



CITY OF BANNING STAFF REPORT

TO: CITY COUNCIL

FROM: Douglas Schulze, City Manager

PREPARED BY: Adam Rush, Community Development Director

MEETING DATE: February 27, 2024

SUBJECT: Consideration of Resolution 2024-37, Approving Amendment No. 3 to a Professional Services Agreement (C00608) with Willdan Engineering for Building and Safety Plan Check and Landscape Design Review Services

RECOMMENDATION:

Adopt Resolution 2024-37.

BACKGROUND:

On September 24, 2019, the City of Banning, on Resolution 2019-122, approved an agreement with Willdan Engineering, Inc., for a total amount of \$1,470,960. On January 25, 2022, the City Council adopted Resolution 2022-09, amending the Agreement to increase the Contract Sum by \$714,902.50 for a total Contract Sum of \$2,185,862.50 ("Amendment No. 1").

On January 24, 2023, the City Council adopted Resolution 2023-20, which was intended to implement staff's recommendation to amend the Agreement to extend the term of the Agreement through October 31, 2023, and increase the not-to-exceed total compensation by \$612,000 to \$2,797,862.50 (Amendment No. 2). Resolution 2023-20, however, incorrectly stated the amended not-to-exceed total compensation as \$2,185,862.50, and did not address staff's recommendation to extend the Agreement term to October 31, 2023.

On February 28, 2023, the City Council adopted Resolution 2023-44, re-approved Amendment No. 2 approving an increase in the not-to-exceed total compensation by \$612,000 to \$2,797,862.50, and an extension of the term of the Agreement through June 30, 2024. It was staff's intent that the City Council's adoption of Resolution 2023-44 would update and replace the Council's actions taken via Resolution 2023-20, in their entirety.

City and Consultant now desire to amend the Agreement (Amendment No. 3) in accordance with Resolution No. 2024-37 to include additional compensation not-to-exceed Contract Sum by \$470,000 to \$3,267,862.50, and to extend the term of the Agreement through September 23, 2024.

JUSTIFICATION:

The engagement of these additional services has increased the contract amount above the previously approved financial limits set by the City Council. As such, additional commitment of resources is required. However, all of Willdan's fees are considered "pass-through" costs, as the City's costs are reimbursed through developer review fees on the plans and permits submitted to the City.

FISCAL IMPACT:

The Community Development operational budget will fund the requested increase, Account No. 001-

2700-441.33-11 (Professional Services):

Year	Estimated Amount
2023/2024	\$325,000 (in mid-year budget item)
2024/2025	\$145,000

ALTERNATIVES:

1. Adopt Resolution 2024-37, as recommended.
2. Adopt Resolution 2024-37, with modifications.
3. Do not approve Resolution 2024-37 and provide alternative direction to staff.

ATTACHMENTS:

1. [Resolution 2024-37, Willdan Engineering.docx](#)
2. [Banning_-_Amendment_No._3_to_PSA__C00608__for_Building_and_Safety_Plan_Check_and_Landscape_Desig](#)