



**PURCHASING ITEM
FOR
COUNCIL AGENDA
Memo No. CA12-172**

1. Agenda Item Number:

2. Council Meeting Date:
May 10, 2012

TO: MAYOR & COUNCIL
THROUGH: CITY MANAGER

3. Date Prepared: April 24, 2012

4. Requesting Department: Municipal Utilities

5. SUBJECT: Approve a one-year extension to the annual permitting, study and design for water and wastewater facilities Contract EN1003-102 with Dibble Engineering, in an amount not to exceed \$750,000.

6. RECOMMENDATION: Staff recommends Council approve a one-year extension to the annual permitting, study, and design for water and wastewater facilities Contract EN1003-102 with Dibble Engineering, in an amount not to exceed \$750,000.

7. BACKGROUND/DISCUSSION: Staff anticipates needing services related to permitting, study and design for water and wastewater facilities. Design of the projects will require a range of expertise and experience. The City has improved project delivery time and efficiency through the use of annual contracts with established design firms. These contracts will provide consulting services for a range of projects including permitting, studies, and design for water and wastewater facilities. Work will rotate among the five firms based on availability and expertise.

Under this contract, individual project agreements will be prepared for execution and approval for each project. Project agreements over \$50,000 will be submitted for Council approval up to the annual aggregate of \$750,000. This action will save on the cost of the selection process and time to bring individual projects forward.

8. EVALUATION: The current consultant was selected for a one-year contract with an option to renew for four additional years. This contract extension is for the first option year of the annual permitting, study and design for water and wastewater facilities Contract EN1003-102. The contract rates are unchanged from the previous year's contract rates. This extension is for \$750,000 based on last year's expenses.

9. FINANCIAL IMPLICATIONS:

Cost: \$750,000
Savings: N/A
Long Term Costs: N/A

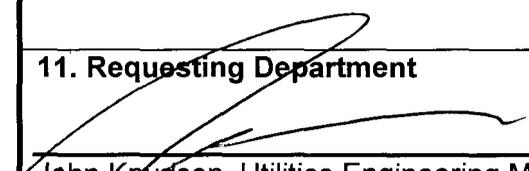
The owner/user department will provide funding for each project.

10. PROPOSED MOTION: Move Council approve a one-year extension to the existing annual permitting, study and design for water and wastewater facilities Contract EN1003-102 with Dibble Engineering, in an amount not to exceed \$750,000, and authorize the Mayor to sign the contract documents.

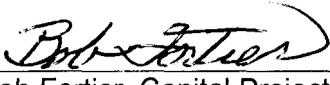
ATTACHMENTS: Contract Amendment

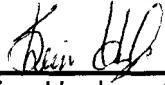
APPROVALS

11. Requesting Department

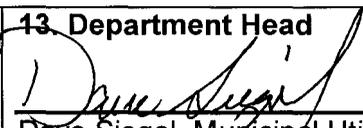

John Knudson, Utilities Engineering Manager

12. Transportation & Development

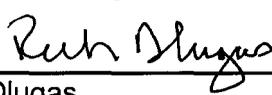

Bob Fortier, Capital Projects Manager


Sheina Hughes, City Engineer

13. Department Head


Dave Siegel, Municipal Utilities Director

14. City Manager


Rich Dlugas

NOTICE OF EXERCISE OF OPTION TO EXTEND ANNUAL CONTRACT FOR PERMITTING, STUDY, AND DESIGN SERVICES FOR WATER/WASTEWATER PROJECT NUMBER EN1003-102

The City Council authorized the City of Chandler (hereinafter referred to as "CITY") and Dibble and Associates Consulting Engineers, Inc., an Arizona corporation doing business as Dibble Engineering, (hereinafter referred to as "ANNUAL CONSULTANT") to enter into an Annual Contract for Permitting, Study, and Design Services for Water/Wastewater (hereinafter referred to as "AGREEMENT") which was approved by the City Council on May 26, 2011 and executed on June 13, 2011.

- 1. This AGREEMENT authorized CITY the option to extend this AGREEMENT for four one-year terms.
2. CITY hereby gives notice of the exercise of its option to extend the AGREEMENT for one year pursuant to the same terms and conditions as the AGREEMENT.
3. This Notice is hereby incorporated to the AGREEMENT and must be filed with the City Clerk's Office.
4. Section 20, of the above referenced Contract, is hereby amended by adding additional language Required Compliance With Arizona Procurement Law described in more detail in Exhibit A attached hereto and incorporated herein by reference.
5. The total cost of work issued to the ANNUAL CONSULTANT by the City of Chandler will not exceed Seven Hundred Fifty Thousand dollars (\$750,000).
6. All other terms and conditions of the above referenced Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first written above.

This Notice is hereby incorporated to the AGREEMENT and must be filed with the City Clerk's Office

This Notice is hereby signed and approved by CITY and ANNUAL CONSULTANT

CITY OF CHANDLER

ENGINEER:

MAYOR Date

By: Kent M. Dibble
Title: President

ATTEST:

City Clerk

ATTEST: If Corporation
Kent L. Lundy
Secretary

APPROVED AS TO FORM:

City Attorney by: [Signature]

WITNESS: (if Individual or Partnership)
_____ SEAL

CC: City Clerk User Dept Project Mgr Consultant Project Analyst File

EXHIBIT A

REQUIRED COMPLIANCE WITH ARIZONA PROCUREMENT LAW

Pursuant to the provisions of A.R.S. § 41-4401, the Contractor hereby warrants to the City that the Contractor and each of its subcontractors ("Subcontractors") will comply with all Federal Immigration laws and regulations that relate to the immigration status of their employees and the requirement to use E-Verify set forth in A.R.S. §23-214(A) (hereinafter "Contractor Immigration Warranty").

A breach of the Contractor Immigration Warranty shall constitute a material breach of this Contract that is subject to penalties up to and including termination of the contract.

The City retains the legal right to inspect the papers of any Contractor or Subcontractor employee who works on this Contract to ensure that the Contractor or Subcontractor is complying with the Contractor Immigration Warranty. The Contractor agrees to assist the City in the conduct of any such inspections.

The City may, at its sole discretion, conduct random verifications of the employment records of the Contractor and any Subcontractors to ensure compliance with Contractors Immigration Warranty. The Contractor agrees to assist the City in performing any such random verifications.

The provisions of this Article must be included in any contract the Contractor enters into with any and all of its subcontractors who provide services under this Contract or any subcontract. "Services" are defined as furnishing labor, time or effort in the State of Arizona by a contractor or subcontractor. Services include construction or maintenance of any structure, building or transportation facility or improvement to real property.

In accordance with A.R.S. §35-393.06, the Contractor hereby certifies that the offeror does not have scrutinized business operations in Iran.

In accordance with A.R.S. §35-391.06, the Contractor hereby certifies that the offeror does not have scrutinized business operations in Sudan.

EXHIBIT A (cont.)

**Contractor Immigration Warranty
To Be Completed by Consultant Prior to Execution of Contract**

A.R.S. § 41-4401 requires as a condition of your contract verification of compliance by the consultant and subconsultants with the Federal Immigration and Nationality Act (FINA), all other Federal immigration laws and regulations, and A.R.S. § 23-214 related to the immigration status of its employees.

By completing and signing this form, the Engineer/Annual Consultant shall attest that it and all subconsultants performing work under the cited contract meet all conditions contained herein.

Project Number/Division: EN1003-104 Annual Permitting, Study, and Design Services for Water/Wastewater		
Name (as listed in the contract):		
Street Name and Number:		
City: Chandler	State: AZ	Zip Code:

I hereby attest that:

1. The Engineer/Annual Consultant complies with the Federal Immigration and Nationality Act (FINA), all other Federal immigration laws and regulations, and A.R.S. § 23-214 related to the immigration status of those employees performing work under this contract;
2. All subconsultants performing work under this contract comply with the Federal Immigration and Nationality Act (FINA), all other Federal immigration laws and regulations, and A.R.S. § 23-214 related to the immigration status of their employees; and
3. The Engineer/Annual Consultant has identified all consultant and subconsultant employees who perform work under the contract and has verified compliance with Federal Immigration and Nationality Act (FINA), all other Federal immigration laws and regulations, and A.R.S. § 23-214.

Signature of Engineer/ Annual Consultant (Employer) or Authorized Designee:

Thomas McLean

Printed Name: THOMAS McLEAN

Title: VICE PRESIDENT

Date (month/day/year): 4-19-12