



Agenda Item A.4
CONSENT CALENDAR
Meeting Date: May 5, 2020

TO: Mayor and Councilmembers

FROM: Charles W. Ebeling, Public Works Director

CONTACT: Teresa Lopes, Senior Project Engineer

SUBJECT: Assignment of Existing Agreements for Professional Design Services with Drake Haglan & Associates, Inc. to Dewberry Engineers Inc.

RECOMMENDATION:

Authorize the City Manager to approve the assignment of Drake Haglan & Associates, Inc. Professional Design Agreements Nos. 2012-090, 2013-028, 2016-040, 2017-055, 2017-127, 2018-115, and 2019-023, to Dewberry Engineers Inc. d/b/a Dewberry/Drake Haglan, retroactive to October 17, 2019.

BACKGROUND:

The City currently has seven (7) active agreements with Drake Haglan & Associates Inc. (DHA) for professional design services for various Capital Improvement Program (CIP) projects totaling over \$10,000,000. The agreements provide for professional design services related to the conceptual design, environmental review, design and right-of-way phases of the projects.

The following table lists the specifics for each active DHA agreement:

Project	Agrmt No. & (No. of Amendments)	Date Executed	Current NTE* Amount	Agrmt Expiration Date
9002 Ekwil St & Fowler Rd Extensions Project	2012-090 (6)	8/7/2012	\$4,045,745	6/30/2023
9033 Hollister Ave Bridge Project	2013-028 (4)	4/16/2013	\$1,974,520	6/30/2021
9039 Hollister Ave Class I Bike Path	2016-040 (4)	5/11/2016	\$356,622	6/30/2020
9027 Goleta US 101 Overcrossing	2017-055 (2)	7/18/2017	\$1,481,940	6/30/2022

9007 San Jose Creek Bike Path Middle Extent – Segment 1 (JDW Park to Armitos Ave)	2017-127 (2**)	12/11/2017	\$113,254	12/31/2020
9007 San Jose Creek Bike Path Middle Extent – Segment 2 (Armitos Ave to Calle Real)	2018-115 (N/A)	12/4/2018	\$1,100,000	6/30/2023
9006 San Jose Creek Bike Path Southern Extent	2019-023 (N/A)	3/5/2019	\$1,436,017	6/30/2022

**Not to Exceed*

*** A third amendment to this agreement is proposed for adoption on May 5, 2020 under a separate Council agenda item.*

DISCUSSION:

On September 27, 2019, DHA became a wholly owned subsidiary of Dewberry Engineers Inc. (Dewberry) doing business as (d/b/a) Dewberry/Drake Haglan. All assets including the professional design services agreements currently held with the City were transferred to Dewberry. On October 17, 2019, Dewberry/Drake Haglan submitted a letter requesting assignment of all existing contracts between DHA and the City of Goleta to Dewberry.

Staff is recommending that Council authorize the City Manager to approve assignment of the DHA agreements to Dewberry retroactive to the date of the acknowledgement letter from DHA dated October 17, 2019. The change in ownership would not result in any changes to the existing agreements, except for the firm name change. The terms of the City's existing professional design services agreements would be exactly the same with the same design team members serving in the equivalent capacities as originally proposed before the purchase of DHA by Dewberry.

Approval of the assignment of the existing DHA agreements to Dewberry will allow the continuation of the current agreements for professional design services for the listed projects without any substantive changes in the terms of service or scope of work deliverables.

FISCAL IMPACTS:

There are no fiscal impacts associated with the recommended action, as all the terms and conditions of the existing professional design services agreements will remain the same.

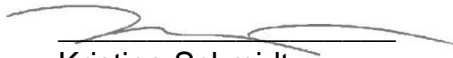
ALTERNATIVES:

The City Council can elect not to approve the assignment of the existing professional design agreements from DHA to Dewberry for one or all of the listed agreements. Doing so will require establishing new agreements with Dewberry or another consultant and could potentially jeopardize project schedules and grant funding.

Reviewed By:

Legal Review By:

Approved By:



Kristine Schmidt
Assistant City Manager



Michael Jenkins
City Attorney



Michelle Greene
City Manager

ATTACHMENTS:

1. Acknowledgement letter requesting assignment of Drake Haglan & Associates, Inc. agreements to Dewberry Engineers Inc. d/b/a Dewberry/Drake Haglan.

ATTACHMENT 1

**Acknowledgement Letter Requesting Assignment of
Drake Haglan & Associates to Dewberry Engineers Inc.**

10/17/2019

City of Goleta

Attention: City Manager, City of Goleta, 130 Cremona Drive, Suite B, Goleta, CA 93117

RE: Assignment of Drake Haglan & Associates, Inc. Agreements to Dewberry | Drake Haglan

Dear Charlie Ebeling:

Drake Haglan & Associates, Inc. (DHA) and Dewberry Engineers Inc. d/b/a Dewberry | Drake Haglan (Dewberry) have entered into an agreement to transfer DHA's assets (including certain DHA professional services agreements) to Dewberry, subject to consent of DHA's clients. In addition to the assets transfer, DHA's staff will transfer to Dewberry. DHA became a wholly owned subsidiary of Dewberry on September 27, 2019. Enclosed for your reference is a W-9, credit reference, and certificate of insurance for Dewberry.

This letter provides notice of, and requests your consent to, the assignment by DHA to Dewberry of all of DHA's rights, title, and interest in and under the below listed agreements between DHA and City of Goleta. By executing this letter below, you consent to such assignment by DHA of all of its right, title and interest in and under the below listed agreements to Dewberry, amendment of the below listed agreements to include Dewberry as the contracting party as of the date hereof, and acknowledge receipt of notice with respect thereto.

Client Contract Identifier				
DHA Job	DHA PM Name	PM Phone #	PM Email	DHA Job Name
City of Goleta Agreement No. 2012-090				
12013	Craig Drake	916.231.0967	CDrake@Dewberry.com	9002 Ekwill St & Fowler Rd Extensions
City of Goleta Agreement No. 2013-028				
12036	Craig Drake	916.231.0967	CDrake@Dewberry.com	9033 Hollister Ave Bridge Project
City of Goleta Agreement No. 2016-040				
16020	Craig Drake	916.231.0967	CDrake@Dewberry.com	9039 Hollister Ave Class 1 Bike Path
City of Goleta Agreement No. 2017-055				
17026	Craig Drake	916.231.0967	CDrake@Dewberry.com	9027 Goleta US 101 Overcrossing
City of Goleta Agreement No. 2017-127				
17047	F. Jose Silva	916.822.3955	JSilva@Dewberry.com	9007 San Jose Crk Bike Path Segment 1
City of Goleta Agreement No. 2018-115				
18059	F. Jose' Silva	916.822.3955	JSilva@Dewberry.com	9007 San Jose Crk Bike Path Segment 2
City of Goleta Agreement No. 2019-023				
19007	F. Jose' Silva	916.822.3955	JSilva@Dewberry.com	9006 San Jose Crk Bike Path - South

Your DHA points of contact and the DHA staff that have served you will remain unchanged and will continue to serve you. In addition you will now have access to Dewberry's substantial resources. Dewberry is registered to do business in all project locations. Its Federal Tax Identification Number is: 13-0746510.

For official notices, please update your points of contact to include a copy be sent to notices@dewberry.com.

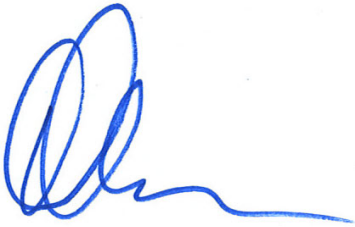
DHA respectfully requests that you signify your approval and confirmation of the above by executing this letter, keeping one executed copy for your records and returning one executed copy as soon as possible via email.

Thank you in advance for your prompt attention to this matter. If you have a question about this request or need additional information, please call the PM listed above.

Sincerely,

Dewberry Engineers Inc. d/b/a Dewberry | Drake Haglan

Drake Haglan & Associates, Inc.



By: Darren R. Conner
Title: CEO and President
Date: 10/17/2019



By: Dennis Haglan
Title: Assistant Vice President
Date: 10/17/2019

CONSENTED, ACKNOWLEDGED AND AGREED TO:

City of Goleta

Signature: _____

By: _____

Title: _____

Date: _____