

E. Active Transportation Program Cycle 5: Cathedral Canyon Drive Sidewalks and Multiuse Trail Project (C08505) and Date Palm Drive Expansion Project (C08508) - Falcon Engineering Services, Inc. Professional Services Agreement Amendment No. 1

Recommendation: Approve and authorize the City Manager to execute Contract Amendment No. 1 to the Professional Services Agreement with Falcon Engineering Services, Inc., in the amount of \$110,000, for construction engineering services provided on the Active Transportation Program (ATP) Cycle 5 for Cathedral Canyon Drive Sidewalks and Multiuse Trail Project (C08505), and Date Palm Drive Expansion Project (C08508).



FALCON Engineering Services, Inc.
1020 Aquino Cir,
Corona, CA 92879

January 30, 2025

Mr. Andrew Lee (Assistant Engineer)
Engineering Department
City of Cathedral City
68700 Avenida Lalo Guerrero
Cathedral City, CA 92234

**Subject: Request for Amendment to CM Service Contract for ATP CYCLE 5: CATHEDRAL CANYON DRIVE
SIDEWALKS AND MULTI USE TRAIL (C08505) AND DATE PALM DRIVE EXPANSION (C08508)**

Dear Mr. Lee,

I am writing to formally request an amendment to the current Construction Management (CM) Service Contract dated November 9, 2023, and was approved on 11/16/2023 with Falcon Engineering. Upon a detailed review of the project's construction schedule, it has become apparent that the scope of work will extend to 8 months, rather than the 30 working days initially estimated in our original cost proposal.

Given this significant extension, Falcon Engineering finds it necessary to request additional funding to adequately support the extended duration of the project. We remain committed to our partnership with the city and, as a gesture of this commitment, Falcon will continue to absorb the costs associated with Office Engineering, Submittal and Request for Information (RFI) reviews, and Resident Engineer Services, which will not be billed to the city.

Please find below the revised financial breakdown with the necessary adjustments to the original budget to accommodate this change:

	Original budget	Amendment #1	Total budget
Inspection and Material Testing	\$149,198.28	\$110,000.00	\$259,198.28

I look forward to your prompt approval of this amendment, so we may proceed without our CM services. Please do not hesitate to contact me directly should you need further clarification or wish to discuss this in more detail.

Thank you for your consideration and continued trust in Falcon Engineering.

Best regards,

Kurt Pegg, PE
kpegg@falcon-ca.com

+1 (951) 549-9600



Falcon engineering services, Inc.



**AMENDMENT NO. 1
TO THE
AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN
THE CITY OF CATHEDRAL CITY, CALIFORNIA
AND
FALCON ENGINEERING SERVICES
FOR
ATP CYCLE 5 (C08505/C08508)**

In accordance with the "Agreement for Professional Services" dated November 8, 2023, by and between the City of Cathedral City, a municipal corporation ("City") and Falcon Engineering Services, a California corporation ("Consultant"), and in accordance with Section 39 of the Agreement, entitled, "Amendments", this Amendment Number One (1) to the Agreement is made and entered into this 12th day of February 2025, ("Effective Date").

RECITALS

A. Consultant currently provides the City with professional engineering services associated with the ATP Cycle 5: Cathedral Canyon Drive Sidewalks and Multiuse Trail (C08505) and Date Palm Drive Expansion (C08508) pursuant to the Agreement dated November 8, 2023.

B. City desires to amend the Agreement as per Sections 1, 2 and 3, to provide additional compensation for construction engineering support services provided.

C. Consultant is qualified and has provided the services pursuant to the terms of this Amendment No. 1 to the Agreement and City agrees to the amendments contained herein.

NOW, THEREFORE, for good and valuable consideration, the parties agree as follows:

Section 1. Consultant has provided the City with certain additional services as is more particularly described in Exhibit "A" attached to this Amendment No. 1 ("Additional Services).

Section 2. For the Additional Services under this Amendment No. 1, City agrees to compensate Consultant, and Consultant agrees to accept in full satisfaction for said services the sum of One Hundred Ten Thousand Dollars (\$110,000), as set forth in Exhibit "B" to this Amendment No. 1. In no event shall the compensation under the Agreement and this Amendment No. 1 exceed Two Hundred Fifty-Nine Thousand and One Hundred Ninety-Eight Dollars and Twenty-Eight Cents (\$259,198.28). the method of payment for the Additional Services under this Amendment No.1 shall be a lump sum payment.

Section 3. Except as specifically amended by this Amendment No. 1, the remaining terms of the Agreement shall remain in full force and effect. In the event a conflict between the provisions of this Amendment No. 1 and the provisions of the Agreement, the provisions of this Amendment No. 1 shall control.

SUMMARY:

Amendment No. 1 amends the Scope of Work and the Estimated Not to Exceed Compensation fee amount in accordance with the details listed in the attached Exhibits A and B.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement No. 1 to be executed as of the date first written above.

CITY OF CATHEDRAL CITY

FALCON ENGINEERING SERVICES

By: _____
Charles P. McClendon
City Manager

By: _____
Wael Faqih, MS, PE
Senior Vice President

ATTEST:

By: _____
Tracey R. Hermosillo, CMC
City Clerk

By: _____

By: _____
Eric S. Vail
City Attorney

EXHIBIT "A"
SCOPE OF SERVICES
Falcon Amendment Request



FALCON Engineering Services, Inc.
1020 Aquino Cir,
Corona, CA 92879

January 30, 2025

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Engineering Department
City of Cathedral City
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Best regards,

Kurt Pegg, PE
kpegg@falcon-ca.com

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Falcon engineering services, Inc.



EXHIBIT "B"
SCHEDULE OF CHARGES

A detailed breakdown of the not to exceed fee amount is included below:

The contract summary is as follows:

Current Contract Amount	\$ 149,198.28
Proposed Contract Amendment No. 1	\$ 110,000.00
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Total Proposed Amended Contract Amount	\$ 259,198.28