



REPORT TO CITY COUNCIL

DATE: DECEMBER 11, 2013

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: RAMIRO ADEVA, PUBLIC WORKS DIRECTOR/CITY ENGINEER 

SUBJECT: REQUEST TO APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR ADDITIONAL ENGINEERING SERVICES TO COORDINATE IMPROVEMENTS FOR THE KANAN/AGOURA ROAD ROUNDABOUT PROJECT WITH THE AGOURA ROAD WIDENING PROJECT

The City has a professional services agreement with Kimley-Horn and Associates, Inc. (KHA), for the engineering design services for the completion of design of the roundabout at the intersection of Kanan Road and Agoura Road. Complete construction plans, specifications, and construction cost estimates are part of this agreement, which included final landscape plans. The Agoura Road Widening Project is scheduled to be completed before the Roundabout Project. To fully integrate the Roundabout Project with the improvements provided by the Agoura Road Widening Project, additional services are required to bring the project design to a close.

Under the current consultant services agreement with KHA, the coordination between the design plans for the Roundabout and the Agoura Road Widening Plans was critical to ensuring a smooth transition from the interim and ultimate intersection improvements. This amendment covers the additional design services needed for the Roundabout Project to provide design details that are in-line with the Agoura Road Widening Project.

The additional design services include grading plan revisions to match curb heights, driveway locations, current ADA Requirements, and final finished surface elevations. Also included with this amendment are landscape plan revisions. The proposed plant palette and irrigation system from the Agoura Road Widening Project differs from the Roundabout Project. The difference in landscaping concepts between the two projects will require revision to the plant palette, change of irrigation system to recycled water, and revision of hardscape plans.

The additional services for the Roundabout Project are in the amount of \$20,000. Both design and construction of the Roundabout Project will be funded through Measure R.

The amendment has been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Approve the amendment to the professional services agreement with Kimley-Horn and Associates, Inc.
2. Authorize the Mayor to sign the amendment to agreement on behalf of the City Council.

Attachment: Amendment to Kimley-Horn Agoura Road Widening Agreement

AGREEMENT (AMENDMENT) ROUTING SLIP FOR

Kimley-Horn and Associates, Inc.

Consultant Name (Up to \$25K Amendment)



Attached, please find (check one of the following boxes):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Standard Template with no changes
Complete Section 2 only | <input type="checkbox"/> Outside Agency Agreement
Complete Sections 1 and 2 |
| <input type="checkbox"/> Standard Template with changes
Complete Sections 1 and 2 | <input type="checkbox"/> Special Agreement
Complete Sections 1 and 2 |

Section 1 – Changes to template or insurance: Receive Department Head approval to amend. Check with Risk Manager for insurance and/or template amendments. Risk Manager will authorize emailing City Attorney for template review and approval. Attach City Attorney email response (approval) to this slip.

- | | |
|--|--|
| <input type="checkbox"/> _____ (Dept. Head Initials/Date)
Authorization to Amend Agreement | <input type="checkbox"/> _____ (Risk Manager Initials/Date)
Approval to Forward to City Attorney |
| <input type="checkbox"/> _____ (Risk Manager Initials/Date)
Insurance Amended (See Notes Below) | <input type="checkbox"/> _____ Staff Initials(From No. 1 Below)
City Attorney Email Approval Attached |
| <input type="checkbox"/> _____ (Risk Manager Initials/Date)
Template Amended (See Notes Below) | <input type="checkbox"/> _____ Staff Initials/Date
Other (See Notes Below) |

Section 2 – Signed agreement received from Consultant. Sign/date and attach this routing slip to the proposed agreement and route to staff in the order listed below (i.e., 2-4). Submit the signed agreement, including the appropriate insurance and endorsement, with this completed routing slip, to the Risk Manager (insurance review/approval) who will forward to the City Clerk for final review/distribution. Agreements without the appropriate insurance attached will be returned to the department. A copy of the final agreement will be provided to the Consultant and the staff person (in Item No. 1 below)

- | | |
|---|---|
| 1.  12/3/13
Prepared by (Staff Name/Date) | 2.  12/3/13
Department Head - Date
(Authorization to forward to Risk Mgr/Clerk) |
| 3. _____
Risk Manager – Date
(Insurance Review/Approval) | 4. _____
City Clerk – Date
(Template Review/Final Distribution) |

- FOR CITY CLERK USE ONLY -

Year: _____ Month/Day: _____

Agreement/Insurance Received: _____

To City Attorney for Signatures: _____

To City Manager/Mayor for Signatures: _____

City Attorney Email/Scope Attached: _____

Distributed to Consultant/Staff: _____

Laserfiche/Log/Index/File: By: _____

Insurance Logged: By: _____

Notes:

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AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES
WITH THE CITY OF AGOURA HILLS

NAME OF CONSULTANT: Kimley-Horn and Associates, Inc.

RESPONSIBLE PRINCIPAL OF CONSULTANT: Attn: Sri Chakravarthy

CONSULTANT'S ADDRESS: 6800 Owensmouth Avenue, #401
Los Angeles, CA 91303

CITY'S ADDRESS: City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 91301
Attn: City Manager

PREPARED BY: Charmaine Yambao

COMMENCEMENT DATE: July 1, 2013

TERMINATION DATE: June 30, 2014

CONSIDERATION: Contract Price
Not to Exceed: \$ 116,000.00/yr

(Increase by \$20,000.00 from
\$96,000.00 to \$116,000.00)

**FIRST AMENDMENT TO AGREEMENT BETWEEN
CITY OF AGOURA HILLS AND KIMLEY-HORN AND ASSOCIATES, INC.**

Kanan/Agoura Road Roundabout Project

THIS FIRST AMENDMENT is made and entered into as of December 11, 2013, by and between the City of Agoura Hills, a municipal corporation (hereinafter referred to as "City"), and Kimley-Horn and Associates, Inc., a corporation (hereinafter referred to as "Consultant"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. This Amendment is made with the respect to the following facts and purposes:

a. On October 10, 2012, the City and Consultant entered into that certain Agreement entitled "Agreement for Consultant Services", in the amount not to exceed of Ninety-Six Thousand Dollars and Zero Cents (\$96,000.00).

b. The parties now desire to add scope of work, extend the term of the agreement to June 30, 2014, increase the payment in the amount of Twenty Thousand Dollars and Zero Cents (\$20,000.00), and to amend the Agreement as set forth in this Amendment.

2. Section 1 of the Agreement entitled "**TERM**" is hereby amended to read as follows:

"This Agreement shall remain and continue in effect until tasks herein are completed, but in no event later than June 30, 2014, unless sooner terminated pursuant to the provisions of this Agreement."

3. Section 5 of the Agreement entitled "**PAYMENT**" at paragraph "a" is hereby amended to read as follows:

"The City agrees to pay Consultant monthly, in accordance with the payment rates and schedules and terms set forth in Exhibit B, Payment Rates and Schedule, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. Any terms in Exhibit B, other than the payment rates and schedule of payment, are null and void. The FIRST Amendment amount shall not exceed Twenty Thousand Dollars and Zero Cents (\$20,000.00), for additional engineering design services for a total Agreement amount of One Hundred Sixteen Thousand Dollars and Zero Cents (\$116,000.00)."

4. Exhibit "A" to the Agreement is hereby amended by adding thereto the items set forth on Attachment "A" to this Amendment, which is attached hereto and incorporated herein as though set forth in full.

5. Except for the changes specifically set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

CITY OF AGOURA HILLS

William D. Koehler
Mayor

ATTEST:

Kimberly M. Rodrigues, MMC
City Clerk

APPROVED AS TO FORM:

Candice K. Lee,
City Attorney

Kimley-Horn and Associates, Inc.
6800 Owensmouth Avenue, #410
Sri Chakravarthy
(818) 227-2790
(916) 608-0885

By: _____

Print Name: _____

Title: _____

By: _____

Print Name: _____

Title: _____

[Signatures of Two Corporate Officers Required]

ATTACHMENT A

Attached hereto and incorporated herein is the additional scope of work and associated cost as provided by the Consultant.

This is the first amendment to the Agreement with Consultant Services between the City of Agoura Hills (City) and Kimley-Horn and Associates (Consultant), dated October 10, 2012. Exhibit A of said agreement is hereby amended to

The Additional Scope of Services described below is based on a meeting between the City and Consultant on September 5, 2013, which outlined the additional tasks needed to complete the PS&E for the Project. Below is a summary and outline of the tasks agreed upon between the City and Consultant.

The consultant's services shall include, but not be limited to, the following:

Task 9 – Grading Plan Revisions

The Agoura Road Widening Project is scheduled to be completed before the Roundabout Project. To integrate the Roundabout project with the improvements provided by the Agoura Road Widening Project, the following tasks were required to provide design plans that coordinated both projects:

- (1) Preliminary design called out for 6" curb heights. Agoura Road Widening Project called out 8" curb heights. Grading revisions from the curb line outward required for increased curb heights. Revisions to curb ramps, landscape areas and R/W were also required.
- (2) Driveway locations required revisions to line-up with the survey provided as part of Agoura Road Widening.
- (3) ADA requirements have been amended, requiring revision to ramp types called out on the preliminary design.
- (4) Grading profiles, super elevations and spot elevations were recreated to provide final finished surface and detailed break lines.

Task 10 - Landscape Plan Revisions

Landscape plans were proposed at 95% design completion. Effort by Consultant to revise said plans was tasked as minor, due to changes in the roundabout layout. However, with the Agoura Road Widening Project due to be completed before the Roundabout Project, the proposed plant palette and irrigation system from the Agoura Road Widening project differs from the Roundabout Project. The difference in landscape concepts between the two projects shall require the following to be revised:

- (1) Plant palette, including recommended trees;
- (2) Irrigation system change out to recycled water;
- (3) Irrigation spacing due to changes in plant type changes; and
- (4) Revised hardscape plans.