

HAYWARD CITY COUNCIL

RESOLUTION NO. 25-\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 4 TO THE AGREEMENT WITH EKI ENVIRONMENT & WATER, INC. FOR AS NEEDED TECHNICAL SUPPORT RELATED TO THE IMPLEMENTATION OF THE GROUNDWATER SUSTAINABILITY PLAN AT A COST OF \$90,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$235,000

WHEREAS, the City Council and EKI Environment & Water, Inc. (EKI) and the City of Hayward entered into an Agreement dated the 22<sup>nd</sup> day of January 2021, titled “Agreement for Professional Services Between the City of Hayward and EKI Environment & Water for As-Needed Technical Support Related to Sustainable Groundwater Management” in the amount of \$25,000; and

WHEREAS, the Parties subsequently amended the contract on the 12<sup>th</sup> day of July, 2021, titled “Amendment No. 1 to the Agreement for Professional Services between the City of Hayward and EKI Environmental & Water” in the amount of \$35,000; and

WHEREAS, the Parties subsequently amended the contract on the 7<sup>th</sup> day of July, 2022, titled “Amendment No. 2 to the Agreement for Professional Services between the City of Hayward and EKI Environmental & Water” in the amount of \$35,000; and

WHEREAS, the Parties subsequently amended the contract on the 30<sup>th</sup> day of March, 2023, titled “Amendment No. 3 to the Agreement for Professional Services between the City of Hayward and EKI Environmental & Water” in the amount of \$50,000; and

WHEREAS, the City and EKI desire to amend the Agreement to provide additional as-needed technical sustainable groundwater management support in the amount of \$90,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City Manager to execute Amendment No. 4 with EKI Environment & Water, in a form approved by the City Attorney, for additional as-needed sustainable groundwater management technical support at a cost of \$90,000, increasing the total not-to-exceed contract amount to \$235,000.

