


**CITY COUNCIL ACTION REQUEST**

<b>Department(s):</b> Public Works	<b>CEQA:</b> CEQA: Not a Project, File No. PP17-003, Agreements/Contracts (New or Amended) resulting in no physical changes to the environment.	<b>Coordination:</b> CAO	<b>Dept. Approval:</b> /s/ Matt Cano
<b>Council District(s):</b> Citywide			<b>CMO Approval:</b>  5-11-18

**SUBJECT: SIXTH AMENDMENT TO MASTER AGREEMENT BETWEEN THE CITY OF SAN JOSE AND WEST YOST & ASSOCIATES, INC.**

**RECOMMENDATION:**

Approve a Sixth Amendment to the Master Agreement with West Yost & Associates, Inc. increasing the compensation by \$35,000, for a total contract amount not to exceed \$535,000, and increasing the term of the agreement by 3 months from June 30, 2018 to September 30, 2018 for the purpose of completing work on the Nordale Pump Station Replacement Project.

**BASIS FOR RECOMMENDATION:**

On October 4, 2011, the City entered into a Master Agreement with West Yost & Associates, Inc. for engineering consulting services for various City projects in a not-to-exceed amount of \$500,000. To date, five (5) service orders have been issued, and Service Order No. 3, issued on June 23, 2014, is currently active. Under Service Order No. 3, West Yost is tasked with providing engineering services during construction of the Nordale Pump Station Replacement Project ("Project"). In order to complete that work, a Fifth Amendment to the Master Agreement was issued on June 29, 2017 to extend the term of the Master Agreement to June 30, 2018.

However, due to flooding of the pump station last year, a redesign of the pump station concrete slab was required to allow for a flood wall to be built around the pump station in the future. A project is currently planned to construct the flood wall. Public Works is currently working on the funding approval process to obtain reimbursement from FEMA. The flood wall project will not be completed if the funding is not approved. The slab redesign and construction of the redesigned slab has been completed and was funded through the current project. The extra work associated with the construction of the concrete slab and other unforeseen construction issues has increased the construction time of the project and the amount of construction services necessary from West Yost & Associates, Inc. The Sixth amendment for the Master Agreement is necessary to continue construction services for the construction of the pump station.

West Yost submitted a request to increase the Compensation of the Master Agreement. Staff reviewed the request and agrees with the amount. Staff is also requesting to increase the term of the Master Agreement to allow for the added days for the design change and allow time for billing the Service Order.

This Sixth Amendment will provide adequate budget and time for West Yost & Associates, Inc. to complete the Service Order for Engineering Services During Construction for the Nordale Pump Station Replacement Project.

**COST AND FUNDING SOURCE:**

Fund #	Appn #	Appn. Name	Current Total Appn	Rec. Budget Action	2017-2018 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
545	6527	Rehabilitation of Sanitary Sewer Pump Stations	\$1,793,000	\$35,000	181	10/17/17, 30014

**FOR QUESTIONS CONTACT:** Michael O'Connell, Acting Assistant Director of Public Works at 408-535-8300