



Attachment A-6
City of Emeryville
 CALIFORNIA

PROFESSIONAL SERVICES CONTRACT

FIFTH AMENDMENT

THIS FIFTH AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT

("Amendment") is effective as of 02/16/2023 (the "Effective Date"),, by and between **THE CITY OF EMERYVILLE**, a municipal corporation, ("City") and **COASTLAND CIVIL ENGINEERING, INC** ("Contractor"), individually referred to as a "Party" and collectively as the "Parties".

WITNESSETH THAT

WHEREAS, the City and Contractor entered into a Professional Services Contract dated June 6, 2018 ("Contract") for the purpose of retaining the services of Contractor to provide City Engineering Services and capital projects delivery assistance; and

WHEREAS, the City and the Contractor entered into a first amendment of the Contract on July 1, 2019 for purpose of increasing the contract amount and extending the termination date of the contract; and

WHEREAS, the City and the Contractor entered into a second amendment of the Contract on January 26, 2021; and

WHEREAS, the City and the Contractor entered into a third amendment of the Contract on July 1st, 2021; and

WHEREAS, the City and the Contractor entered into a fourth amendment of the Contract on July 1, 2022; and

WHEREAS, the City and Contractor desire to amend the Contract; and

WHEREAS, the public interest will be served by this Amendment.

NOW, THEREFORE, the Parties hereto do mutually agree as follows:

1. AMENDMENT

The Parties agree to amend the Contract as checked below:

FOR CITY USE ONLY			
Contract No.	22091E-0517-PW01	CIP No.	N/A
Resolution No.	22-177	Project No.	N/A

City of Emeryville | Professional Services Contract Amendment
REV 06/2020

1.1 Exhibit A

- ☐ Exhibit A of the Contract is hereby amended in its entirety and replaced with **Exhibit A-***Revision Number*;

OR

- ☒ Exhibit A of the Contract is hereby amended to include the provisions of **Exhibit A-5**, attached hereto and incorporated herein by this reference.

1.2 Termination Date

- ☒ The Parties desire to extend the termination date. Section 1.3 of the Contract is hereby amended to extend the termination date to **SEPTEMBER 30, 2023**.

1.3 Total Compensation Amount

- ☒ The Parties desire to increase the Total Compensation Amount as set forth in Section 3.2 of the Contract by **TWO HUNDRED FORTY ONE THOUSAND FOUR HUNDRED SEVENTY NINE DOLLARS AND NO CENTS (\$241,479.00)**. The total amount paid under the Contract as compensation for Services performed and reimbursement for costs incurred shall not, in any case, exceed **ONE MILLION ONE HUNDRED FIFTY NINE THOUSAND SIX HUNDRED TWENTY SEVEN DOLLARS AND NO CENTS (\$1,159,627.00)**.

2. CONTINUING EFFECT OF CONTRACT

Except as amended by this Amendment, all other provisions of the Contract remain in full force and effect and shall govern the actions of the Parties under this Amendment. From and after the date of this Amendment, whenever the term "Contract" appears in the Contract, it shall mean the Contract as amended by this Amendment.

3. ADEQUATE CONSIDERATION

The Parties hereto irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Amendment.

4. SEVERABILITY

If any portion of this Amendment is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

City of Emeryville | Professional Services Contract Amendment
REV 06/2020

5. WAIVER

The City's failure to enforce any provision of this Amendment or the waiver in a particular instance shall not be construed as a general waiver of any future breach or default.

SIGNATURES ON FOLLOWING PAGE

6. SIGNATURE PAGE TO PROFESSESIONAL SERVICES CONTRACT
FIFTH AMENDMENT

IN WITNESS WHEREOF the City and the Contractor have executed this Contract,
which shall become effective as of the date first written above.

Approved As To Form:

DocuSigned by:
John Kennedy

City Attorney

Dated:

02/16/2023

CITY OF EMERYVILLE

DocuSigned by:
Pedro Jimenez, Acting City Manager

City Manager

Dated:

11/17/2022

COASTLAND CIVIL ENGINEERING, INC.

DocuSigned by:
John Wagner

John Wagner, CEO (Signature)

Attach: W-9 Form	Attach: Business License Certificate	Attach: Insurance Certificate and Endorsements
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Exhibit A-5

COASTLAND**DCCM**

November 10, 2022

Mr. Mohamed Alaoui, PE
 Public Works Director
 City of Emeryville
 Public Works Department
 1333 Park Avenue
 Emeryville, CA 94608

Subject: **Professional Services Agreement (PSA) for City Engineering Services**
 Amendment Request

Dear Mr. Alaoui,

Per our discussions, we are providing this amendment request to provide construction management and support services under our current agreement dated June 6, 2018, as amended for City Engineering Services with the City.

Our services under this amendment will include additional construction management and inspection associated with the Annual Street Rehabilitation and Maintenance Project, Trash Capture Project, BMR Backbone Utility Improvements Project, and the 2022/2023 Annual Paving Project. We have attached a summary of our recent proposals which outline the level of effort we have anticipated on a project-by-project basis.

Our proposed compensation is on an hourly, time and materials basis in accordance with the PSA, Exhibit A rate schedule.

If amended the current contract would be increased by \$241,478.67 and subsequently the total amount paid under the contract as compensation for services performed and reimbursements for costs incurred shall not, in any case, exceed ONE MILLION ONE HUNDRED FIFTY-NINE THOUSAND SIX HUNDRED TWENTY-SEVEN DOLLARS AND NO CENTS (\$1,159,627).

The table below summarizes the contract and amendment history.

Description	Effective Date	Termination Date	Tasks/Services	Amount	Total Amount
Initial Agreement	2-Jan-18	30-Jun-19	Various As Required	\$45,000	\$45,000
Amendment No. 1	1-Jul-19	30-Sep-20	Various As Required	\$250,548	\$295,548
Amendment No. 2	26-Jan-21	30-Jun-21	Various As Required	\$359,100	\$654,648
Amendment No. 3	1 Jul-21	30-Jun-22	Various As Required	\$218,500	\$873,148
Amendment No. 4	1-Jul-22	30-Jun-23	Various As Required	\$45,000	\$918,148
Amendment No. 5	TBD	30-Jun-23	CM & Inspection	\$241,479	\$1,159,627

Santa Rosa
 1400 Neotomas Avenue
 Santa Rosa, CA 95405
 Tel: 707.571.8005

Auburn
 11641 Blocker Drive, Ste. 170
 Auburn, CA 95603
 Tel: 530.888.9929

Pleasant Hill
 3478 Buskirk Avenue, Ste. 1000
 Pleasant Hill, CA 94523
 Tel: 925.233.5333

Fairfield
 324 Campus Lane, Ste. A
 Fairfield, CA 94534
 Tel: 707.702.1961

If you have any questions regarding this request, please call Erik at (707) 495-4193. We look forward to continuing to serve the City.

Sincerely,

A handwritten signature in blue ink that reads "John Wanger". The signature is fluid and cursive, with the first name "John" being more prominent than the last name "Wanger".

John Wanger, PE
CEO

A handwritten signature in blue ink that reads "Erik Weber". The signature is fluid and cursive, with the first name "Erik" being more prominent than the last name "Weber".

Erik Weber, PE
Senior Engineer

Attached: CCE Proposal Summary Dated November 2, 2022

COASTLAND

DCCM

November 2, 2022

Mr. Mohamed Alaoui, PE
Public Works Director
City of Emeryville
Public Works Department
1333 Park Avenue
Emeryville, CA 94608

Subject: Summary of Proposals for Providing Construction Management and Inspection Services

Dear Mr. Alaoui:

Coastland appreciates the opportunity to provide this proposal for construction management and inspection services for seven City of Emeryville CIP projects noted above. Coastland has a team of construction managers and inspectors experienced a wide array of public works projects. We appreciate the opportunity to support the City of Emeryville with these important projects.

You can be confident knowing our team has the proven expertise to assist the City on a variety of levels. Our CM and inspection team is flexible and dedicated to meeting your needs and will work closely with City staff to share our experience gained from serving other public agencies. Coastland | DCCM specializes in serving public agencies exclusively, which will help us anticipate your needs and provides us with a perspective that other consultants may not have.

Our overall approach to performing construction management and inspection focuses on teaming with City forces to produce a high-quality, cost-effective project. Our team will keep the City informed regarding changes, public relations, and construction progress. We will coordinate closely with the City and stakeholders for the entire duration of the projects. Based on our understanding of the projects our services are as follows:

Annual Street Rehabilitation and Maintenance Project – Our scope of work for this project includes full time inspection and part time construction management oversight. We anticipate an average of 11 hours per day total for inspection construction and management services over a 50 work-day timeframe. Total anticipated cost for these services would be \$104,525.

Trash Capture Project – Our scope of work for this project includes part time inspection and very limited construction management oversight. We anticipate an average of 3 hours per day total for inspection construction and management services over a 15 work-day timeframe. Total anticipated cost for these services would be \$11,742.

BMR Backbone Utility Improvements Project - Our scope of work for this project includes part time inspection and very limited construction management oversight. We anticipate an average of 5.5 hours per day total for inspection and construction management services over a 65 work-day timeframe. Total anticipated cost for these services would be \$65,012.

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Fairfield, CA 94534
Tel: 707.702.1961

2022/2023 Annual Paving Project - Our scope of work for this project includes part time inspection and very limited construction management oversight. We anticipate an average of 8 hours per day total for inspection and construction management services over a 40 work-day timeframe. Total anticipated cost for these services would be \$60,200.

We will work with the City as necessary to provide any other services the City desires us to perform as part of these projects.

Based on our understanding of services requested, we estimate the total cost to provide these services on a time and materials basis to be \$241,479.

We appreciate these new opportunities the City of Emeryville has provided us. Please let us know if you have any questions. We look forward to expanding our ongoing working relationship with the City.

Sincerely,

COASTLAND CIVIL ENGINEERING, LLP



Erik Weber, PE
Senior Engineer