



ACTION ITEM

Consideration and Possible Approval of a Time-Only Amendment to a Contract with Stantec Consulting Services, Inc.

Summary: The Council will consider approval of an amendment to an existing contract with Stantec Consulting Services, Inc. to extend the contract performance period by six months and hold consultant rates constant at 2020-2021 rates. This additional time will support completing the Ecosystem Amendment Program Environmental Impact Report and rulemaking to amend Delta Plan policy **RR P1**, Prioritization of State Investments in Delta Levees and Risk Reduction (Cal. Code Regs., tit. 23, §§ 5001 and 5012).

REQUESTED ACTION

Authorize the Executive Officer to amend existing contract #1461 with Stantec Consulting Services, Inc. to extend the performance period expiration from December 31, 2021, to June 30, 2022, and hold the consultant charge rates constant to 2020-2021 rates (Amendment 9). No change is proposed to the existing contract amount, which would remain at an amount not to exceed \$6,010,000.

The Executive Officer has delegated authority up to \$500,000 to enter into contracts on the Council's behalf. Because this agreement exceeds that amount, this contract amendment requires Council approval.

BACKGROUND

Due to the extended timeline related to amending **RR P1**, which requires consultant assistance to meet rulemaking requirements of the Administrative Procedures Act and coordination with the Department of Finance and Office of Administrative Law, the proposed amendment seeks to extend the expiration date of the performance period of the contract from December 31, 2021, to June 30, 2022. This additional time is also needed to provide consultant assistance to complete the Ecosystem Amendment Program Environmental Impact Report, which is anticipated to be completed in the second quarter of 2022.

Contract #1461 includes a clause allowing for a five percent annual increase in consultant and sub-consultant charge rates. The original performance period of the contract has been extended four times to meet various project development timelines, as follows:

- Amendment 5 – Period of Performance extended to June 30, 2019
- Amendment 6 – Period of Performance extended to December 31, 2019

- Amendment 7 – Period of Performance extended to March 31, 2021
- Amendment 8 – Period of Performance extended to December 31, 2021

Each previous extension of the performance period also required additional funds to increase the contract budget. However, for Amendment 9, Council staff and Stantec agree that the budget remaining under this contract is sufficient to cover projected costs across the six-month performance period without invoking the five percent annual increase clause. Thus, the proposed amendment is for a time extension only and maintains consultant and sub-consultant hourly charge rates at the 2020-2021 contract rates.

FISCAL INFORMATION

Maintaining the hourly consultant charge rates at the 2020-2021 contract rates allows the remaining budget to be used without a proposed change to the existing contract budget of \$6,010,000.

LIST OF ATTACHMENTS

None

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