

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Yugal K. Lall, City Engineer/Public Works Director 

DATE: January 22, 2010 (CC Meeting of 02/03/10)

SUBJECT: Consider Amendment to Agreement with Penfield & Smith for Additional Services and Rate Adjustment for the Princeton Avenue Widening Project (Project 8012)

BACKGROUND/DISCUSSION

On March 19, 2008, the City Council awarded an Agreement to Penfield & Smith to prepare conceptual design, construction plans, specifications and a cost estimate for Project 8012: the widening and realignment of Princeton Avenue west of Condor Drive. As the project has progressed, it has been determined that additional tasks are required to complete the project. Penfield & Smith has submitted a proposal and cost quote (Attachment 1) for the additional tasks which include:

1. Boundary Establishment Survey and Legal Description Preparation: \$52,348.75
 - During initial work of Phase I, it was determined that Penfield & Smith would need to conduct boundary establishment surveys, boundary and easement compilation, and prepare legal descriptions and exhibits for 27 easements.
2. Geotechnical and Geological Update Report: \$8,250.00
 - Penfield & Smith will contract with GeoDynamics, Inc. to perform geotechnical and geological updates required as a result of shifting the center line to the south. The new alignment will ultimately reduce the construction cost for this Project.

In addition to the services described above, staff is requesting to reimburse the Consultant for previous work that they have performed above and beyond what was originally included in their scope of services.

1. Additional Topographic Survey: \$6,305.00
 - Penfield & Smith discovered significant discrepancies during its performance of topographic surveys to supplement existing survey data provided by the City. Consequently, additional surveying and mapping, including a new and expanded aerial topographic survey, were required for the final design.
2. Client Directed Extra Services: \$7,788.50
 - The City requested that Penfield & Smith perform two tasks that were separate from the original Agreement which included the proposed refueling station (\$2,766.00) and a bicycle grant application (\$5,022.50). As a side-note, the work performed for the bicycle grant application assisted in the City's receipt of an award of \$206,000 in Bicycle Transportation Account (BTA) funding.

Penfield & Smith is also requesting that the services for Amendment No. 1 be paid based on their 2009 rates. Penfield & Smith will continue to perform services for the original Agreement based on its original 2008 Agreement pricing.

FISCAL IMPACT

The proposed amendment would increase Penfield & Smith's Agreement by \$74,692.25 from a not-to-exceed amount of \$279,148.00 to a not-to-exceed amount of \$353,840.25. No new funds are necessary to fund Penfield and Smith's task. Staff intends to perform a budget line item adjustment from one expense account to another for this project (8012) in order to fund these items of work.

STAFF RECOMMENDATION

Approve Amendment No. 1 with Penfield & Smith to increase the Scope of Services for the Princeton Avenue Widening Project in an amount not to exceed \$74,692.25 and authorize the City Manager to execute said amendment, subject to final language approval by the City Manager and City Attorney.

Attachment 1 - Penfield & Smith Proposal



Penfield & Smith

1327 Del Norte Road, Ste 200
Camarillo, CA 93010

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fax 805-981-0251

www.penfieldsmith.com

Santa Barbara
Camarillo
Santa Maria
Lancaster

Civil Engineering

Land Surveying

Land Use Planning

Construction
Management & Inspection

Traffic & Transportation
Engineering

Transportation Planning

Structural Engineering

Water Resources
Engineering

GIS

January 14, 2010

W.O. 18305.04

Mr. Yugal Lall
City of Moorpark
Public Works Department
799 Moorpark Avenue
Moorpark, CA 93021

**SUBJECT: PRINCETON AVENUE WIDENING PROJECT
PROPOSED FEE FOR ADDITIONAL SERVICES
BILLING RATE MODIFICATION**

Dear Yugal,

In response to our telephone conversations, emails and meeting, please find this proposal for additional services, and a request to modify of billing rates for the subject project. The additional scope of services includes:

- Boundary Establishment Survey and Legal Description Preparation
- Geotechnical Update Report
- Additional Topographic Survey
- Client Directed Out of Scope Services

The total cost for the additional scope of services is **\$74,692.25**. The detailed scope and fee per item is outlined below.

Boundary Establishment Survey and Legal Description Preparation

The City issued Notice to Proceed dated June 2, 2008, directed Penfield & Smith to "Review right-of-way acquisition efforts of the City and provide comments regarding adequacy and deficiencies." Based on our review of City data in the Phase 1 portion of the project, Penfield & Smith and the City determined that only minimal right-of-way acquisition and boundary establishment survey efforts had been conducted for the proposed widening of Princeton Avenue.

Right-of-way easements and dedications suitable for the construction of the Princeton Avenue widening had not been completed. It was determined that 27 easements, with associated legal descriptions and exhibits, were required for the right-of-way and construction of the project.

Penfield & Smith was directed by the City to conduct boundary establishment surveys, boundary and easement compilation, and prepare legal descriptions and exhibits for the 27 easements. As detailed in the attached cost estimate, the cost to prepare the 27 easements is estimated to have the following fee.

Fee: \$52,348.75

Geotechnical Update Report

The alignment of the Princeton Avenue widening project was amended to provide cost savings related to necessary right-of-way land acquisitions, to minimize grading and retaining walls. The standard of care prescribes that the geotechnical engineering recommendations be updated to address the proposed development and alignment.

We propose to contract GeoDynamics, Inc. to perform the geotechnical update. The GeoDynamics proposal is attached for review. The estimated maximum fee to update the geotechnical report is \$7,500 plus 10% markup for the following total fee.

Fee: \$8,250.00

Additional Topographic Survey

As stated in our original letter of proposal for this work dated February 18, 2008, Penfield & Smith proposed to perform topographic surveys to supplement the existing City provided survey data and modify the existing topographic site maps. Unfortunately, significant discrepancies were discovered during the supplemental topographic survey and additional survey and mapping, including a new and expanded aerial topographic survey, was required for the final design.

We respectfully request a budget increase for the following amount to compensate for the additional survey services that were necessary to complete the design.

Fee: \$6,305.00

Client Directed Extra Services

During Phase 1 of the project, Penfield & Smith was directed by the City to conducted extra services related to the refueling station and bicycle grant projects located along the Princeton Avenue alignment. We conducted \$2,766 of work related to the refueling station project and \$5,022.50 related to the bicycle grant project. These fees were billed as part of the original scope and in-lieu of a total of \$7,788.50 portion of the Specifications and Permitting tasks of Phase 2, which the City agreed to accept as their workload.

We propose to increase the fee of the original scope by the sum of the above directed out of scope services, and re-accept the Specifications and Permitting task in their entirety. We propose to increase the fee of the original scope by the following amount.

Fee: \$7,788.50



Billing Rate Modification

Penfield & Smith adopted the attached Billing Rate Schedule effective January 1, 2009, in accordance with our region's CPI increases. We respectfully request that the City of Moorpark amend the Contract for the subject project to accept these billing rates.

If you have questions regarding this fee estimate for additional services and the request to modify the billing rates within the subject project, please contact me at (805) 981-0706 x 221 or via email at sdm@penfieldsmith.com.

Sincerely,

PENFIELD & SMITH



Scott D. Meckstroth, R.C.E. 63337
Project Engineer

Attachments
18305.04 CO 2010 01 14.docx



PENFIELD & SMITH
BILLING RATES EFFECTIVE JANUARY 1, 2009

Engineering

Engineering Technician	\$73
Associate Technician.....	83
Senior Technician.....	93
Designer.....	110
Senior Designer.....	125
Junior Engineer	88
Assistant Engineer.....	110
Associate Engineer.....	130
Senior I Engineer.....	145
Senior II Engineer.....	160
Principal Engineer	180

Geomatics (Surveying & Mapping)

Survey Technician.....	\$68
Junior Surveyor	85
Assistant Surveyor.....	105
Associate Surveyor.....	120
Senior I Surveyor.....	135
Senior II Surveyor.....	150
Principal Surveyor	172

One-Man Survey Crew	\$155
Prevailing Wage.....	170
Two-Man Survey Crew	200
Prevailing Wage.....	230

Planning

Planning Technician	\$68
Junior Planner	83
Assistant Planner.....	100
Associate Planner.....	115
Senior I Planner.....	130
Senior II Planner.....	145
Principal Planner	160

Construction Management

Construction Technician.....	\$88
Assistant Construction Manager	110
Associate Construction Manager	125
Senior I Construction Manager.....	145
Senior II Construction Manager.....	155
Principal Construction Manager	180

Construction Inspector	\$83
Prevailing Wage	110
Senior Construction Inspector.....	98
Prevailing Wage	115
Chief Inspector/Owner's Representative	110
Prevailing Wage	120

Geographic Information Systems (GIS)

GIS Technician	\$85
GIS Analyst	125
GIS Principal.....	165
IT Specialist	165

General

Technical/Clerical Support	\$65
Environmental Specialist.....	175
Senior Program Manager.....	175
Special Consultant.....	200
<i>(Principal with specialized skills in engineering, geomatics or planning)</i>	

Rapid Response = Minimum charge of four (4) hours at 1.5 times the regular rate

Expert Witness/Deposition Rate = two (2) times regular rate

Out-of-town Survey Crew Travel = 1/2 times regular rate

Outside Consultant

Reimbursable Expenses

In-house reimbursable expense rates available upon request.

Note: Adjustments to rates are normally made on January 1st, however, Penfield & Smith reserves the right to make adjustments at any time.



December 16, 2009

Proposal No: P9.00102.002

Jeremy Salts,
Principal Engineer**PENFIELD & SMITH**
111 East Victoria Street
Santa Barbara, CA 93101**SUBJECT: Proposal for Geotechnical Update Report, Princeton Avenue Widening, City of Moorpark, California.****References:** Bing Yen & Associates, Inc., 2003b, "Supplemental Geotechnical Report, Los Angeles Avenue East Realignment, Moorpark, California," Project No: 49.17690.0029 dated July 9, 2003.

Bing Yen & Associates, Inc., 2003a, "Geotechnical Update Report, Los Angeles Avenue East Realignment, Moorpark, California," dated May 8, 2003.

Bing Yen & Associates, Inc., 1997, "Geotechnical Investigation and Recommendations for Design, Los Angeles Avenue East Realignment, Moorpark, California," dated June 6, 1997.

Dear Jeremy:

Per our telephone conversation this afternoon, GeoDynamics, Inc. (GDI) is pleased to submit this proposal to provide a feasibility-level geotechnical investigation for the Princeton Avenue widening, City of Moorpark, California. We reviewed the above-referenced reports as well as the revised grading/development plans for the widening of Princeton Avenue from Station 0+00.00 to Station 10+00.00, prepared by Penfield & Smith. We also met with you and Bret Foster (the civil and structural engineers for the project) at the office Penfield & Smith in Santa Barbara, California on October 8, 2009 and briefly discussed the plans.

This proposal summarizes our understanding of the project and presents the proposed scope of work with associated estimated costs.

PROJECT UNDERSTANDING

Based on our preliminary review of the revised development plans, the new grading concept includes new cut slopes and retaining walls. Cut slopes up to 28 feet high, and fill slopes up to 18 feet high are proposed along the northern and southern side of the existing road alignment, respectively. The fill is proposed in alluvial areas, while the proposed cut is within areas expected to expose bedrock. Some of the proposed fill will surround existing Caltrans caissons that support the freeway interchange between Hwy 23 and Hwy 118.

Previous grading plans considered soil nail walls along the northern side of the street right of way. Current plans replaced soil nail walls with retaining walls up to 10 feet high.

PURPOSE OF STUDY

The purposes of the proposed geotechnical services are to update previous geotechnical recommendations to accommodate changes in the proposed development and geotechnical conditions at the site. The

proposed update report will provide additional recommendations as necessary to address these changes and provide mitigation measures as necessary.

SCOPE OF SERVICES

Based upon our understanding of the proposed development and the current needs of the City, GDI proposes the following scope of services. All aspects of the work will be performed by, or under the direct supervision of, a State of California registered geotechnical engineer and/or a certified engineering geologist, as appropriate.

- Review readily available geotechnical information and research our archives for pertinent geotechnical data, including the above referenced reports.
- Review of current grading and development plans for the widening of Princeton Avenue by Penfield & Smith.
- Visit the site to reconnoiter the site and map exposed geologic conditions within the proposed cut slope and retaining wall areas.
- Prepare new cross-sections within newly proposed cut slope and retaining wall areas.
- Prepare an update geotechnical report with updated geotechnical map, cross-sections and recommendations.
- Project coordination and management.

SCHEDULE

We understand that time is of the essence in completion of this project. GDI will start the work upon receipt of your written authorization to proceed. We will maintain contact with you and your consultants during the course of the study to keep you informed of our findings. We expect that the geotechnical report will be completed in about four to six weeks from the time of your authorization. Please let us know if the above schedule for report delivery is not compatible with your time schedule

COST ESTIMATE

GDI will provide the proposed scope of work on a time and materials basis in accordance with our fee schedule for professional services. We estimate the fees for the above scope of work to be in \$6,500 to \$7,500 range. Additional services above and beyond the scope outlined above will be billed per our attached schedule of fees for professional services.

ASSUMPTIONS AND LIMITATIONS

This proposal has been prepared for the exclusive use of the Client for specific application to the geotechnical services described herein. Acceptance or commencement of work after one month may require changes in professional fees and subcontractor's charges. GDI will endeavor to conduct the services described herein in a manner consistent with that level of care and skill ordinarily exercised by members of the profession practicing in the same locality and under similar conditions as this project. GDI makes no other representation or warranty, either express or implied.

The proposed scope and corresponding fees represent GDI's view of the optimal and most cost-effective scope of work based upon the anticipated conditions and available information regarding the site. Unforeseen circumstances, such as the discovery of subsurface conditions that significantly complicate the study, may occur. Should conditions be encountered that are not presently anticipated within the proposed scope of work or should additional work be required to provide the necessary recommendations,

you will be notified immediately to discuss the impact of the changed scope on our study and our cost estimate for a revised scope. No work (or associated costs) beyond the outlined scope will be carried out without receiving your prior approval and authorization. Additional work will require an additional fee above and beyond the amounts stated here. Our proposal includes the following assumptions and limitations. Please read this section carefully. If you have any questions regarding these items, please contact our office.

- o GDI's fee estimate is based upon the scope of work and schedule described above. Additional services, or schedule adjustments that may be requested or required due to changes in the proposed project or other conditions, are excluded.
- o No field exploration or laboratory testing is proposed. An evaluation of settlement of alluvial deposits in areas of proposed fill will be based on assumptions, and on previously obtained geotechnical data from the site and available data from adjacent sites.
- o No time for meetings is included in the above budget. If our attendance in meetings is required, GDI will attend on a time-and-expense basis.
- o The Client shall provide site access. We assume cooperative access will be made available immediately upon receipt of the notice to proceed.
- o We assume that the client will provide GDI with all readily available existing geotechnical data and reports pertinent to the site.

AUTHORIZATION

To authorize this proposal, please sign and return both copies of the attached Terms and Conditions. A fully executed copy of the agreement will be returned to you promptly. If you have any questions regarding the contract terms, please contact us at your earliest convenience.

GDI appreciates the opportunity to provide you with our professional geotechnical services. If you have any questions, please do not hesitate to contact us.

Respectfully Submitted,

GEODYNAMICS, INC.

Ali A. Haq

Ali Abdel-Haq, PE, GE
Principal Engineer



Christopher J. Sexton, PG, CEG
Principal Geologist

Enclosures: Professional Fee Schedule
Work Authorization and Agreement