

**City of Culver City, California
Agenda Item Report**

Meeting Date: 11/16/2009		Item Number: <u>A-5</u>	
CITY COUNCIL AGENDA ITEM: FOUR FIFTHS VOTE REQUIREMENT- Approval of an Amendment to the Existing Professional Services Agreement with Lawrence R. Moss & Associates, Inc. for the Design of the Ballona Creek Bikeway Project, P-900, and Approval of a Related Budget Amendment			
Contact Person/Dept.: Lee Torres/PW		Phone Number: 310-253-5623	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Agenda and Meetings – City Council (11/11/09); (TELEPHONE) Lawrence R. Moss & Associates, Inc.			
Department Approval: Charles D. Herbertson (11/05/09)		City Attorney Approval: Carol Schwab (by H. Baker) (11/11/09)	
Chief Financial Officer Review: Jeff Muir (by N. Kimball) (11/11/09)		City Manager Approval: Mark Scott (11/11/09)	

RECOMMENDATION:

Staff recommends the City Council approve amending the existing professional services agreement with Lawrence R. Moss & Associates to increase the contract in the amount \$18,000 to complete the preparation of the necessary construction documents for the Ballona Creek Bikeway Project, P-900, and authorize a related budget amendment.

A budget amendment requires a four-fifths vote.

BACKGROUND:

On December 29, 2006, the City submitted a Proposition 50 grant application to the Santa Monica Mountains Conservancy (SMMC) for planning and design services in the amount of \$60,000 for the purpose of implementing and enhancing the improvements along the bike path along Ballona Creek between Overland Avenue and the Pedestrian Bridge (the Ballona Creek Bikeway Project, P-900).

On January 22, 2007, the SMMC adopted Resolution No. 07-03, authorizing the grant for the project planning and design of the Ballona Creek Bikeway Project.

On July 9, 2007, the City Council approved a professional services agreement with Lawrence R. Moss & Associates, Inc. (LRM) to provide planning and design services for the Ballona Creek Bikeway Project for a not-to-exceed cost of \$48,850 and authorized the Public Works Director/ City Engineer to increase the agreement for

City of Culver City, California
Agenda Item Report

any additional required services not covered in the Request for Proposal in the amount of \$11,150.

DISCUSSION:

The original contract and change order authority amounts for LRM have been exhausted.

The original contract amount was utilized to create the project plans and specifications and the change order amount was used to provide support for the American Recovery and Reinvestment Act (ARRA) application and response to comments from Los Angeles County Department of Public Works and Los Angeles County Public Library.

Staff requests that the City Council authorize increasing the existing professional services agreement with LRM by the amount of \$18,000 to compensate them for additional work required to complete all of the County of Los Angeles Department of Public Works plan check corrections to the construction documents for the Ballona Creek Bike Path Landscape Project.

The additional services will also include:

1. Preparation of exhibits as required by the County of Los Angeles Library.
2. Preparation of legal description for the project site as required by County of Los Angeles Library.
3. Preparation of hydrology and hydraulic calculations as required by County of Los Angeles Department of Public Works.
4. Preparation of additional surveying at the pedestrian bridge.
5. Provide electrical engineering services.

The aforementioned services were not required in the original scope of work with LRM. In addition, the level of detail on project plans required by the Los Angeles County Public Works Department was not anticipated at the beginning of the project and was only later known during the plan review process with Los Angeles County Department of Public Works and Los Angeles County Public Library.

Staff anticipates advertising the construction bid in Spring, 2010.

FISCAL ANALYSIS:

The work under the existing agreement with LRM has resulted in expenditures totaling \$60,000. The source of funds for this work was the Proposition 50 grant from SMMC.

City of Culver City, California
Agenda Item Report

In order to complete the design work an additional \$18,000 is required. Staff recommends that this \$18,000 be appropriated from the New Development Impact fee funds' revenue account. There is currently approximately \$150,000 available in the New Development Impact Fund.

Pursuant to §15.06.045 of Culver City Municipal, "Fees from each new development shall be appropriated and disbursed only for street improvements, traffic controls and traffic management projects which are made necessary by the development and are: A. Located within the area from which the fees were collected; or B. Located within the impact zone of the new development as determined pursuant to § [15.06.040](#); or C. found pursuant to § [15.06.045](#) to benefit the new development and mitigate its traffic impact."

This proposed project will improve the bike path for bicyclists and pedestrians and will encourage its usage to places of employment in the impact zone.

ATTACHMENT:

1. Proposal for Additional Services from LRM.

MOTIONS:

That the City Council:

1. Approve an amendment to the existing professional services agreement with Lawrence R. Moss & Associates, Inc. to provide Planning and Design Services for the Ballona Creek Bikeway Project to increase the contract amount by \$18,000; and,
2. Approve a budget amendment to appropriate funds from the New Development Impact Fund in the amount of \$18,000 to P-900.
3. Authorize the City Attorney to review/prepare the necessary documents; and,
4. Authorize the City Manager to execute such documents on behalf of the City.

A four-fifths vote is required for all budget amendments