



Legislation Text

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**Report to Carson Reclamation Authority**

Monday, November 06, 2017

Consent

**SUBJECT:**

**CONSIDER AMENDMENT NO. 3 TO A PROFESSIONAL SERVICES AGREEMENT WITH RE|SOLUTIONS, LLC, INCREASING THE CONTRACT AMOUNT BY \$25,571.48, TO COVER ADDITIONAL COSTS INCURRED DURING JULY, TO A TOTAL OF \$425,571.48**

**I. SUMMARY**

This action would approve an additional amount of funding for the Professional Services Agreement with RE|Solutions, LLC (RES), increasing the contract amount by \$25,571.48. The Board approved an Environmental Risk Manager contract with RES at a Special Meeting on June 21, 2017, but the drafting and execution of the final version of the contract was more complex than anticipated, and the overall project schedule could not bear a stoppage of work by RES during this period. Staff recommended the Contractor continue to work under the terms of the existing contract until the new contract is executed. On August 7 the Board approved extending the contract until the end of July and expanding the budget to \$400,000, but in the reconciliation of the PO the contract is short by \$25,571.48. This action would allow the contract to be fully paid and close. It does not affect the current Risk Manager Contract with RES, which is still in effect.

**II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE Amendment No. 3 to a Professional Services Agreement with RE|Solutions, LLC for environmental regulatory and project management services, increasing the contract amount by \$25,571.48 to \$425,571.28.
2. AUTHORIZE the Chairman to execute the agreement in a form approved by Authority Counsel.

**III. ALTERNATIVES**

TAKE any other action the Reclamation Authority Board deems appropriate.

#### **IV. BACKGROUND**

In November, 2016, the CRA and RES entered a contractual services agreement (Agreement) where RES would provide certain assistance to the CRA, including with the Tetra Tech termination, negotiation with DTSC over new financial assurance, developing and maintaining the overall project schedule, and overseeing the EIR and Specific Plan Amendment process.

On April 4, 2017 the CRA Board approved Amendment No. 1 to the Agreement that increased the amount to reflect additional duties they were tasked to do since the approval of the original contract, as well as the greatly expanded set of negotiations with DTSC over regulatory issues since the original contract was approved in negotiations with DTSC over regulatory issues since the original contract was approved in November.

The much larger Environmental Risk Manager/Horizontal Master Developer contract was approved by the Board in June and executed by the City on July 25. Since RES was asked to work past the original date of the contract (May 31) and through June and July, on August 7 the Board approved extending the contract until the end of July and expanding the budget to \$400,000 to cover the additional \$100,000 in work.

That amendment (Amendment No. 2) left a shortfall in the actual expended amount of \$25,571.48. This amendment funds the additional work and allows the contract to be closed out.

#### **V. FISCAL IMPACT**

An additional authorization of \$25,571.48, increasing the overall contract to \$425,571.48 will be sufficient to cover the final billing. The term of the contract has ended and no additional work is being performed under the contract.

#### **VI. EXHIBITS**

1. Amendment No. 3 to a Professional Services Agreement (Pgs. 3-7)

Prepared by: John Raymond, Executive Director