



# City of Emeryville

C A L I F O R N I A

## MEMORANDUM

**DATE:** December 20, 2022

**TO:** Adam Politzer, Interim City Manager

**FROM:** Michael Roberts, Acting Public Works Director

**SUBJECT:** Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Enter Into A Third Amendment To The Professional Services Contract With MNS Engineers, Inc., To Revise The Work Scope, And To Increase The Total Compensation Amount By \$130,000, For A Not To Exceed Amount Of \$2,839,236.00, For Construction Management Services For The South Bayfront Bridge/Horton Landing Park Project, EPW 17-112 (CIP # 16475006 And 17237003)

### RECOMMENDATION

Staff recommends that the City Council adopt the above referenced resolution authorizing the City Manager to execute a contract amendment with MNS Engineers for construction management services.

### BACKGROUND

The South Bayfront Pedestrian Bicycle Bridge/Horton Landing Park is a capital improvement project that is substantially complete and was opened to the public on December 3, 2021.

With construction substantially complete, project close out work related to construction claims submitted by the contractor remain.

The City hired MNS Engineers' predecessor firm, S&C Engineers in October of 2017, and S&C merged with MNS Engineers in April of 2018. From 2017 through 2019, MNS Engineers assisted the City with contractor pre-qualification, construction review, and project bid support. Construction oversight began in late September 2019 and has continued to this day. Under consideration is a third amendment to their contract.

### DISCUSSION

Notice of construction claims have been submitted by the contractor, Ghilotti Construction Company, and adding additional funds to the MNS contract is necessary to assist the City with claim evaluation and defense.

## FISCAL IMPACT

The MNS agreement has been funded as follows:

	Fund	Amount
Original (2017) Contract and Previous Amendment	472,475	\$2,709,236.00
<b>Current Amendment</b>	<b>475</b>	<b>\$130,000</b>
Total		\$2,839,236.00

There is sufficient funding in the project budget for the cost of the Third Amendment to the contract with MNS Engineers Inc.

## CONCLUSION

Staff recommends the City Council adopt the above-referenced resolutions.

## STAFF COMMUNICATION WITH THE PUBLIC

Staff have not had communications with the public.

**PREPARED BY:** Michael Roberts, Senior Civil Engineer

## APPROVED AND FORWARDED TO THE CITY COUNCIL OF THE CITY OF EMERYVILLE:



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Adam Politzer, Interim City Manager

## ATTACHMENTS

1. Resolution for MNS
2. Professional Services Agreement w/S&C, MNS, Scope of Work
3. Amendment No. 1 w/ MNS, Scope of Work, Budget
4. Amendment No. 2 w/MNS, Scope of Work, Budget
5. Amendment No. 3 w/MNS, Scope of Work, Budget