

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

**FROM:** David A. Bobardt, Community Development Director  
Dave Klotzle, City Engineer/Public Works Director  
Prepared by: Joseph Fiss, Principal Planner

Handwritten initials and signatures in black ink, including 'DS', 'JK', and 'B'.

**DATE:** July 11, 2012 (CC Meeting of 7/18/2012)

**SUBJECT:** Consider Amendment No. 4 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

**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 a new total amount not to exceed \$294,416.56 to address aerially deposited lead (ADL) testing required by Caltrans to address the handling and disposition of dirt that will be hauled off the site when the footings for the soundwall are excavated, and for design of a soundwall overlap that was required by Caltrans for the soundwalls to be 224 feet longer than originally presented in the City's request for proposals and the associated noise study.

On March 20, 2011, the City Council approved another budget amendment for a new total amount not to exceed \$320,402.08 to address a procedural difference where

Parsons assumed that a Permit Evaluation Engineering Report (PEER)-Noise Barrier Scope Summary Report (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. The additional work required by Caltrans for a drainage analysis resulting in the number of plan sheets increasing from 26 to 36 sheets.

On July 20, 2011, the City Council approved another budget amendment for a new total amount not to exceed \$336,056.40 to revise the PS&E Storm Water Data Report; Update Plans for a Bioswale and New Storm Drain Designs; and Update Cost Estimate and Caltrans Specifications. Just prior to permit approval, Caltrans added an additional requirement not anticipated in the original contract. Caltrans required additional stormwater Best Management Practices (BMPs) including a bioswale/storm drain to address an existing deficiency in the area not related to the soundwall project. This consists of design and construction of a bioswale on the west side of the southbound off-ramp at the bottom of the 2:1 slope. The device would require retrofitting the existing storm drain and would treat 3.6 acres of the northbound and southbound SR-23 travelled way. This requirement added \$15,654.32 to the engineering design and permitting costs, and is expected to add an additional \$80,000 to the construction costs. Mayor Parvin and staff appealed this new requirement to the Caltrans District 7 Director, however, on June 24, 2011; the District Director denied this appeal.

During the finalization of this work, Caltrans requested that Parsons update certain reports, as a result of changes due to previous additional work that Caltrans required. These were a "Biology Study Revalidation Report" and additional "Source Inspection Quality Management Plans" research and coordination. There were sufficient funds in the agreement budget to fund these additional requirements, however, that took away funds from Design Support during Bidding and Construction, which had been approved under the original agreement. Parsons has continued to work on Design Support within the original approved budget; however there currently remains only \$1,817.83.

Staff is now requesting an amendment of the agreement to cover the cost of several tasks during the bidding and construction phase of the project. Attached is Parson's Proposal for Additional Services for an additional agreement amount of \$40,902.32, for a new total amount of \$376,958.72.

### **FISCAL IMPACT**

The FY 2012-2013 budget includes \$1,764,046 for this project, of which \$64,046 is available for Design and Engineering, \$1,600,000 is for construction and \$100,000.00 is for construction management. The increased compensation to Parson will be absorbed by the available appropriation in Design and Engineering. No budget amendment is requested at this time. On May 16, 2012, the City Council approved authorization of a consultant agreement for construction management with Filippin Engineering, Inc. in the

amount of \$228,500. This was funded through a line item transfer from the construction budget for the project. The Design Support costs needed at this time can also be funded from the existing City budget with a line item transfer from one of these funds. A budget amendment would, however, likely be needed in the future for the construction contract at the time it is awarded.

The funding source for this project has been the Carlsberg portion of the Citywide Traffic Mitigation Fund, which currently has a balance of \$1,906,920.47 of which \$1,766,733.84 is encumbered and appropriated, leaving a balance of \$140,186.63. 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. This additional money would not be collected until building permits are issued for these properties. There would likely be a deficit in the current funding source if the soundwall is built before the buildings identified above, but the final amount will be unknown until the soundwall construction bids are received. If the deficit remains, the Council would either need to defer the project, or authorize a loan from other available funds.

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.

		Previous Estimate	New Estimate
Engineering/Design (Current Agreement, including Amendment No. 1 and No. 2, Completed/Paid)	\$310,817.24		
Engineering/Design (Current Agreement, including Amendment No. 1 and No. 2, Remaining/Unpaid)	\$ 9,584.84		
<b>Subtotal (Current Agreement)</b>		<b>\$320,402.08</b>	<b>\$320,402.08</b>
Proposed Amendment No. 3	\$15,654.32		
<b>Subtotal (Including Amendment No. 3)</b>		<b>\$336,056.40</b>	<b>\$336,056.40</b>
Proposed Amendment No. 4	\$40,902.32		
<b>Subtotal (Including Amendment No. 4)</b>			<b>\$376,958.72</b>
Construction Costs (Engineer's construction cost estimate based on future costs and contingencies)		\$1,633,000.00	\$1,633,000.00
Construction Management/Resident Engineer Inspections		\$100,000.00	\$228.500
Additional City Staff Time		\$40,000.00	\$40,000.00
Stormwater Best Management Practices (BMPs)	\$80,000.00	\$80,000.00	\$80,000.00
<b>Total Estimated Project Cost</b>		<b>\$ 2,189,056.40</b>	<b>\$ 2,358,458.72</b>

**STAFF RECOMMENDATION**

1. 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, extending the agreement to May 30, 2013, and increasing the total amount by \$40,902.32 so as not to exceed \$376,958.72, subject to final language approval by the City Manager and City Attorney.

**ATTACHMENTS:**

1. Proposal for Additional Services
2. Draft Amendment to Agreement for Professional Services

April 30, 2012

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

**Subject: SR-23 Soundwall Project - Amendment Request #4: to provide Design Support during Bidding & Construction**

Dear Mr. Fiss,

Parsons has now completed our contract scope of work in relation to obtaining Caltrans approval of the SR-23 Soundwall Project PS&E. Parsons was requested by Caltrans to perform a couple final tasks during the design stage that used up any budget that was remaining in the contract to perform Design Support during Bidding and Construction. These final tasks requested by Caltrans that Parsons performed included:

- Biology Study Revalidation Report
- Source Inspection Quality Management Plans research and coordination

The City instructed Parsons to proceed with the above work at that time, and that budget for construction support could be revisited at a later date. Please see the attached backup email.

Parsons proposes to perform the following tasks during the bidding and construction phase of the project:

- Answer Requests for Information (RFIs) from bidders during the Bidding Phase
- Attend the Pre-Construction Meeting
- Review Design-Related Contractor Submittals, Shop Drawings, and RFIs
- Attend 4 meetings at the City or the Site during Construction
- Prepare As-Built Plans after Construction is complete

Please see the attached fee proposal. Parsons is requesting and \$40,902.32 for this effort. Our effort has been and will continue to be as efficient as possible. Feel free to call me at (949) 333-4527 if you have any questions. Thank you very much.

Sincerely,



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



**CITY OF MOORPARK - SR 23 Soundwalls at Tierra Rejada Road - Amendment 4: Design Support During Bidding & Construction**  
**PARSONS** Fee Proposal - May 2012

					SUBCONSULTANT		
		Project Manager Eric Spangler	Highway Engineer Dion Osmond	HOURS BY ACTIVITY	PARSONS TOTAL LABOR	Lynn Capouya, Inc.	TASK TOTAL
		\$158.52	\$107.72			Landscape Architecture	
TASK No	TASK DESCRIPTION						
	<b>DESIGN SUPPORT DURING BIDDING &amp; CONSTRUCTION</b>						
1	Answer Bidder RFIs	16		16	\$2,536.32		\$2,536.32
2	Attend Pre-Construction Meeting & 4 Other Meetings	30		30	\$4,755.60		\$4,755.60
3	Review Design-Related Submittals, Shop Drawings, and RFIs	120	40	160	\$23,331.20	\$1,300.00	\$24,631.20
4	Prepare As-Built Plans	20	40	60	\$7,479.20	\$1,500.00	\$8,979.20
	HOURS :	186	80	266			
	LABOR :	\$29,484.72	\$8,617.60		\$38,102.32	\$2,800.00	\$40,902.32