



City of Carson Report to Mayor and City Council

September 7, 2010
New Business Consent

SUBJECT: CONSIDERATION TO ACCEPT AS COMPLETE PROJECT NO. 995: DEL AMO PARK IMPROVEMENTS PHASE II AND PROJECT NO. 1254: DEL AMO PARK IMPROVEMENTS PHASE III

Submitted by M. Victor Rollinger
Development Services General Manager

Approved by Jerome G. Groomes
City Manager

I. SUMMARY

Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III have been completed in accordance with approved plans and specifications (Exhibit No. 1).

It is requested that the City Council accept the work as complete and authorize staff to file the Notice of Completion.

II. RECOMMENDATION

TAKE the following actions:

1. ACCEPT as complete Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III.
2. AUTHORIZE staff to file a Notice of Completion.
3. APPROVE the First Amendment to the Professional Services Agreement with Dudek for construction management services provided for Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III, for a negotiated fee not-to-exceed \$23,027.18.
4. AUTHORIZE the Mayor to execute the First Amendment to the Professional Services Agreement following approval as to form by the City Attorney.

III. ALTERNATIVES

1. DO NOT ACCEPT the project as complete. However, Civil Code Section 3093 requires a Notice of Completion to be filed for record within 10 days, upon the completion and settlement of all public works project claims, if any.
2. TAKE another action the City Council deems appropriate.

IV. BACKGROUND

The city's Capital Improvement Program (CIP) calls for Del Amo Park Improvements Phase II under Project No. 995; Del Amo Park Improvements Phase III under Project No. 1254; Del Amo Park Improvements Phase IV under Project No. 1269; and Del Amo Park Improvements Phase V under Project No. 1296.

Project No. 995: Del Amo Park Improvements Phase II consisted of replacing the entire roof, re-evaluating the integrity of the structure, modifying the building to comply with the Title 24 regulation, and replacing portions of structural damage due to termite infestation, dry rot and flood damage.

Project No. 1254: Del Amo Park Improvements Phase III consisted of repairing and modifying the kitchen area.

On June 4, 2008, the City Council approved a Professional Services Agreement with KEC Engineers, Inc. to provide architectural/structural design services for Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III, for a negotiated fee not-to-exceed \$165,560.00 (Exhibit No. 2).

On March 18, 2009, the City Council approved the PS&E, ordered the work and authorized the staff to advertise the work and call for bids for Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III (Exhibit No. 3).

On May 5, 2009, the City Council awarded a construction contract for Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III in the amount of \$685,000.00, plus 15% construction contingency in the amount of \$102,750.00, to the lowest responsible bidder, W.E. Construction Inc. (Exhibit No. 4).

On May 20, 2009, the City Council approved a Professional Services Agreement with Dudek to provide Construction Management Services for Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III; in the amount of \$85,500.00 (Exhibit No. 5).

On October 20, 2009, the City Council approved the Second Amendment to the Professional Services Agreement with KEC Engineers, Inc. to provide architectural/structural observation and for modification to the structural details due to the field condition for a negotiated fee not-to-exceed \$11,000.00 (Exhibit No. 6). The First Amendment to the Professional Services Agreement with KEC Engineers, Inc. was for Project Nos. 1269 and 1296 only.

During the course of the construction, Dudek was required to provide additional

services which were necessary to avoid violation of building codes and Los Angeles County Health Department codes, to resolve various conflicts during the construction of the Del Amo Park Improvements Phases II and III, and to provide construction management services for an extended construction period of two months beyond the original contract period. This required extended services of Dudek in an additional amount not-to-exceed \$23,027.18 (Exhibit No. 7). Staff is requesting that the City Council approve the increase to the amount specified for the Professional Services Agreement with Dudek.

Upon approval of the amendment to the Dudek agreement, it is also requested that the City Council accept the work as complete and authorize staff to proceed with the filing of the Notice of Completion.

V. FISCAL IMPACT

Funds for this project were available in the budget of Park Development Fee fund as shown below:

Fund Source	Account No.	Budget	Actual Expenditure
Park Development Fee Fund	16-90-999-004-8004/0099501	\$1,101,160.78	\$1,067,195.25
Bikeway Path Fund	17-90-999-004-8004/0099501	5,579.00	5,579.00
Subtotal Project No. 995		\$1,106,739.78	\$1,072,774.25
Staff Costs		25,756.34	25,756.34
Total Project No. 995		\$1,132,496.12	\$1,098,530.59
Park Development Fee Fund	16-90-999-004-8004/0125401	40,000.00	35,192.00
Total Project No. 1254		\$40,000.00	\$35,192.00
GRAND TOTAL PROJECT COST			\$1,133,722.59

The distribution of the approved contract amount and actual expenditure for this project is as follows:

Description	Project No. 995		Project No. 1254	
	Allocated Amount	Actual Expenditures	Allocated Amount	Actual Expenditures
Design	\$165,000.00	\$165,000.00	\$11,560.00	\$11,560.00
Construction	656,560.00	656,560.00	28,440.00	23,632.00
Contingency	102,750.00	68,784.47	0.00	0.00
Other Construction Work	50,530.00	50,530.00	0.00	0.00
Construction Management	108,527.18	108,527.18	0.00	0.00
Other Project Costs	23,372.60	23,372.60	0.00	0.00
PROJECT COST	\$1,106,739.78	\$1,072,774.25	\$40,000.00	\$35,192.00

VI. EXHIBITS

1. Location Map. (pg. 6)
2. Minutes, June 4, 2008, Item No. 16. (pg. 7)
3. Minutes, March 18, 2009, Item No. 9. (pg. 8)
4. Minutes, May 5, 2009, Item No. 14. (pg. 9)
5. Minutes, May 20, 2009, Item No. 10. (pg. 10)
6. Minutes, October 20, 2009, Item No 12. (pg. 11)
7. First Amendment to the Professional Services Agreement with Dudek. (pgs. 12-16)

G:\ENGINEERING DIVISION\PROJECTS\995, 1254, 1269, 1296 Del Amo Park\Agendas\09-07-10 CC Accept as complete Project No. 995.docx

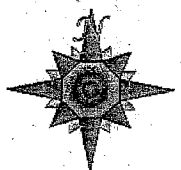
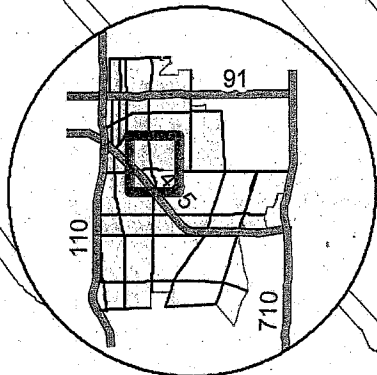
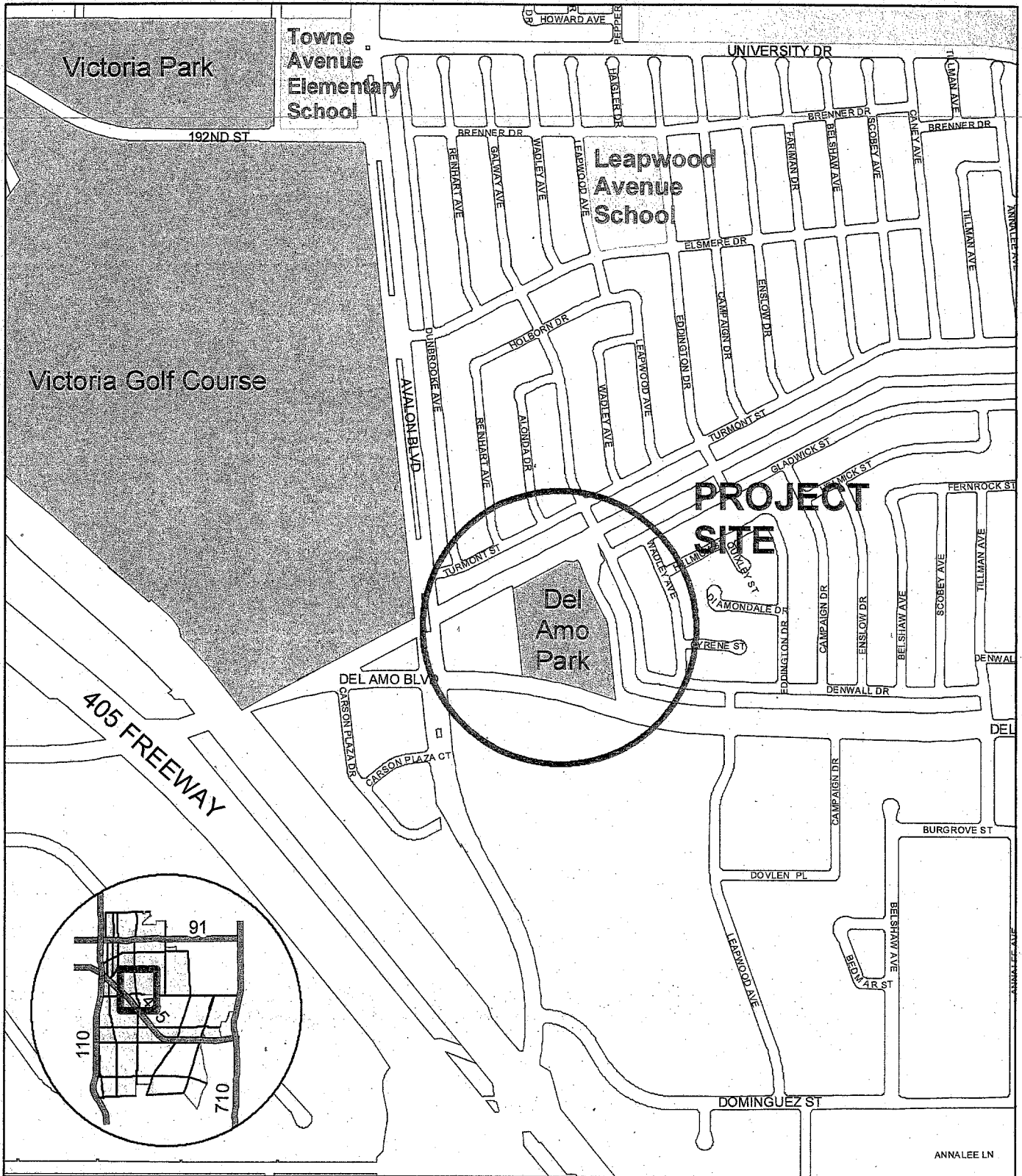
Prepared by: Massoud Ghiam, P.E., Senior Civil Engineer

Reviewed by:

City Clerk	<u>City Treasurer</u>
<u>Administrative Services</u> <i>Jacqueline Acosta</i>	<u>Development Services</u>
<u>Economic Development Services</u> <i>Ho</i>	<u>Public Services</u>

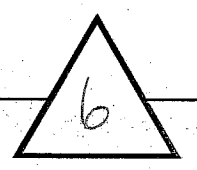
Action taken by City Council

Date _____ Action _____



**Location Map
Project No. 995
Del Amo Park Improvements**

EXHIBIT NO. 1



05/12/2008
 MXD: G:\ENGINEERING DIVISION\Location Maps\MXD's\Project_995_051208.mxd
 PDF: G:\ENGINEERING DIVISION\Location Maps\Project_995_051208.pdf

**ITEM NO. (16) CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH
KEC ENGINEERS, INC. TO PROVIDE ARCHITECTURAL/STRUCTURAL
DESIGN SERVICES - PROJECT NO. 995: DEL AMO PARK
IMPROVEMENTS PHASE II AND PROJECT NO. 1254: DEL AMO PARK
IMPROVEMENTS PHASE III (DEVELOPMENT SERVICES)**

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE a Professional Services Agreement with KEC Engineers, Inc. to provide architectural/structural design services for Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III, for a negotiated fee not-to-exceed \$165,560.00.
2. AUTHORIZE the Mayor to execute the Professional Services Agreement following approval as to form by the City Attorney.

ACTION: It was moved to Approve New Business Consent Calendar Item Nos. 6, 7, 8, 9, 10, 12, 15, 16, 17, 19, 20, and 21 on motion of Dear, seconded by Davis-Holmes and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Gipson, Council Member Santarina, Council Member Williams, and Council Member Davis-Holmes
Noes: None
Abstain: None
Absent: None



ITEM NO. (9) CONSIDER APPROVAL OF PLANS, SPECIFICATIONS, AND ESTIMATES AND AUTHORIZATION TO ADVERTISE FOR BIDS FOR PROJECT NO. 995: DEL AMO PARK IMPROVEMENTS PHASE II AND PROJECT NO. 1254: DEL AMO PARK IMPROVEMENTS PHASE III (DEVELOPMENT SERVICES)

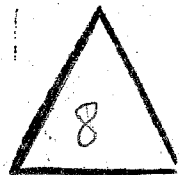
RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE the plans, specifications, and estimates and order the work for Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III.
2. AUTHORIZE staff to advertise the work and call for bids for Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III.

ACTION: It was moved to Approved New Business Consent Item Nos. 5, 6, 7, 8, 9, 10, and 11 on motion of Dear, seconded by Ruiz-Raber and unanimously carried by the following roll call vote:

Ayes: Mayor Dear, Council Member Santarina, Council Member Gipson, and Council Member Ruiz-Raber
Noes: None
Abstain: None
Absent: Mayor Pro Tem Davis-Holmes



**ITEM NO. (14) CONSIDER AN AWARD OF A CONSTRUCTION CONTRACT FOR
PROJECT NO. 995: DEL AMO PARK IMPROVEMENTS PHASE II AND
PROJECT NO. 1254: DEL AMO PARK IMPROVEMENTS PHASE III
(DEVELOPMENT SERVICES)**

RECOMMENDATION for the City Council:

TAKE the following actions:

1. AWARD a construction contract for Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III in the amount of \$685,000.00, to the lowest responsible bidder, W.E. Construction Inc.
2. AUTHORIZE construction contingencies in the amount of \$102,750.00 (15%) for change orders such as the removal and remediation of contaminated soil, substructure conflicts, and other unforeseen construction work that may be required to complete this project.
3. APPROPRIATE \$500,000.00 from the Park Development Fee fund balance to augment the amount currently budgeted for Project No. 995: Del Amo Park Improvements Phase II.
4. AUTHORIZE the Mayor to execute the contract following approval as to form by the City Attorney.

ACTION: It was moved to Approve New Business Consent Calendar Item Nos. 7, 10, 13, 14, 15, 16, and 17 on motion of Dear, seconded by Gipson and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Davis-Holmes, Council Member Santarina, Council Member Gipson, and Council Member Ruiz-Raber
Noes: None
Abstain: None
Absent: None



**ITEM NO. (10) CONSIDERATION OF A PROFESSIONAL SERVICES AGREEMENT WITH
DUDEK TO PROVIDE CONSTRUCTION MANAGEMENT SERVICES FOR
PROJECT NO. 995: DEL AMO PARK IMPROVEMENTS PHASE II AND
PROJECT NO. 1254: DEL AMO PARK IMPROVEMENTS PHASE III
(DEVELOPMENT SERVICES)**

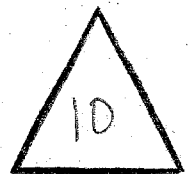
RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE a Professional Services Agreement with DUDEK to provide Construction Management Services for Project No. 995: Del Amo Park Improvements Phase II and Project No. 1254: Del Amo Park Improvements Phase III; for a negotiated fee not-to-exceed \$85,500.00.
2. AUTHORIZE the Mayor to execute the Professional Services Agreement following approval as to form by the City Attorney.

ACTION: It was moved to Approve New Business Consent Calendar Item Nos. 5, 6, 7 9, 10, 11, 13, 14, 15, and 16 on motion of Dear, seconded by Gipson and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Davis-Holmes, Council Member Santarina, Council Member Gipson, and Council Member Ruiz-Raber
Noes: None
Abstain: None
Absent: None



ITEM NO. (12) CONSIDERATION OF THE SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KEC ENGINEERS, INC. TO PROVIDE ARCHITECTURAL/STRUCTURAL DESIGN SERVICES FOR PROJECT NO. 995: DEL AMO PARK IMPROVEMENTS PHASE II, PROJECT NO. 1254: DEL AMO PARK IMPROVEMENTS PHASE III (DEVELOPMENT SERVICES)

RECOMMENDATION for the City Council:

TAKE the following actions:

1. APPROVE the Second Amendment to the Professional Services Agreement with KEC Engineers, Inc. to reflect an increase in the scope of work for a negotiated fee not-to-exceed \$11,000.00.
2. AUTHORIZE the Mayor to execute the Second Amendment to the Professional Services Agreement following approval as to form by the City Attorney.

ACTION: Item No. 12 was previously approved on the New Business Consent Calendar on motion of Dear, seconded by Gipson and unanimously carried by the following vote:

Ayes: Mayor Dear, Mayor Pro Tem Davis-Holmes, Council Member Santarina, Council Member Gipson, and Council Member Ruiz-Raber
Noes: None
Abstain: None
Absent: None





CITY OF CARSON

FIRST AMENDMENT
TO THE PROFESSIONAL SERVICES AGREEMENT

Project No. 995

Del Amo Park Improvements Phase II, Structural Damage Repair and Roof Replacement

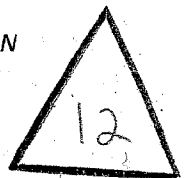
AND

Project No. 1254

Del Amo Park Improvements Phase III, Kitchen Remodeling

WITH

DUDEK



**First Amendment to the Professional Services Agreement to Provide
Construction Management Services in Conjunction with Del Amo Park
Improvements Phases II & III for the City of Carson, California
(DUDEK / CITY OF CARSON)**

This First Amendment to the Professional Services Agreement to provide construction management services (the "First Amendment"), to be effective **September 7, 2010**, is hereby entered into by and between the City of Carson (herein "City"), and DUDEK, a California corporation (herein "Consultant"), and is an amendment to the Professional Services Agreement ("Agreement") executed by the parties and effective as of May 20, 2009.

R E C I T A L S

A. City and Consultant have entered into that certain "Professional Services Agreement" to perform the construction management services, in connection with the projects identified as **Project No. 995: Del Amo Park Improvements Phase II, Structural Damage Repair and Roof Replacement and Project No. 995: Del Amo Park Improvements Phase III, Kitchen Remodeling.**

B. Accordingly, the parties desire to amend the Agreement to expand the description of work and increase the compensation by \$23,027.18 to perform work beyond that provided in the original description of work.

C O N T R A C T

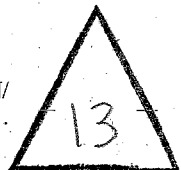
NOW, THEREFORE, in consideration of performance, by the parties hereto, of the promises, covenants, and conditions herein contained, the parties hereto agree to the terms of this First Amendment and hereby amend the following provisions of the Contract:

1. Section 3. Description of Work: is hereby amended, to add the additional Scope of Work attached hereto as Exhibit "A" and incorporated herein by this reference.

2. Section 10. Compensation: is hereby amended, to increase the total compensation by an amount not-to-exceed twenty three thousand twenty seven dollars and eighteen cents (\$23,027.18) attached hereto as Exhibit "B" and incorporated herein by this reference.

Except as amended by this First Amendment, all other provisions of the Contract shall remain unmodified and in full force and effect.

[End – Signature Page Follows]



IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to execute this First Agreement as of the date first written above.

ATTEST:

"CITY"
CITY OF CARSON

By: _____
Helen Kawagoe, CMC/MMC
City Clerk

By: _____
Mayor Jim Dear

APPROVED AS TO FORM:
ALESHIRE & WYNDER, LLP

By: _____
City Attorney

CONSULTANT:

DUDEK
a California corporation

By: _____
Name: _____
Title: _____

Address: _____

By: _____
Name: _____
Title: _____

Address: _____

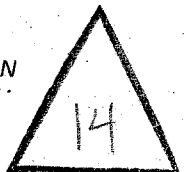


EXHIBIT A
SCOPE OF WORK

Following items are added to the Exhibit "A" of the original scope of services for the above referenced project.

Extend the time for completion of Project No. 995: Del Amo Park Improvements Phase II, and Project No. 1254: Del Amo Park Improvements Phase III.



**EXHIBIT B
COMPENSATION**

An additional compensation not to exceed \$23,027.18 to cover the costs for additional services reflected by Exhibit "A" above.

The Original Total Contract Sum.....	\$85,500.00
Additional Compensation (not to exceed).....	\$23,027.18
Revised Total Contract Sum.....	\$108,527.18

