

**AMENDMENT NO. 2 TO THE AGREEMENT FOR
PROFESSIONAL SERVICES C2020-10 BETWEEN THE
CITY OF MANTECA AND DEWBERRY ENGINEERS, INC.**

This Amendment No. 2 (“Amendment”) to the Agreement for Professional Services (C2020-10) (“Agreement”) between the City of Manteca and Dewberry Engineers Inc., is made and entered into this _____ day of December 2022, by and between the City of Manteca, a public body, corporate and politic (“City”) and Dewberry Engineers Inc., a New York corporation (“Consultant”).

RECITALS

- A. On February 21, 2020, the City entered into an Agreement for Professional Services with Consultant to perform Storm Drain Zones 36 and 39 Engineering, Environmental, and Permitting services pursuant to the Proposal submitted by Consultant dated September 9, 2019.
- B. On January 5, 2022, the City and Consultant executed Amendment No. 1 (C2020-10-A1) to the Agreement for Professional Services amending the Time of Performance to no later than December 31, 2022.
- C. City now desires to amend the Agreement for Professional Services with Consultant to extend the Time of Performance from December 31, 2022, to December 31, 2023.
- D. City now desires to amend the Agreement to expand the Scope of Services to be undertaken by the Consultant.
- E. Consultant (including subconsultants) represents that it has the necessary professional skills and experience to satisfactorily provide Engineering, Environmental, and Permitting services in a timely manner.
- F. City desires to engage Consultant for the purpose of continuing to provide Engineering, Environmental, and Permitting services during the extended Time of Performance.
- G. City desires to engage Consultant for the purpose of completing the expanded Scope of Services.

NOW THEREFORE, the parties hereby agree as follows:

- 1. Attachment 2 to the Agreement, entitled “Storm Drain Zone 36 and 39 Engineering, Environmental, and Permitting Services” is hereby amended by adding the tasks set forth in Exhibit A to this Amendment dated November 30, 2022, attached hereto and incorporated herein by reference.
- 2. Performance Period. The services of Consultant are to commence upon execution of this Amendment and Consultant shall continue to provide Engineering, Environmental, and

Permitting services until all authorized work is approved by the City but no later than December 31, 2023.

3. Compensation: Compensation to be paid to Consultant shall be in accordance with the rates set forth in Exhibit A dated November 30, 2022, attached hereto and incorporated herein by reference. In addition to the Compensation for the Agreement services, compensation for Amendment No. 2 services shall not exceed \$193,600 without additional authorization from the City. In no event shall compensation for work performed pursuant to the Agreement and Amendment No. 2 exceed \$1,384,868 without additional authorization from the City. Payment by City under this Agreement shall not be deemed a waiver of any defects, even if those defects were known to the City at the time of payment.
4. Except as otherwise provided in this Amendment, the Agreement for Professional Services (C2020-10) and Amendment No. 1 to the Agreement for Professional Services (C2020-10-A1) shall continue in full force and effect.

TO EFFECTUATE THIS AMENDMENT, each of the parties has caused this Amendment to be executed by its duly authorized representative as of the date set forth in the introductory paragraph on page 1 above.

CITY OF MANTECA:

DEWBERRY ENGINEERS, INC.:

Toni Lundgren,
Interim City Manager

Dave Richard, PE
Associate Vice President

(Print Name & Title)

ATTEST:

COUNTERSIGNED:

Cassandra Candini-Tilton,
Director of Legislative Services

(Signature)

COUNTERSIGNED:

(Print Name & Title)

Bret Harmon,
Director of Finance

903 W. Center Street, Suite 1
Manteca, CA 95337
209.707.3325

COUNTERSIGNED:

Dawn Cortesi,
Acting Director of Human Resources

APPROVED AS TO FORM:

L. David Nefouse,
City Attorney

**EXHIBIT A
CITY OF MANTECA
STORM DRAIN ZONES 36 AND 39 ENGINEERING,
ENVIRONMENTAL, AND PERMITTING SERVICES
SPECIAL ENGINEERING SERVICES – 1
SCOPE OF SERVICES AND FEE ESTIMATE**

November 30, 2022

Infrastructure improvements to support future development in South Manteca include construction of a 66-inch diameter gravity storm drain, 120 cubic feet per second storm drain pump station, 48-inch diameter storm drain force main, and outfall structure to the San Joaquin River. Ninety percent design documents (plans and specifications) have been prepared for the Storm Drain Zones 36 and 39 Improvements Project along with CEQA – related studies and multiple permit application packages. To facilitate completion of design documents and acquisition of required permits, the City is requesting additional services from the Consultant including supplemental permitting assistance and expanded design services. These Special Engineering Services are detailed below.

TASK 13 – SPECIAL ENGINEERING SERVICES

13.01 Supplemental Permitting Assistance

Supplemental permitting assistance includes the following:

- a. Preparation of an alternatives analysis study to support the 401 Water Quality Certification application to the Regional Water Quality Control Board.
- b. Expansion of the Encroachment Permit application to the Central Valley Flood Protection Board to include the 66-inch gravity storm drain, storm drain pump station, and 48-inch storm drain force main within RD-17 properties.
- c. Response to additional information requests by Central Valley Flood Protection Board and USACOE 408 Permissions Section during review of the Encroachment Permit application.
- d. Payment of application fees for Encroachment Permit Environmental Review for Central Valley Flood Protection Board, 404 Permit from the USACOE, 401 Water Quality Certification from the Regional Water Quality Control Board, and 1602 Streambed Alteration Agreement with the State of California Department of Fish and Wildlife.
- e. Payment of filing fee and County Clerk processing fee for Mitigated Negative Declaration.

13.02 Expanded Design Services

Expanded design services include the following:

- a. Mechanical, structural, and electrical design services associated with the addition of mechanical screens at the storm drain pump station.

- b. Coordination with RD-17 including additional topographic mapping, modified grading design, and revised construction sequencing to incorporate improvements constructed under levee seepage mitigation project.
- c. Additional liaison with OLWD to develop wastewater treatment plant decommissioning/demolition plan to accommodate construction of storm drain force main across OLWD property.

FEE ESTIMATE

The estimated fee to provide the above services is \$193,600 summarized as follows:

TASK 13 – SPECIAL ENGINEERING SERVICES

13.01 Supplemental Permitting Assistance	\$100,600
13.02 Expanded Design Services	\$93,000