

# STAFF REPORT

## CITY OF YORBA LINDA

---

### REDEVELOPMENT AGENCY

**DATE: JUNE 2, 2009**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: WILLIAM R. KELLY, INTERIM CITY MANAGER**

**SUBJECT: CHANGE ORDER NO. 1 TO AMENDMENT NO. 7 TO WILLDAN ENGINEERING FOR THE ARROYO STREET & LAKEVIEW AVENUE/LEMON STREET PARKING LOT PROJECT**

---

### RECOMMENDATION

It is recommended that the City Council approve and authorize the City Manager to execute Change Order No. 1 to Amendment No. 7 to Willdan Engineering in the amount of \$24,335 for the Arroyo Street and Lakeview Avenue/Lemon Street Parking Lot Project.

### BACKGROUND

At the March 4, 2008 City Council/Redevelopment Agency meeting, the Agency Board directed staff to proceed with the development of two temporary parking lots on Agency-owned properties in the Town Center. The first was to be located at the southwest corner of Lakeview Avenue and Lemon Drive, and the second to be constructed along the west side of Arroyo Street. On April 7, 2008, staff entered into an agreement with Willdan Engineering, in the amount of \$29,400, for the design and engineering of parking lots on both of these sites.

Willdan immediately began with the design of the Lakeview/Lemon lot since the site had already been cleared. Concurrently, staff went to bid for the demolition of the structures located on the Arroyo properties. The demolition was completed in early July, 2008; however, an underground tank was discovered on the site, which required remediation and removal prior to proceeding with the parking lot design at that location. The remediation process delayed the design of the Arroyo lots by approximately four months.

In November, just before the fires hit, Willdan submitted an amendment to the contract requesting additional funds for enhanced design features requested by the City, including added lighting, signage, striping, a Water Quality Management Plan, and an additional ADA ramp. These supplemental costs were necessary as a result of the lots

being re-designed from gravel lots to asphalt parking lots. The total change order request was for \$24,335. Although the City's engineering staff did a preliminary review of the additional costs and found them to be warranted, staff's response to the Freeway Complex fires caused extensive project delays.

In January 2009, as staff re-initiated the project, Willdan submitted a second change order request for \$4,500 for soils testing on both of the sites. Unfortunately, at the same time, the project was put on hold again due to the unresolved State budget and the potential loss of RDA monies, along with the increased number of non-prioritized RDA projects that were pending given the anticipated budget cuts. At that time it was recommended that the project be reassessed during the mid-year budget review process. Given Council's desire to proceed, staff is prepared to resurrect the project and seek approvals on both change order requests, which have since been combined into one request.

### **ANALYSIS / DISCUSSION**

Once the parking lot surface was changed from gravel to asphalt, additional design work was required in order to complete the plans and specifications and put the project out to bid. Additional survey was needed to establish the drainage of the site, utility research and mapping was required, a striping and lighting plan was added for the vehicular parking and circulation of the lot, and a Water Quality Management Plan was necessary to meet the requirements of the City's National Pollution Discharge Elimination System (NPDES).

In accordance with the City Council Policy #A-2, it is required that the City Council approve Change Orders that exceed \$25,000 or 15% of the original contract amount. The total cost for Change Order No. 1 is \$24,335, an 83% increase to the original contract.

### **FISCAL IMPACT**

Total amount for engineering and design is \$58,295. The associated costs are to be funded by the Redevelopment Agency. An additional \$28,835 will need to be adjusted to the current budget to allow for the additional services being requested.

Anticipated construction costs were estimated at \$639,000 and will need to be budgeted for 2009/2010.

### **RECOMMENDATION**

It is recommended that the City Council approve and authorize the City Manager to execute Change Order No. 1 to Amendment No. 7 to Willdan Engineering in the amount of \$24,335 for the Arroyo Street and Lakeview Avenue/Lemon Street Parking Lot Project.

**ALTERNATIVES**

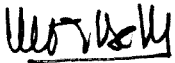
1. Accept staff's recommendation and approve Change Order No. 1 to Amendment No. 7 to Willdan Engineering in the amount of \$24,335 for the Arroyo Street and Lakeview Avenue/Lemon Street Parking Lot Project.
2. Do not accept staff's recommendation and do not design the project. Should the City/Agency choose not to proceed with the change order request, the project may be delayed or eliminated from the current project list.

**ATTACHMENT**

1. Change Order No. 1 to Amendment No. 7

---

Approved By:



---

William R. Kelly  
Interim City Manager

Certified as to Fiscal Impacts:



---

Susan L. Hartman  
Finance Director

**CHANGE ORDER NO. 1 TO AMENDMENT NO. 7  
TO PROFESSIONAL SERVICES AGREEMENT**

THIS Change Order is made and entered into this 2nd day of June, 2009, by and between the City of Yorba Linda, 4845 Casa Loma Avenue, Yorba Linda, California 92886, a municipal corporation of the State of California (hereinafter referred to as "City"), and Willdan Engineering, 2401 E. Katella Avenue, Suite 450, Anaheim, California 92806 (hereinafter referred to as "Consultant").

**WITNESSETH:**

WHEREAS, the City and the Consultant entered into an Agreement for Professional On-Call Services dated November 21, 2006, on an as-needed basis, and a subsequent Amendment No. 7 dated April 7, 2008;

WHEREAS, the City and the Consultant desire to modify the original scope of work and Amendment No. 7;

NOW, THEREFORE, the City and the Consultant agree that the Scope of Services specified in the Amendment will be amended to include the necessary professional design services for the Arroyo Street and Lakeview Avenue /Lemon Street Parking Lot Project. Additional compensation for the services provided pursuant to this Change Order No. 1 is included as Attachment A. The total compensation for the additional services provided shall not exceed Twenty Four Thousand Three Hundred Thirty Five Dollars and Zero Cents (\$24,335.00), unless otherwise approved in writing by the City.

Except as amended pursuant to this Change Order No. 1, all provisions of the Agreement and Amendment No. 7 shall remain in full force and effect, and shall govern the services provided under this Change Order No. 1.

**CITY OF YORBA LINDA**

Dated: \_\_\_\_\_

By: \_\_\_\_\_

WILLIAM R. KELLY  
INTERIM CITY MANAGER

ATTEST:

**WILLDAN ENGINEERING**

\_\_\_\_\_  
Kathie M. Mendoza  
City Clerk

By: \_\_\_\_\_  
(Print Name & Title)

APPROVED AS TO FORM:  
BEST BEST & KRIEGER

\_\_\_\_\_  
(Signature)

Title: \_\_\_\_\_

\_\_\_\_\_  
Sonio R. Carvalho  
City Attorney

Dated: \_\_\_\_\_