City Council Meeting
3-23-26
Item 1.B.8.

Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Brandie Ayala, Senior Management Analyst

Reviewed by: Tatiana Holden, Interim Public Works Director/City Engineer

Approved by: Joseph D. Irvin, City Manager

Date prepared: March 5, 2026 Meeting date: March 23, 2026

Subject: Amendment to Professional Services Agreement for On-Call Construction Management Services

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RECOMMENDED ACTION: Authorize the Mayor to execute Amendment No. 3 to the Professional Services Agreement with Filippin Engineering (Filippin) amending compensation in the amount of $300,000 for a total not to exceed $1,366,408.60 for On-Call Construction Management Services related to the City's Capital Improvement Program.

FISCAL IMPACT: Funding for these on-call services is included in the Adopted Budget for FY 2025-26 in Account Number 310-9090-5100 (Permanent Skate Park). No additional appropriation is required.

Permanent Skate Park			
Project Estimate		**Project Funding**	
Design	$296,788.79	General Fund Designed	$5,057,289.50
Construction	$4,151,762.38	CIP	$412,472.79
Change Orders	$620,349.52	General Fund	
Construction Mgmt. #1	$343,540	Case/Crummer	$150,000
Construction Mgmt. #2	$93,143.60	Designated Reserve	$185,822
Construction Mgmt. #3	$300,000	Settlement Agreement	
		OGALS Per Capita Grants	

Total	**$5,805,584.29**	**Total**	**$5,805,584.29**

*Project funding shown represents multiple fiscal years.

STRATEGIC PLAN IMPLEMENTATION: This item supports the City's 2025-2028 Strategic Plan: Goal 7 – Explore New Opportunities for Educational, Cultural and Recreational Establishments

DISCUSSION: On February 24, 2025, the city entered into an agreement with Filippin to perform On-Call Construction Management Services in the amount of $50,000 for the City's Capital Improvement Program. This agreement was intended to allow the city to utilize Filippin for various construction management services during construction of the City's Capital Improvements Projects. These services include contract administration, submittal review, construction inspections and material testing, and providing related project close out documentation.

On June 9, 2025, the City Council approved Amendment No. 1 to perform construction management services on the Permanent Skate Park and Clover Heights Storm Drain Improvements projects increasing the agreement for a total amount not to exceed $611,896.98.

On December 8, 2025, the City Council approved Amendment No. 2 to perform construction management services for the Latigo Canyon Retaining Walls Repairs and the Clover Heights Storm Drain Improvements projects in the amount of $404,511.62.

This amendment of $300,000 includes the necessary support to perform the construction management services to complete the Permanent Skate Park. This allows City staff to continue to focus on recovery efforts while moving forward on the City's Capital Improvement Program. Funding for this amendment was included as part of the mid-year budget.

Staff recommends City Council authorizes the Mayor to execute Amendment No. 3 to the agreement with Filippin Engineering amending their compensation in the amount of $300,000 for a total not to exceed $1,366,408.60 for On-Call Construction Management Services.

ATTACHMENTS: Amendment No. 3 to Agreement with Filippin Engineering

AMENDMENT NO. 3 TO AGREEMENT

THIS AMENDMENT NO. 3 TO AGREEMENT is made and entered in the City of Malibu on March 23, 2026, by and between the CITY OF MALIBU, a municipal corporation, hereinafter referred to as City, and Filippin Engineering, a California Corporation, hereinafter referred to as Consultant.

The City and the Consultant agree as follows:

R E C I T A L S

A. On February 24, 2025, the City entered into an Agreement with Consultant for on-call construction management services (the "Agreement").

B. On June 9, 2025, the City Council amended this Agreement to increase the compensation for a total not to exceed $611,896.98.

C. On December 8, 2026, the City Council amended this Agreement to increase the compensation for a total not to exceed $1,066,408.60.

D. The City desires to amend the Agreement to increase the Consultant's compensation, and the Consultant has submitted a proposal for this purpose that is acceptable to the City.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

1. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended in the amount of $300,000 for a total not to exceed $1,366,408.60.

2. The Parties agree that this Amendment will be considered signed when the signature of a party is delivered physically or by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.

3. All terms and conditions of the Agreement not amended by this Amendment No. 3 remain in full force and effect.

This Agreement is executed on _____, at Malibu, California, and effective as of February 23, 2026.

CITY OF MALIBU:

_____
BRUCE SILVERSTEIN, Mayor

ATTEST:

_____
KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

_____
TREVOR RUSIN, Interim City Attorney

Filippin Engineering, a California Corporation:

_____
By: Gino Filippin
Title: President