

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: David A. Bobardt, Community Development Director
Prepared by: Joseph Fiss, Principal Planner 

DATE: February 22, 2011 (CC Meeting of 3/2/2011)

SUBJECT: Consider Amendment No. 2 to Agreement for Professional Services with Parsons Transportation Group for Preliminary Engineering, Environmental Analysis, Design, and Right-of-Way Activities for the Installation of Soundwalls on SR-23 and Resolution Amending the Fiscal Year 2010/2011 Budget to Fund Additional Professional Services and Staff Time

BACKGROUND/DISCUSSION

On March 18, 2009, the City Council awarded an agreement to provide professional services with Parsons Transportation Group for preliminary engineering, environmental analysis, design, and right-of-way activities for the installation of the soundwalls along the west side of State Route 23, north of Tierra Rejada Road. The \$257,932.94 agreement was finalized and executed on May 28, 2009. The term of the agreement (one year) and the scope of work were based on early discussions with Caltrans on what was needed for encroachment permits for the construction of the soundwalls. On September 1, 2010, the City Council approved a budget amendment for up to \$40,000.00 and authorized the City Manager to amend the agreement with Parsons Transportation Group for preliminary engineering, environmental analysis, design, and right-of-way activities for the soundwalls on SR-23 for a one (1) year period and for a new total amount not to exceed \$294,416.56. Caltrans has added additional requirements that were not anticipated in the original contract, although Parsons has tried to meet Caltrans demands without incurring excessive additional costs. Staff is now requesting an amendment of the agreement for professional services to extend the timeframe to May 30, 2013, to cover support through the construction period, which was already included in the contract and to expand the scope of work to cover the additional study and engineering needed to obtain an encroachment permit to build the soundwall.

Procedural Difference - As stated in the original scope of work, Parsons assumed that a Permit Evaluation Engineering Report (PEER)-Noise Barrier Scope Summary Report (NBSSR) (smaller in scope than a full NBSSR) would be prepared for the project, and submitted with the full Plans, Specifications, and Estimates (PS&E) and environmental document to the Caltrans Encroachment Permit office as a single submittal. This assumption was based on preliminary meetings with Caltrans. However, Caltrans has since required the full NBSSR to be prepared, with all the PS&E milestone submittals (65%, 95%, and 100%) and full Caltrans oversight through their District 7 Design Department rather than through the District 7 Encroachment Permit Office. Each PS&E milestone submittal to date has included 30 copies, which means approximately 30 different people review the plans and provided comments. This requires longer review times for Caltrans and generates a lot of comments to address. This procedure has prolonged the schedule and required more budget than originally planned.

Additional Water Resources Requirements - Caltrans required a drainage analysis to be prepared. The contract scope of work did not include this, since the area of increased pavement was considered negligible. Caltrans is requiring two Storm Water Data Reports (SWDR), one for a Project Approval/Environmental Document (PA/ED) and one for the PS&E. Each has a slightly different format and the PS&E SWDR provides more detailed information. Preparation of one SWDR was included in the agreement scope of work.

Additional Number of Plan Sheets - The agreement scope of work references an expected 26 construction plan sheets. Currently the plan set is 36 sheets, which has developed from addressing Caltrans comments.

Attached is Parson's Proposal for Additional Services for an additional agreement amount of \$25,985.52, for a new total amount of \$320,402.08.

Additionally, City staff has continued to expend time on managing this agreement and processing the project through the City's process. An unbudgeted \$18,397.00 of staff time has already been expended on this project, representing 236.5 hours of Community Development and City Engineer/Public Works time from fiscal years 2008/09 and 2009/10. Staff will continue to expend additional time managing this project which should be accounted for through the budget amendment process.

FISCAL IMPACT

A budget amendment is required to allocate funds, including staff time, for this proposal and is attached. The funding source is the Carlsberg portion of the Citywide Traffic Mitigation Fund, which currently has a net balance of \$1,877,437.79. \$1,806,481.17 of this amount has been appropriated for the soundwall project, leaving an available balance of \$70,956.62. Staff estimates that there will be additional revenue to this fund

of approximately \$780,000.00 as a result of the build-out of the Patriot Commerce Center, the Home Depot site, and the former Peach Hill Medical site.

The following table shows the current and previously estimated total project costs for the soundwall. This differs from the current budgeted amount in that it includes the proposed increases, and the most recent Engineer's construction cost estimate. There will likely be a deficit in the current funding source, but the final amount will be unknown until bids are received. If the deficit remains, the Council would either need to defer the project, or authorize a loan from other available funds.

		Previous Estimate	New Estimate
Engineering/Design (Current Agreement, including Amendment No. 1, Completed/Paid)	\$280,291.00		
Engineering/Design (Current Agreement, including Amendment No. 1, Remaining/Unpaid)	\$14,125.56		
Subtotal (Current Agreement)		\$294,416.56	\$294,416.56
Drainage Analysis	\$2,956.52		
PS&E Storm Water Data Report	\$4,028.92		
Design Support During Bidding	\$5,072.64		
Design Support During Construction	\$10,926.72		
Prepare As-Built Plans	\$3,000.72		
Subtotal (Proposed Amendment No. 2)		0.0	\$25,985.52
Construction Costs (Engineer's construction cost estimate based on future costs and contingencies)		\$1,600,000.00	\$1,633,000.00
Construction Management/Resident Engineer Inspections		\$100,000.00	\$100,000.00
Additional City Staff Time		0.0	\$40,000.00
Total Estimated Project Cost		\$1,994,416.56	\$2,093,402.08

The Fiscal Year 2010/2011 budget as amended by Resolution No. 2010-2955, includes \$1,800,000.00 for this project, with \$100,000.00 allocated for the completion of design/engineering, \$1,600,000.00 for construction, and \$100,000.00 for construction inspection. A resolution is attached for Council consideration to add \$30,000.00 to the budget for this project for the additional work outlined in this report and \$40,000.00 for expended and projected City staff time, for a total of \$70,000.00.

STAFF RECOMMENDATION (ROLL CALL VOTE REQUIRED)

1. Adopt Resolution No. 2011-____ approving a budget amendment for up to \$70,000.00.
2. Authorize the City Manager to amend the agreement with Parsons Transportation Group for preliminary engineering, environmental analysis, design, and right-of-way activities for the soundwalls on SR-23 to May 30, 2013, and for a new total amount not to exceed \$320,402.08, subject to final language approval by the City Manager and City Attorney.

ATTACHMENTS:

1. Draft Resolution with Appropriation and Budget Detail
2. Draft Amendment to Agreement for Professional Services
3. Proposal for Additional Services

RESOLUTION NO. 2011-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AMENDING THE FISCAL YEAR 2010/2011 BUDGET TO APPROPRIATE FUNDS FROM CITY-WIDE TRAFFIC MITIGATION FUND (2002), IN THE AMOUNT OF \$70,000.00 FOR PRELIMINARY ENGINEERING, ENVIRONMENTAL ANALYSIS, DESIGN, AND RIGHT-OF-WAY ACTIVITIES AND STAFF TIME FOR THE INSTALLATION OF SOUNDWALLS ON SR-23

WHEREAS, on June 16, 2010, the City Council adopted the Operations and Capital Improvement Projects Budget for Fiscal Year 2010/2011; and

WHEREAS, the adopted budget includes appropriations totaling \$1,806,481.17 in the City-Wide Traffic Mitigation Fund (2002) for the 23 Freeway Soundwall at Tierra Rejada Road Capital Improvement Project (8079); and

WHEREAS, on May 28, 2009, the City entered into a one-year agreement with Parsons Transportation Group (Parsons), subsequently amended September 1, 2010, to perform preliminary engineering, environmental analysis, design, and right-of-way activities for the installation of soundwall on SR-23 for a total contract cost of \$294,416.56. As of February 30, 2011, the City has paid Parsons \$280,291.00 for work completed through December 31, 2010; and

WHEREAS, an agenda report has been presented to Council discussing the status of the project and outlining the additional scope of work required by Caltrans for the construction of the soundwalls; and

WHEREAS, the same agenda report recommends amending the design and engineering Agreement for Professional Services with Parsons to May 30, 2013 and modifying the scope of work for additional engineering services for a new total contract amount not to exceed \$320,402.08; and

WHEREAS, a budget amendment increase of \$70,000.00 is required from the City-Wide Traffic Mitigation Fund (2002) for the 23 Freeway Soundwall at Tierra Rejada Road Capital Improvement Project (8079) to pay for the additional engineering services and City staff time; and

WHEREAS, on March 2, 2011, a staff report was presented to the City Council requesting a Budget appropriation in the aggregate amount of \$70,000.00; and

WHEREAS, Exhibit "A" attached hereto and made a part hereof, describes said Budget amendment and its resultant budget impacts to the Budget line item(s).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That a Budget appropriation in the aggregate amount of \$70,000.00 as more particularly described in attached Exhibit "A", is hereby approved.

SECTION 2. The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 2nd day of March, 2011.

Janice S. Parvin, Mayor

ATTEST:

Maureen Benson, City Clerk

Exhibit "A": Appropriation and Budget Detail

EXHIBIT A

**BUDGET AMENDMENT FOR THE CITY-WIDE TRAFFIC
 MITIGATION FUND FOR CONSULTANT SERVICES TO
 PROVIDE PROFESSIONAL SERVICES FOR PRELIMINARY
 ENGINEERING, ENVIRONMENTAL ANALYSIS, DESIGN,
 AND RIGHT-OF-WAY ACTIVITIES FOR THE
 INSTALLATION OF SOUNDWALLS ON SR-23
 FY 2010/2011**

FUND ALLOCATION FROM

Fund	Account Number	Amount
City-wide Traffic Mitigation Fund (Carlsberg Portion)	2002-5500	\$70,000.00

DISTRIBUTION OF APPROPRIATION TO EXPENSE ACCOUNTS

Account Number	Description	Current Budget	Revision	Amended Budget
2002-6440-8079-9601	Design/Eng	\$100,000.00	\$70,000.00	\$170,000.00
2002-6440-8079-9601	Construction	\$1,600,000.00	0	\$1,600,000.00
2002-6440-8079-9601	Inspection	\$100,000.00	0	\$100,000.00
Project Totals		\$1,800,000.00	\$70,000.00	\$1,870,000.00

Finance Approval: 

January 11, 2011

Mr. Joseph Fiss
Principal Planner
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

Subject: SR-23 Soundwall Project - Proposed Amendment for Scope of Work Additions and for Design Support during Bidding and Construction

Dear Mr. Fiss,

In the process of designing the SR-23 Soundwall Project at Tierra Rejada Road, Caltrans has required some additional items above what was originally proposed in Parsons' scope of work. This has resulted in our inability to complete the project within the allotted budget. The following are examples of the additional effort required to complete the project.

Procedural Difference

As stated in the contract scope of work, Parsons assumed that a Permit Evaluation Engineering Report (PEER)-NBSSR (smaller in scope than a full NBSSR) would be prepared for the project, and submitted with the full PS&E and environmental document to the Caltrans Encroachment Permit office as a single submittal. However, Caltrans has required the full NBSSR to be prepared, with all the PS&E milestone submittals (65%, 95%, and 100%) and full Caltrans oversight through their District 7 Design department rather than through the District 7 Encroachment Permit Office.

Each PS&E milestone submittal to date has included 30 copies, which means approximately 30 different people review the plans and provided comments. This requires longer review times for Caltrans and generates a lot of comments to address. This procedure has prolonged the schedule and required more budget than originally planned.

Additional Water Resources Requirements

Caltrans required a drainage analysis to be prepared. The contract scope of work did not include this, since the area of increased pavement was considered negligible.

Caltrans is requiring two (2) storm water data reports, both a Project Approval/Environmental Document (PA/ED) and a Plans, Specs, and Estimate (PS&E) one. Each has a slightly different format and the PS&E SWDR provides more detailed information. Preparation of one SWDR was included in the contract scope of work.

Additional number of plan sheets

The contract scope of work references an expected 26 construction plan sheets. Currently the plan set is 36 sheets, which has developed from addressing Caltrans comments.

Accordingly, we would like to request additional budget to complete the design effort, and to provide design support during bidding and construction, as originally proposed. Our effort has been and will continue to be as efficient as possible.

Please see the attached fee proposal. Parsons is requesting and \$25,985.52 for this effort. Please let me know if this is acceptable. Do not hesitate to call me at (626) 440-2519 if you have any questions. Thank you very much.

Sincerely,



Eric Spangler, P.E., T.E.
Project Engineer



CITY OF MOORPARK
SR-23 Soundwalls at Tierra Rejada Road - Design Support during Bidding and Construction
PARSONS Fee Proposal - January 2011

TASK No.		TASK DESCRIPTION	Project Engineer Eric Spangler	Water Resources Ryan Hansen	Assistant Engineer JiHye Shin	HOURS BY ACTIVITY	TASK TOTAL
			\$158.52	\$139.90	\$88.47		
1		SCOPE OF WORK ADDITIONS & DESIGN SUPPORT DURING BIDDING AND CONSTRUCTION					
1.1		Drainage Analysis	1	20		21	\$2,956.52
1.2		PS&E Storm Water Data Report	6	22		28	\$4,028.92
1.3		Design Support During Bidding	32			32	\$5,072.64
1.4		Design Support During Construction (8-month construction duration)	60		16	76	\$10,926.72
1.5		Prepare As-Built Plans	10		16	26	\$3,000.72
		HOURS :	109	42	32	183	
		LABOR :	\$17,278.68	\$5,875.80	\$2,831.04		\$25,985.52

**AMENDMENT NO. 2
TO AGREEMENT
BETWEEN THE CITY OF MOORPARK
AND PARSONS TRANSPORTATION GROUP**

Original Agreement No.: 2009-078

Date of Original Agreement: May 28, 2009

Organization / Firm: Parsons Transportation Group

Amendment No.: 2

Effective Date of This Amendment: _____

Subject of Amendment: Additional consulting services provided by Parsons Transportation Group including Scope of Work Additions, and Design Support during Bidding and Construction

RECITALS

- A. Whereas the City of Moorpark ("City") and Parsons Transportation Group ("Consultant"), entered into an Agreement on May 28, 2009, setting forth the terms, conditions and scope of work for certain services to be provided to City by Consultant; and,
- B. Whereas City and Consultant find it necessary to amend the Agreement to authorize certain additional work as described herein; and,
- C. Whereas additional time is necessary to perform the additional work.

NOW, THEREFORE, in consideration of the mutual covenants, benefits and premises herein stated, the parties hereto agree to AMEND the aforesaid Agreement as follows:

I. Section 1 is amended as follows:

1. Term

The termination date of this agreement is extended until May 30, 2013.

II. Section 2 is amended as follows:

2. Services

January 11, 2011

Mr. Joseph Fiss
Principal Planner
City of Moorpark
799 Moorpark Avenue
Moorpark, CA 93021

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