



Meeting Date: 07/17/2007

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input checked="" type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Michelle Romney Agenda Item No. 0-3
 Reviewed By: City Manager [Signature] City Attorney [Signature] Finance [Signature] Other (Specify) _____

DATE: July 9, 2007
TO: City Council
FROM: Lou Baidarra, City Engineer
 Public Works
SUBJECT: Agreement 2024-03-PW, Amendment No. 3

RECOMMENDATION

That City Council approve and authorize the Mayor to execute Amendment No. 3 to Agreement 2024-03-PW with Penfield & Smith increasing the amount of the original agreement from \$1,000,000 to \$3,000,000 for providing design and construction related services for the City's public works projects.

DISCUSSION

On November 20, 2003, the City Council approved an agreement with the Camarillo-based engineering firm Penfield & Smith (P&S) related to design and construction of numerous public works projects. The original agreement was drafted with a one million dollar limit. This agreement was extended by amendment in June 2006 and again in May 2007, although the total value of the agreement remained at the initial one million dollar limit.

Extending the monetary limit under the terms of the agreement is critical in that the Design and Construction Services Branch of the Public Works Department is involved in designing numerous public projects, including the grant-funded portions of the initial phase of the College Park project. P&S has submitted a proposal in the amount of \$937,000 to prepare final designs and construction bid documents for the grant-funded portions of the College Park Project.

On March 6, 2007 City Council approved the grant-funded phases of work for the development and operation of College Park (Phase 1) and directed the Public Works Director to prepare plans and specifications for the aforementioned project. The remaining \$1 million (approximately) in the amended P&S agreement will provide for future street design and construction management services on an on-call and as-needed basis.

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FINANCIAL IMPACT

Amending the P&S Agreement from \$1,000,000 to \$3,000,000 will have no fiscal impact as the change to the agreement would only change the maximum amount this contractor can receive under the terms of the agreement and does not otherwise impact appropriations. Any *separately approved* capital improvement project developed by the City where P&S would be utilized under the terms of this agreement would still have to be *separately funded*.

LB/dl

Attachment #1 – Penfield & Smith Agreement 2024-03-PW Amendment No. 3

000120

THIRD AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES

This Third Amendment, entered into this 17th day of July 2007, amends that certain Agreement for Consulting Services ("the Agreement"), entered into on November 20, 2003 and amended on May 23, 2007 by and between the City of Oxnard ("City") and Penfield & Smith ("Consultant").

City and Consultant agree that in Section 14 a. the amount "\$1,000,000" is deleted and replaced with the amount "\$3,000,000".

City and Consultant further agree that as so amended, the Agreement shall remain in full force and effect.

CITY OF OXNARD

CONSULTANT

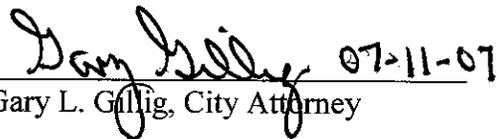
Dr. Thomas E. Holden
Mayor, City of Oxnard



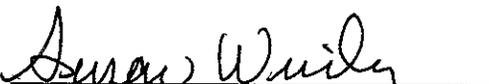
Patrick Reeves, Vice President
PENFIELD & SMITH

APPROVED AS TO FORM:

APPROVED AS TO INSURANCE:



Gary L. Gillig, City Attorney



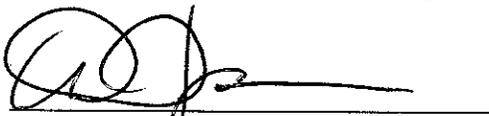
Susan Winder, Acting Risk Manager

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:



Lou Balderrama, City Engineer



Ken Ortega, Public Works Director /
Purchasing Agent

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