

**AMENDMENT NO. 2 TO CONSULTING SERVICES AGREEMENT BETWEEN
THE CITY OF SAN LEANDRO AND
BKF ENGINEERS
FOR
MACARTHUR BLVD / SUPERIOR AVE ROUNDABOUT DESIGN PROJECT**

This **Amendment No. 2** (“Amendment”) is made by and between the City of San Leandro (“City”) and BKF Engineers (“Consultant”) (together sometimes referred to as the “Parties”) as of _____, 2018, and amends that certain Consulting Services Agreement (“Agreement”) dated May 13, 2016, between the Parties.

WHEREAS, City and Consultant have executed the Agreement, pursuant to which Consultant has provided certain consulting services to City with regard to Civil Engineering design services for the development of construction-ready plans, specifications and estimates for the MacArthur Blvd / Superior Ave Roundabout Design Project; and

WHEREAS, the Parties desire to amend the Agreement to increase the design scope of work due to an enlarged project footprint resulting from public review comments on the previous design concepts.

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Agreement as follows:

1. Section 2 of the Agreement entitled “Compensation” is hereby amended to pay Consultant a sum not to exceed ONE HUNDRED FORTY-SEVEN THOUSAND THREE HUNDRED THIRTY-FOUR DOLLARS (\$147,334.00); and

2. Exhibit A of the Agreement entitled “Scope of Services” is hereby amended to include Tasks 4A and 7 as described below:

Task 4A – Landscape Design at Opportunity Areas

The Consultant shall design additional streetscape, landscape, and irrigation improvements at the two locations that were identified as an “Opportunity Area” on the landscape conceptual drawing provided with the original proposal. The two locations labeled as an “Opportunity Area” are:

- Median to the east of the proposed roundabout between the westbound Foothill Boulevard slip lane and the lane from the westbound I-580 off-ramp
- Optional sidewalk widening into the street area in front of 735 MacArthur Blvd on the MacArthur Blvd side of the property

No additional deliverables are associated with Task 4A. The additional design work will be incorporated into deliverables associated with other tasks under this contract.

Task 7 – Right-of-way Surveying and Mapping

The Consultant shall provide additional work for surveying and mapping due to the anticipated need to acquire right-of-way from 650 MacArthur Boulevard. Work shall include the research and plotting of record

maps and deeds; additional field data collection; boundary analysis resolution; and drafting for plats, Record of Survey map, and update of the existing topographic survey.

City will provide the preliminary title report for 650 MacArthur Boulevard. Task 7 does not include any right-of-way record boundary work associated with the encroachment onto Caltrans right-of-way, since it is assumed that Caltrans and the City of San Leandro will enter into a maintenance agreement in lieu of modifying the existing right-of-way boundaries.

Deliverables

- Updated topographic survey drawing (AutoCAD and PDF format)
- Record of Survey map (AutoCAD and PDF format)
- Plat and legal description for right-of-way acquisition (signed and stamped hardcopy)
- Plat and legal description for temporary construction easement (signed and stamped hardcopy)

3. Exhibit B of the Agreement entitled "Compensation Schedule & Reimbursable Expenses" is hereby amended to read as follows to reflect the addition of Tasks 4A and 7 and also the increased costs for other tasks due to the expanded project footprint and new right-of-way impacts to 650 MacArthur Boulevard:

Compensation for the work identified in Exhibit A shall not exceed \$147,334.00 as outlined below:

Design Fees – BKF Engineers			
	Cost per original contract and Amendment #1	Amendment #2 Cost	Task Total
Task 1 – Project Management and Coordination	\$6,211.00	\$824.00	\$7,035.00
Task 2 – Preliminary Studies, Investigations, and Design	\$19,376.00	\$2,985.00	\$22,361.00
Task 3 – Geometric Approval Drawing	\$3,023.00	\$0.00	\$3,023.00
Task 3A – Intersection Design Alternatives	\$11,154.00	\$0.00	\$11,154.00
Task 4 – 70% PS&E	\$22,776.00	\$6,690.00	\$29,466.00
Task 5 – 100% PS&E	\$11,243.00	\$1,869.00	\$13,112.00
Task 6 – Final PS&E	\$8,641.00	\$1,057.00	\$9,698.00
Task 7 – Right-of-way Surveying and Mapping**	\$0.00	\$22,101.00	\$22,101.00
Subtotal (BKF Engineers):	\$82,424.00	\$35,526.00	\$117,950.00
Design Fees – Harris Design			
	Cost per original contract and Amendment #1	Amendment #2 Cost	Task Total
Task 1 – Project Management and Coordination	\$2,250.00	\$0.00	\$2,250.00
Task 2 – Preliminary Studies, Investigations, and Design	\$1,190.00	\$0.00	\$1,190.00
Task 3 – Geometric Approval Drawing	\$4,900.00	\$0.00	\$4,900.00
Task 4 – 70% PS&E	\$10,085.00	\$0.00	\$10,085.00
Task 4A – Design of Additional Streetscape, Landscape, and Irrigation Improvements in Opportunity Areas**	\$0.00	\$3,000.00	\$3,000.00
Task 5 – 100% PS&E	\$4,555.00	\$0.00	\$4,555.00
Task 6 – Final PS&E	\$2,240.00	\$0.00	\$2,240.00
Subtotal (Harris Design):	\$25,220.00	\$3,000.00	\$28,220.00
Total Design Fees	\$107,644.00	\$38,526.00	\$146,170.00
Reimbursable Expenses (printing, delivery, computer, plotter, mileage, parking, tolls)	\$1,000.00	\$164.00	\$1,164.00
Total Contract Amount	\$108,644.00	\$38,690.00	\$147,334.00

**Tasks 4A and 7 were added with CSA Amendment No. 2

4. All other terms shall remain in full force and effect.

This Amendment may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

SIGNATURES ON FOLLOWING PAGE

The Parties have executed this Amendment as of the date first written above. The persons whose signatures appear below certify that they are authorized to sign on behalf of the respective Party.

CITY OF SAN LEANDRO

BKF ENGINEERS

Jeff Kay, Interim City Manager
Attest:

Gordon Sweet, Vice President

Tamika Greenwood, City Clerk

Approved as to Fiscal Authority:

David Baum, Finance Director

210-38-901-5120
Account Number

Approved as to Form:

Richard D. Pio Roda, City Attorney

(2015)