



REPORT TO CITY COUNCIL

Approved by:

Michael Lima

Michael Lima, Director of Financial Services

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: May 17, 2023

Agenda Number: B-10

SUBJECT:

Amendment to Agreement with Stantec Architectural, Inc. for design services in the amount of \$15,000 for the design of an entrance canopy at the Madera Transit Center (MTC)

RECOMMENDATION:

Adopt a Resolution:

1. Approving Amendment No. 2 to the Agreement for Professional Architectural and Engineering Services for a New Entrance Canopy at the Madera Transit Center for \$15,000.
2. Approving the extension of the contract term through June 30, 2024.

SUMMARY:

On September 7, 2016, the City Council (Council) approved an agreement with Stantec Architectural, Inc (Stantec) for design and construction services of the MTC for \$415,000. During the construction process, Stantec requested additional compensation for services incurred during construction and on April 15, 2020, per Resolution 20-54, Council approved an amendment to this Agreement expanding the scope of services.

Since the completion of the Madera Transit Center, it has been brought to staff's attention that the east doorway is negatively impacted by inclement weather. This door is routinely used by bus drivers accessing the building. Adding a canopy will provide shade while preventing the door handle from reaching an excessive temperature. It will also provide refuge from the rain.

Currently, staff seeks a second amendment to the Agreement with Stantec to include this additional scope of work and extend the completion term.

It is noted that this item is solely for the design of the canopy, not including the installation.

DISCUSSION:

The City received a cost proposal for the design and drawings of a new canopy for the MTC (Exhibit 1). The anticipated completion schedule is approximately four weeks for the development of drawings, coordination, and a final review with City staff. The scope of work includes:

1. Architectural and structural drawings for the new canopy and electrical drawings for new mounted lighting.
2. One 1-hour design phase review with City staff.
3. Transmittal of a final 'for construction' set of documents to the City for permitting.

Table 1 outlines the fee proposal.

Table 1: Stantec Fee Proposal	
<i>Tasks</i>	<i>Anticipated Cost</i>
Task 1. Construction Documents	\$12,000
Task 2. Construction Support	\$3,000
Total	\$15,000

On April 19, 2023, Council adopted Resolution No. 23-48 approving the reappropriation of \$788,703 of the remaining \$839,556 of the Public Transportation Modernization, Improvement, and Service Enhancement Account Program (PTMISEA). The City retained \$80,000 of the initially appropriated amount for continued Facility Improvements to the MTC. The requested canopy design and drawings will be procured with these funds.

FINANCIAL IMPACT:

Transit expenses and personnel time is expended through Local Transportation Funds and other Transit-related grants, which are Federal, State, and Local Funds. The Agreement with Stantec for the design of a canopy for the Madera Transit Center will be paid with PTMISEA funds and will not impact the City's General Fund.

ALTERNATIVES:

As an alternative, Council may:

1. Provide staff with recommendations for the proposed amendment.
2. Request additional information from staff.

ATTACHMENTS:

1. Attachment A – Resolution Approving Amendment No. 2 to Stantec Agreement expanding the scope of services and amending the term of completion.
 - Exhibit A to Resolution: Amendment No. 2 Agreement between City and Stantec Architectural Inc.
 - Exhibit A to Amendment: Stantec Cost Proposal

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL, OF THE CITY OF MADERA,
CALIFORNIA, APPROVING A SECOND AMENDMENT TO AGREEMENT
STANTEC ARCHITECTURE, INC. FOR PROFESSIONAL SERVICES TO THE CITY
OF MADERA FOR NEW ENTRANCE CANOPY AT THE MADERA TRANSIT
CENTER AND EXTENDING THE TIME OF COMPLETION**

WHEREAS, on September 7, 2016, the City Council adopted Resolution No. 16-142 approving an agreement with RNL Interplan, Inc.; and

WHEREAS, thereafter the City Council adopted Resolution No. 17-123 consenting to assignment of the agreement to Stantec Architecture, Inc.; and

WHEREAS, on April 15, 2022, City Council adopted Resolution No. 17-123 approving Amendment No 1 to the agreement with Stantec Architecture, Inc.; and

WHEREAS, staff is recommending an extension of services (\$15,000) and term of completion through June 30, 2024, to allow for the design of a New Entrance Canopy at the Madera Transit Center.

NOW, THEREFORE, the City Council of the City of Madera finds, determines, resolves and orders as follows:

1. The recitals listed above are true and correct.
2. The Council approves the second amendment to the Stantec Agreement expanding the scope of services to include the addition of an entrance canopy not to exceed an additional \$15,000 and a term of completion by June 30, 2024.
3. This resolution is effective immediately upon adoption.

**AMENDMENT NO. 2 TO AGREEMENT WITH STANTEC ARCHITECTURE, INC. FOR
PROFESSIONAL ARCHITECTURAL AND ENGINEERING SERVICES TO THE CITY OF
MADERA FOR CONSTRUCTION OF THE NEW TRANSIT OPERATIONS FACILITY**

This Second Amendment to Agreement for Professional Architectural and Engineering Services for the Construction of the New Transit Operations Facility Project is entered between the City of Madera, a municipal corporation of the State of California, hereinafter called "**CITY**", and Stantec Architecture, Inc., hereinafter called "**ARCHITECT**".

RECITALS

WHEREAS, CITY and RNL Interplan, Inc. entered into agreement dated September 6, 2017 for the new Transit Operations Facility, hereinafter called "the Project"; and

WHEREAS, pursuant to a request for consent of assignment, the City Council adopted Resolution No. 17-203 consenting to the assignment of the Agreement to Stantec Architecture Inc. (ARCHITECT); and

WHEREAS, on April 15, 2020, by City Council Resolution No. 20-54 Council approved Amendment No. 1 for Professional Architectural and Engineering Services for Construction of the Project in the amount of \$48,000 and approving acceptance of the Madera Transit Operations Facility City Project No. Trans-1, Federal Transit Administration Grant Project No. CA-90-Z193-02, PTMISEA Grant, New Transit Facility, filing Notice of Completion, and releasing retention funds; and

WHEREAS, upon completion of the new Transit Operations Facility, it was determined the addition of a Canopy was necessary to address safety issues at the east doorway of the Facility the additional work is required and agreed to by the Parties;

WHEREAS, CITY and ARCHITECT wish to amend the Agreement to increase compensation for the Design of the Canopy installation in accordance with Section 24 of the Agreement.

AGREEMENT

Based on the foregoing recitals, the Parties hereto mutually agree as follows:

SECTION 1. Section 5 of the Agreement titled "Extra Services" is hereby amended by adding text at the end of current text to read as follows:

5. EXTRA SERVICES:

Notwithstanding the above, the Parties agree to Extra Services not contemplated hereunder, as set forth in letter proposal from Stantec dated March 20, 2023, relating to "Design and Engineering Services for New Entrance Canopy at the Transit Facility which is attached hereto and incorporated by reference as **Exhibit A** to this Amendment. ARCHITECT shall be compensated for such Extra Services in accordance with the Fee Proposal which is part of **Exhibit A** with said fee not to exceed the amount of \$15,000.

SECTION 2. Section 11 of the Agreement titled "Time of Completion" is hereby amended to read as follows:

11. Time of Completion

A. Based on a Notice to Proceed date of May 18, 2023, ARCHITECT'S architectural and engineering services to complete the design and engineering services for New Entrance Canopy at the Madera Transit Center shall be completed by June 30, 2023. This agreement shall expire on June 30, 2023.

SECTION 3. Except as amended by this Amendment No. 2, all other terms and conditions of the Agreement remain in full force and effect.

SECTION 4. This Amendment No. 2 to Agreement shall be effective upon full execution by both Parties.

CITY OF MADERA

By: _____
Santos Garcia, Mayor

Date: _____

APPROVED AS TO FORM:

By: _____
Hilda Cantu Montoy, City Attorney

ATTEST:

Alicia Gonzales, City Clerk

STANTEC ARCHITECTURE, INC.

By: _____
Patrick M. McKelvey, Senior Principal

Date: _____

Taxpayer I.D. Number: _____