

REPORT TO CITY COUNCIL

DATE: FEBRUARY 14, 2018

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: GREG RAMIREZ, CITY MANAGER 

BY: RAMIRO ADEVA, PUBLIC WORKS DIRECTOR/CITY ENGINEER 

SUBJECT: APPROVAL OF FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES FOR ADDITIONAL DESIGN SERVICES OF AN ARTERIAL STREETScape MASTER PLAN L. NEWMAN DESIGN GROUP

This report seeks City Council approval of additional design services to the agreement with L. Newman Design Group (LNDG), which were needed to complete the final Arterial Streetscape Master Plan (ASMP).

In March 2016, staff awarded an agreement to LNDG for development of an ASMP. The overall objective of the plan was to generate a document that contained landscaping options for the major thoroughfares within the City.

On April 1, 2017, staff presented a draft ASMP to the City Council at the Goal Setting Workshop for feedback and direction in finalizing the document. At the workshop, criteria was established that modified the original plant palette to one focused primarily on natives, including more oak trees, with exceptions of drought-tolerant plants to provided color enhancement where needed. In addition to the workshop, three additional Public Works Subcommittee meetings were held prior to consideration and final approval of the ASMP on September 27, 2017.

The original agreement did not account for having three meetings of the Public Works Subcommittee or preparing the materials presented to the City Council at the Goal Setting Workshop, which required additional time and effort to prepare multiple drafts of the plan to incorporate each round of comments. Although necessary, the extent of the changes to the initial draft required a formal change order to the original agreement. In good faith, LNDG did not delay completing the ASMP, while discussions happened concurrently with staff on the final change order amount. Those discussions have concluded, and staff supports an amount of \$12,500 as a fair representation of the additional work performed by LNDG to complete the project. This would be the first and only amendment of the agreement with LNDG on the project.

RECOMMENDATION

Staff respectfully recommends the City Council:

1. Approve the first amendment to the Agreement for Consultant Services L. Newman Design Group.
2. Authorize the Mayor to sign the first amendment to the agreement on behalf of the City Council.

Attachment: First Amendment to Agreement for Consultant Services

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

NAME OF CONSULTANT:	L. Newman Design Group, Inc.
RESPONSIBLE PRINCIPAL OF CONSULTANT:	Attn: Robert Bombardier
CONSULTANT'S ADDRESS:	31300 Via Colinas, Suite 104 Westlake Village, CA 91362
CITY'S ADDRESS:	City of Agoura Hills 30001 Ladyface Court Agoura Hills, CA 91301 Attn: City Manager
PREPARED BY:	Charmaine Yambao
COMMENCEMENT DATE:	March 10, 2016
TERMINATION DATE:	June 30, 2018
CONSIDERATION:	Amendment Amount: \$12,500.00 Total Contract Price Not to Exceed: \$ 64,280.00/yr (Original contract \$51,780.00)

**FIRST AMENDMENT TO AGREEMENT BETWEEN
CITY OF AGOURA HILLS AND L. NEWMAN DESIGN GROUP, INC.**

ARTERIAL STREETScape MASTER PLAN

THIS FIRST AMENDMENT is made and entered into as of February 14, 2018, by and between the City of Agoura Hills, a municipal corporation (hereinafter referred to as "City"), and L. Newman Design Group, 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 March 10, 2016, the City and Consultant entered into that certain Agreement entitled "Agreement for Consultant Services", in the amount of Fifty-one Thousand Seven Hundred Eight Dollars and Zero Cents (\$51,780.00).

b. On February 14, 2018, the City and Consultant entered into the First Amendment to that certain Agreement entitled "Agreement for Consultant Services," to add scope of work and extend the term of the agreement to June 30, 2018 and increase the payment in the amount of Twelve Thousand Five Hundred dollars and Zero Cents (\$12,500.00).

c. The parties now desire to add scope of work and extend the term of the agreement to June 30, 2018, increase the payment in the amount Twelve Thousand Five Hundred dollars and Zero Cents (\$12,500.00), 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, 2018 unless sooner terminated pursuant to the provisions of this Agreement."

3. Section 4 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 Twelve Thousand Five Hundred dollars and Zero Cents (\$12,500.00), for additional plan design services for a total Agreement

amount of Sixty-Four Thousand Two Hundred Eight Dollars and Zero Cents (\$64,280.00."

4. 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 First Amendment to Agreement to be executed the day and year first above written.

CITY OF AGOURA HILLS

CONSULTANT

William D. Koehler,
Mayor

L. Newman Design Group, Inc.
3130 Via Colinas, Suite 104, Westlake
Village, CA 91362
Robert Bombardier
818-991-5056
818-991-3478 (fax)

ATTEST:

By: _____

Print Name: _____

Kimberly M. Rodrigues, MMC
City Clerk
*Date Approved by City
Council* _____

Title: _____

By: _____

Print Name: _____

APPROVED AS TO FORM:

Title: _____

[Signatures of Two Corporate Officers Required]

Candice K. Lee,
City Attorney