



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Katy Allen

SUBJECT: SEE BELOW

DATE: 11-26-07

Approved

Date

12/4/07

COUNCIL DISTRICT: 1

**SUBJECT: CONTINUATION AGREEMENT WITH WORMHOUDT, INC. FOR
LANDSCAPE ARCHITECTURAL CONSULTANT SERVICES FOR CALABAZAS
PARK BICYCLE MOTORCROSS (BMX) SITE**

RECOMMENDATION

Approval of a continuation agreement with Wormhoudt, Inc. for landscape architectural services for Calabazas Park BMX Site, accepting completed additional construction assistance work, increasing the original agreement's total compensation of \$98,000 by \$9,500, for a total agreement amount of \$107,500 and increasing the term of the original agreement retroactive to March 31, 2007, by nine months, through December 31, 2007.

OUTCOME

Approval of a continuation agreement with Wormhoudt, Inc., will enable payment for completed additional construction assistance work necessary to open the BMX site for public use in time for the summer school break.

BACKGROUND

On March 16, 2006, the City Manager approved an agreement with Wormhoudt Inc., to prepare landscape architectural design drawings and provide construction assistance for the Calabazas Park BMX site for a lump sum cost of \$98,000, including \$10,000 used for extra design services required during the construction document phase of the project. Additional construction work and final accounting of these additional consultant services contributed to the extended period between the agreement expiration and the amendment.

This project involved the construction of a BMX facility on the west side of Calabazas Park, bordering Rainbow Drive and adjacent to Calabazas Creek (map attached). The project involved grading, compacting and sculpting existing and imported soil to create a BMX course for

beginner through intermediate skill levels. A perimeter fence limits the impact of BMX riders on other, more passive use areas of Calabazas Park.

The new bicycle jump features were created by placing and compacting both existing and imported soil in the general track area and then cutting away excess material until only the final compacted berm remained. Soil behavior and/or damage by unauthorized use of the course before construction was completed, resulted in the need for additional construction. This additional construction required the consultant, Wormhoudt, Inc., to increase their construction assistance beyond the limits outlined in their original agreement with the City and extended the consultant's time in the field on a day-to-day basis until project beneficial use.

ANALYSIS

There was significantly more construction assistance by the consultant, Wormhoudt Inc., in order to complete the Calabazas BMX construction process. The consultant provided \$9,500 more on-site construction assistance than agreed upon in their original agreement due to unforeseen need for additional construction. The consultant undertook this work in good faith to assure that the Park would be open for use for the summer school break. The consultant completed the work to staff's satisfaction and the project met the construction completion goal.

Staff recommends that the original agreement be amended to increase the total compensation by \$9,500 for additional construction assistance work performed by Wormhoudt, Inc. and extend the term of the original agreement to December 31, 2007. The City Manager approved the original \$98,000 agreement, and this continuation with corresponding increase in fees requires City Council approval.

EVALUATION AND FOLLOW-UP

This project is complete. No additional follow up actions with Council are expected.

POLICY ALTERNATIVES

None. The project is complete.

PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or

a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

This item does not meet any of the above criteria, but staff conducted an initial consultant selection process that complies with the City's Qualifications Based Consultant Selection Policy. Staff also conducted three community meetings through the design process to gain public input into the resulting BMX course configuration.

This memorandum will also be posted on the City's website for the December 18, 2007 Council Agenda. In addition, community participation in the Calabazas Park master planning effort through various community participation meetings for this project was solicited through flyers and mailers to the nearby residents.

COORDINATION

This project and memorandum have been coordinated with the Departments of Parks, Recreation and Neighborhood Services, Planning Building and Code Enforcement, Environmental Services, the City Attorney's Office and the City Manager's Budget Office.

FISCAL/POLICY ALIGNMENT

This project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy.

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION: \$9,500

Original Master Agreement	\$98,000
Amendment to Master Agreement	<u>9,500</u>
Total Project Costs	\$107,500
Prior Year Expenditures	(97,900)
Total Remaining Project Costs	\$9,600

2. COST ELEMENTS OF AGREEMENT/CONTRACT: None

3. SOURCE OF FUNDING: 375 - Park Trust Fund
377 - Construction Tax and Property Conveyance Tax Fund:
Parks Purposes Council District #1

11-26-07

Subject: Continuation Agreement with Wormhoudt, Inc. for Landscape Architectural Services for Calabazas Park BMX Site

Page 4

4. **OPERATING COSTS:** This contract provides funding for architectural services only, therefore, no operating and maintenance costs are anticipated.

BUDGET REFERENCE

The table below identifies the fund and appropriations proposed to fund the contract recommended as part of this memorandum and remaining project costs, including project delivery, construction, and contingency costs.

Fund #	Appn #	Appn. Name	RC#	Total Appn	Amt. for Contract	Budget Page	Last Budget Action (Date, Ord. No.)
Remaining Project Costs:				\$9,600			
Remaining Funding Available:							
377	5113	Calabazas Park Improvements	139215	39,000	\$9,500	V-341	9/11/07 Ord No 28111
375	5113	Calabazas Park Improvements	13921X	42,000		V-640	10/16/07 Ord No 28143
Total Funding for Projects				\$81,000	\$9,500		

CEQA

CEQA: Exempt, File No. PP06-152.

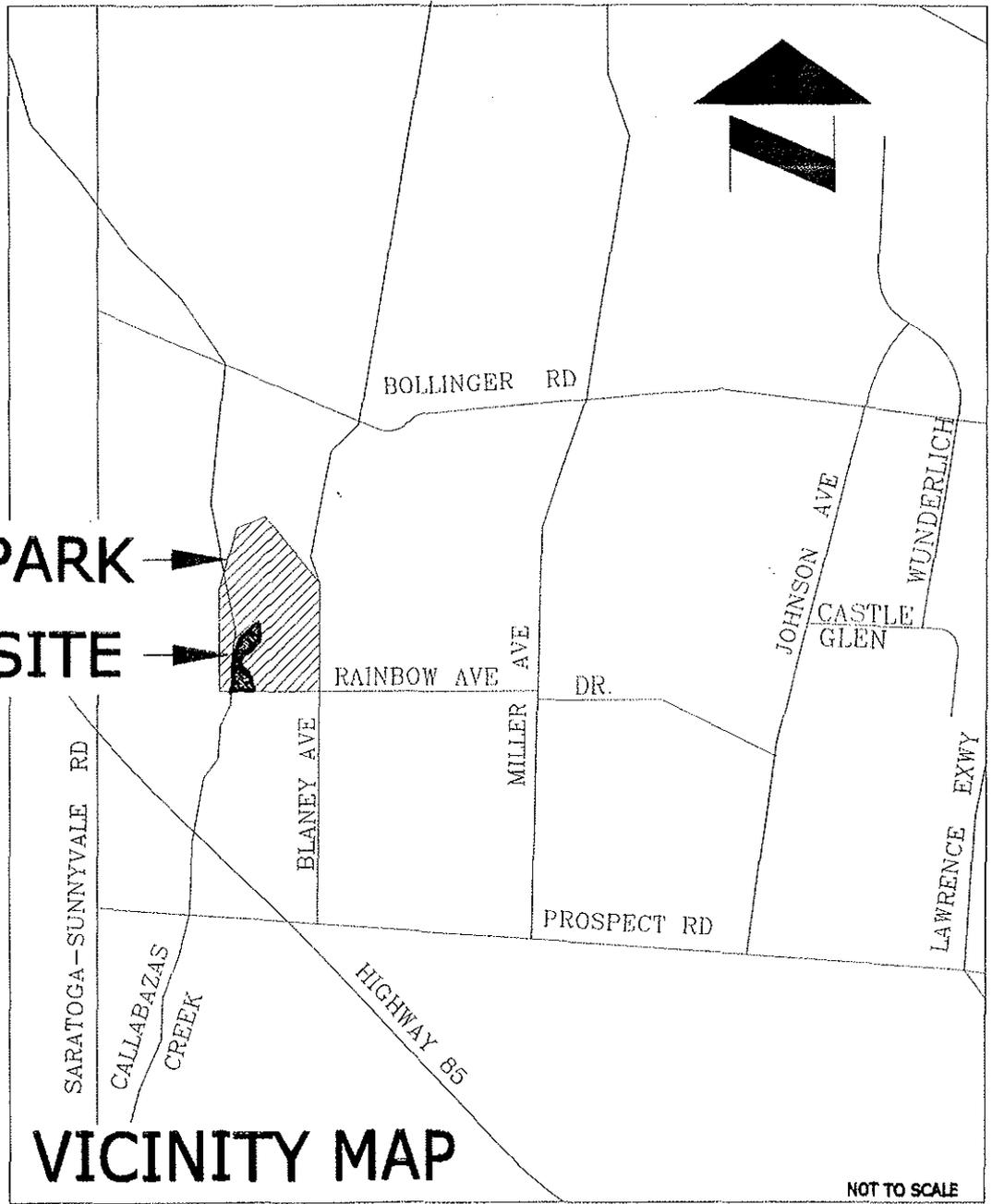


KATY ALLEN
Director, Public Works Department

For questions please contact DAVID SYKES, ASSISTANT DIRECTOR, at 408-535-8300.

KJ: bb:as

**CALABAZAS PARK
PROJECT SITE**



VICINITY MAP

