

3rd AMENDMENT TO THE  
PROFESSIONAL SERVICES AGREEMENT WITH MOFFATT AND NICHOL FOR  
CONCEPT DESIGN AND ENGINEERING FOR THE CAPITOLA WHARF, FLUME, AND  
JETTY IMPROVEMENTS

between

CITY OF CAPITOLA AND MOFFATT & NICHOL

The City of Capitola and Moffatt and Nichol, hereby agree to the following Amendment(s) to the Contract dated September 28, 2017:

- 1) Increase the budget amount by \$133,000 for final Wharf bidding and construction support.

All other terms and conditions of the Professional Services Agreement remain in full force and effect.

**CONTRACTOR: MOFFATT & NICHOL**

\_\_\_\_\_  
By:

Date: \_\_\_\_\_

**CITY OF CAPITOLA**

\_\_\_\_\_  
By: Benjamin Goldstein, City Manager

Date: \_\_\_\_\_



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 www.moffattnichol.com

April 20, 2023

Ms. Jessica Kahn, Public Works Director  
 City of Capitola  
 420 Capitola Avenue  
 Capitola, CA 95010

**Subject: Request for Contract Modification for Wharf Project Engineering Services**

Dear Jessica:

We are writing to request a modification to our existing agreement dated September 28, 2017 (Purchase Order 2019-25) to increase the not to exceed amount by \$133,000. Although we have budget left, we anticipate that we will exhaust that budget before the project is complete. Some of the factors to consider are extended schedule and unanticipated requests for services that we have provided:

- o Schedule Expanded -Original schedule was 2017 to Mid 2019-2.5 years. It is projected to be complete in mid 2024 -7 years.
- o Wharf project split into 2 packages. We were asked to prepare an early bid package to address immediate needs to repair the steel piles and broken piles that occurred under the restaurant.
- o Storm Damage-The damage to the Wharf in Jan 2023 required addition effort to quantify and document this damage to facilitate assistance from FEMA.

Our request is based upon our projections as follows:

<b>Task</b>	<b>Effort (\$)</b>
Finalize Bid Package	9,800
Bid Support	19,400
Construction Support	193,800
<b>Sub Total</b>	<b>223,000</b>
Budget Remaining	(90,000)
<b>Requested Increase</b>	<b>133,000</b>

Sincerely,

MOFFATT & NICHOL

Brad Porter  
 Project Manager