\$265,531.00</b>

### **2021-2025 Strategic Targets and Goals**

This project is consistent with Key Target No.1 – Improved Operational & Financial Stability by leveraging existing resources to provide needed improvements at Pepper Avenue for safer and better traffic flow, ADA access for pedestrian safety and enhance services to the community.

### **Fiscal Impact**

There is no General Fund impact with this action. Sufficient funding is in the FY 2023/24 CIP project budget to support this change order.

### **Conclusion**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the execution of Amendment No. 4 to the Professional Services Agreement with Kabbara Engineering in the amount of \$10,000, for additional construction engineering support services, for a total contract amount of \$265,531 for Pepper Avenue Rehabilitation Project.

### **Attachments**

Attachment 1	Kabbara Engineering Amendment No. 4
Attachment 2	Kabbara Engineering Request for Amendment No. 4
Attachment 3	Professional Services Agreement with Kabbara Eng.

### **Ward:**

Third Ward

Third Ward; Sixth Ward

### **Synopsis of Previous Council Actions:**

February 17, 2021	Resolution No.2021-34 adopted agreement with Kabbara Engineering in the amount of \$234,911 to provide the design of Pepper Avenue Rehabilitation from Baseline Road to Mill Street
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February 2, 2022	Approved First Amendment to the Professional Services Agreement with Kabbara Engineering
August 3, 2022	Approved Second Amendment to the Professional Services Agreement with Kabbara Engineering
January 17, 2024	Approved Third Amendment to the Professional Services Agreement with Kabbara Engineering