

ITEM 4.9

CITY MANAGER'S REPORT FEBRUARY 12, 2024 CITY COUNCIL REGULAR MEETING

ITEM: APPROVE AMENDMENT NO. 1 TO PROFESSIONAL ENGINEERING SERVICES WITH O'DELL ENGINEERING, INC. FOR THE HISTORIC LATHROP BEAUTIFICATION PROJECT, CIP GG 24-23 AND APPROVE BUDGET AMENDMENT

RECOMMENDATION: Adopt Resolution Approving Amendment No. 1 to Professional Engineering Services with O'Dell Engineering, Inc. for the Historic Lathrop Beautification Project, CIP GG 24-23, and Approving Budget Amendment

SUMMARY:

Capital Improvement Project (CIP) GG 24-23 for Historic Lathrop Beautification (Project) consists of installing gateway arches on 5th Street near the Lathrop Road and Louise Avenue intersections and constructing a water fountain on the Green Belt Park. On November 7, 2023, City Council approved a professional engineering services agreement with (O'Dell Engineering) to design the gateway arches on 5th Street. The scope of work included preparation of civil, electrical, and architectural plans of the arches for a contract amount of \$56,640.

On January 8, 2024, City Council reviewed a conceptual layout and provided feedback on the elements to be incorporated within the gateway arches. City Council also reviewed locations within the Green Belt Park for the construction of the water fountain. With a selected location and guidance on the aesthetics, staff requested a proposal from O'Dell Engineering for services that include topographic surveying and completion of the improvement plans with landscape, electrical and structural components of the water fountain. O'Dell Engineering provided a proposal (Attachment B) for those additional services to the water fountain for \$69,151.

Staff is requesting City Council approve Amendment No. 1 to the professional engineering services with O'Dell Engineering for the additional design in the Green Belt Park.

Sufficient funds were not allocated in the approved FY 23-24 budget to pay for the additional cost for designing the water fountain. Thus, staff is requesting City Council approve a budget amendment transferring \$30,000 from Measure C Fund (1060) subject to review and approval by the Measure C Oversight Committee.

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APPROVE AMENDMENT NO. 1 TO PROFESSIONAL ENGINEERING SERVICES
WITH O’DELL ENGINEERING, INC. FOR THE HISTORIC LATHROP
BEAUTIFICATION PROJECT, CIP GG 24-23 AND APPROVE BUDGET
AMENDMENT

BACKGROUND:

At the July 10, 2023 City Council meeting, Council created CIP GG 24-23 for installation of gateway arches on 5th Street near the Lathrop Road and Louise Avenue intersections and construct a water fountain at the Green Belt Park.

Staff contacted several consultants and after reviewing all proposals received, approved a Professional Engineering Services Agreement to O’Dell Engineering to design the gateway arches on 5th Street. The scope of work included preparation of civil, electrical, and architectural plans for a contract amount of \$56,640.

On January 8, 2024, City Council reviewed a conceptual layout and provided feedback on the design elements for the gateway arches. City Council also selected a preferred location within the Green Belt Park to construct the water fountain. With a selected location and guidance on the aesthetics, staff requested O’Dell Engineering a proposal to also design the water fountain.

O’Dell Engineering provided a proposal for the additional design services that include topographic surveying and completion of the improvement plans with landscape, electrical and structural components of the water fountain. Staff is requesting City Council approve Amendment No. 1 to the professional engineering services with O’Dell Engineering to include the design of the water fountain on the Green Belt Park.

REASON FOR RECOMMENDATION:

Approval of Amendment No. 1 with O’Dell Engineering will allow staff to move forward with the Project and complete the design of the water fountain concurrent with the gateway arches. Staff will return to Council at a later date to request approval of a construction contract for both improvements.

FISCAL IMPACT:

The initial professional services agreement with O’Dell Engineering to design the gateway arches on 5th Street was for \$56,640. The cost to complete the additional design services for the water fountain is \$69,151. Sufficient funds were not allocated within the Project. Therefore, staff is requesting City Council approve a budget amendment transferring \$30,000 from Measure C Fund (1060) subject to review and approval by the Measure C Oversight Committee.

Increase Transfer Out		
1060-9900-990-9010		\$30,000
Increase Transfer In		
3010-9900-393-0000	GG 24-23	\$30,000

FEBRUARY 12, 2024 CITY COUNCIL REGULAR MEETING

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Increase Expenditures

3010-8000-420-12-00

GG 24-23


\$30,000

ATTACHMENTS:

- A. Resolution Approving Amendment No. 1 to the Professional Services Agreement with O'Dell Engineering, Inc. for the Historic Lathrop Beautification Project, CIP GG 24-23, and Approving Budget Amendment
- B. Amendment No. 1 to Professional Services Agreement with O'Dell Engineering, Inc. for the Historic Lathrop Beautification Project, CIP GG 24-23

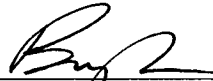
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BEAUTIFICATION PROJECT, CIP GG 24-23 AND APPROVE BUDGET
AMENDMENT

APPROVALS:



Angel Abarca
Assistant Engineer

01-31-2024
Date




Brad Taylor
City Engineer

1/31/2024
Date



Todd Sebastian
Director of Parks & Recreation

1/31/2024
Date



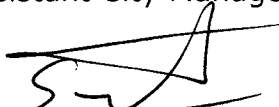
Cari James
Finance Director

2/3/2024
Date



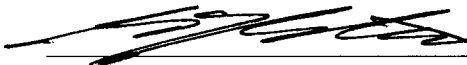
Michael King
Assistant City Manager

1-31-2024
Date



Salvador Navarrete
City Attorney

1-31-2024
Date



Stephen J. Salvatore
City Manager

2/6/24
Date

RESOLUTION NO. 24-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LATHROP APPROVING AMENDMENT NO. 1 TO PROFESSIONAL ENGINEERING SERVICES WITH O'DELL ENGINEERING, INC. FOR THE LATHROP BEAUTIFICATION PROJECT, CIP GG 24-23 AND APPROVING BUDGET AMENDMENT

WHEREAS, Capital Improvement Project (CIP) GG 24-23 for Historic Lathrop Beautification (Project) consists of installing gateway arches on 5th Street near the Lathrop Road and Louise Avenue intersections, and constructing a water fountain on the Green Belt Park; and

WHEREAS, on November 7, 2023, the City of Lathrop contracted O'Dell Engineering, Inc. (O'Dell Engineering) to provide professional engineering services to design the gateway arches on 5th Street; and

WHEREAS, the scope of work included preparation of civil, electrical, and architectural plans of the arches for a contract amount of \$56,640; and

WHEREAS, on January 8, 2024, City Council reviewed a conceptual layout and provided feedback on the elements to be incorporated within the gateway arches; and

WHEREAS, City Council also reviewed locations within the Green Belt Park to construct the water fountain; and

WHEREAS, with a selected location and guidance on the aesthetics, staff requested a proposal from O'Dell Engineering for services that include topographic surveying and completion of the improvement plans with landscape, electrical and structural components of the water fountain; and

WHEREAS, O'Dell Engineering provided a proposal for those additional services to the water fountain for \$69,151; and

WHEREAS, staff is requesting City Council approve Amendment No. 1 to the professional engineering services with O'Dell Engineering to include the design of the water fountain on the Green Belt Park; and

WHEREAS, the initial professional engineering services agreement with O'Dell Engineering to design the gateway arches on 5th Street was for \$56,640. The cost to complete the additional design services and topographic surveying for the water fountain is \$69,151; and

WHEREAS, sufficient funds were not allocated within the Project. Therefore, staff is requesting City Council approve a budget amendment transferring \$30,000 from Measure C Fund (1060), subject to review and approval by the Measure C Oversight Committee, as follows:

Increase Transfer Out 1060-9900-990-9010		\$30,000
Increase Transfer In 3010-9900-393-0000	GG 24-23	\$30,000
Increase Expenditures 3010-8000-420-12-00	GG 24-23	\$30,000

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Lathrop does hereby approves Amendment No. 1 to the Professional Services Agreement with O'Dell Engineering, Inc. for the Historic Lathrop Beautification Project, CIP GG 24-23; and

BE IT FURTHER RESOLVED, that the City Council of the City of Lathrop hereby approves a budget amendment transferring \$30,000 from General Fund (1010) to the CIP Project Fund (3010), to be reimbursed by Measure C Fund (1060) subject to review and approval by the Measure C Oversight Committee as detailed above.

The foregoing resolution was passed and adopted this 12th day of February, 2024 by the following vote of the City Council, to wit:

AYES:

NOES:

ABSENT:

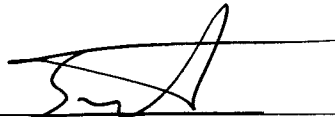
ABSTAIN:

Sonny Dhaliwal, Mayor

ATTEST:

Teresa Vargas, City Clerk

APPROVED AS TO FORM:



Salvador Navarrete, City Attorney

AMENDMENT NO. 1

**TO THE AGREEMENT FOR PROFESSIONAL SERVICES WITH O'DELL
ENGINEERING, INC. FOR THE HISTORIC LATHROP BEAUTIFICATION PROJECT,
CIP GG 24-23**

This Amendment No. 1 (hereinafter "AMENDMENT") to the agreement between O'Dell Engineering and the City of Lathrop dated November 7, 2023, (hereinafter "AGREEMENT") dated for convenience this February 12, 2024, is by and between **O'Dell Engineering, Inc.** ("CONSULTANT") and the **CITY OF LATHROP**, a California municipal corporation ("CITY");

RECITALS:

WHEREAS, CONSULTANT is specially trained, experienced, and competent to provide Professional Services to design the gateway arches and water fountain associated with the Historic Lathrop Beautification Project, CIP GG 24-23; and

WHEREAS, CITY selected the CONSULTANT pursuant to said qualifications; and

WHEREAS, on November 7, 2023, staff approved the AGREEMENT with O'Dell Engineering, Inc. to provide Professional Services in the amount of \$56,640; and

WHEREAS, CONSULTANT is willing to render such Professional Services for the design of the Historic Lathrop Beautification Project, as hereinafter defined, on the following terms and conditions.

NOW, THEREFORE, CONSULTANT and CITY agree as follows:

AMENDMENT No. 1 to AGREEMENT

- (1) **Scope of Service. Section (1) of the AGREEMENT for Consulting is hereby amended to the following:**

CONSULTANT agrees to perform additional services in conformance with the scope of work and fee proposal submitted by the CONSULTANT, attached hereto as Exhibit "A" and incorporated herein by reference.

The aforementioned work is in addition to the scope of work in the original AGREEMENT dated November 7, 2023 for Professional Engineering Consulting Services for the Historic Lathrop Beautification Project, CIP GG 24-23. The scope of work is hereby amended by adding Exhibit "A". CONSULTANT agrees to diligently perform these services in accordance with the upmost standards of its profession and the CITY'S satisfaction.

(2) **Compensation.** Section (2) of the Agreement for Consulting Services is hereby amended to add the following:

City hereby agrees to pay CONSULTANT an additional sum not to exceed **\$66,391** for the professional services set forth in Exhibit "A". CONSULTANT shall be paid any uncontested sum due and payable within thirty (30) days of receipt of billings containing all information contained in Paragraph 5 of the original AGREEMENT. Compensation for any task must be equal to or less than the percentage of task complete. In no event shall CONSULTANT be entitled to compensation for work not included in Exhibit "A", unless a written change order or authorization describing the extra work and payment terms has been executed by CITY'S Authorized Representative prior to the commencement of the work.

(3) **Effective Date and Term**

The effective date of AMENDMENT No. 1 is February 12, 2024 and it shall terminate no later than June 30, 2024. All other terms of the original AGREEMENT shall remain in full force and effect.

(4) **Applicability To Original Consultant Agreement**

All terms and conditions set forth in the AGREEMENT dated November 7, 2023 are still in effect and are incorporated by reference herein and said AGREEMENT is incorporated by reference herein.

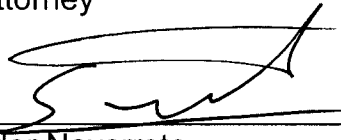
(5) **Signatures**

The individuals executing this AMENDMENT represent and warrant that they have the right, power, legal capacity, and authority to enter into and to execute this AMENDMENT on behalf of the respective legal entities of the CONSULTANT and the CITY. This agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

CITY OF LATHROP – AMEND. NO. 1 WITH O'DELL ENGINEERING, INC. FOR THE DESIGN OF THE HISTORIC LATHROP BEAUTIFICATION PROJECT, CIP GG 24-23

Approved as to Form:

City of Lathrop
City Attorney



Salvador Navarrete

1-31-2024

Date

Recommended for Approval:

City of Lathrop
Assistant City Manager

Michael King

Date

Approved By:
(Resolution # _____)

City of Lathrop
390 Towne Centre Drive
Lathrop, CA 95330

Stephen J. Salvatore
City Manager

Date

CONSULTANT:

Fed ID # _____

Business License # _____

Date

(Print Name and Title)



CONTRACT CHANGE ORDER

Contract Change Order Number: 001
 Original Contract Date: October 2, 2023
 Client: City of Lathrop, Brad Taylor
 Project Number: 42820
 Project Name: Lathrop Gateway Arches
 Date/Time: February 05, 2024

Description of Change:

As requested by the City of Lathrop, O'Dell Engineering and team is pleased to provide additional design support services to expand the original scope of the project to create a new multi-tier water fountain at Green Belt Park near the main pedestrian entrance on Long Barn Drive in Lathrop California. The fountain design as requested, is anticipated to have a base diameter range between 40' to 50', and will have seating, lighting, and landscaping around the fountain area within the central north end of the park. This additional scope of work will encroach into an existing detention basin, requiring the regrading of the existing turf basin area to create a level pad where the fountain is proposed. The added scope will also require water and electrical tie-ins to the existing infrastructure including extending 3-Phase power from the existing City sanitary sewer lift station across Woodfield Drive.

A topographic survey is needed to provide an accurate current base in the area required for the design work of the expanded scope as depicted in 'Exhibit A.' O'Dell Engineering will be responsible for providing a comprehensive landscape design for the project in addition to joint trench design & coordination with PGE. Furthermore, the project structural engineer (PWF) will provide structural design support for the fountain, and the project electrical engineer (HCS) will provide electrical design support for both the fountain and the new pedestrian areas. We have also added an experienced fountain specialist company, Fountain People, to the team to provide MEP technical design services for the fountain and related equipment.

Additional Scope:

TASK 1: TOPOGRAPHIC SURVEY BASE MAPPING

- Perform cross-section survey of linear corridor at 25-foot intervals.
- Perform topographic survey of all hardscape and softscape, including: grade breaks, high points, low points. In flat areas, measure spot elevations in a grid pattern.
- Locate surface-visible utility features and improvements, such as: signs, fences, walls, buildings, striping, driveways, walkways, drainages, structures, lights, poles, bollards, general limits of vegetated or landscaped areas, USA markings, vaults, valves, meters, boxes, pedestals, cleanouts, manholes, drain inlets, catch basins, culverts, outfalls, and standpipes.
- Trees 6" in diameter or larger will be located.
- Create existing ground Civil 3D TIN surface model.
- Prepare topographic survey base map drawing at a 1" = 20' scale.

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CHANGE ORDER

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DELIVERABLES, Task 1:

- Digital copy of the topographic survey base map drawing in AutoCAD Civil 3D 2022 format.
- PDF copy of topographic survey on O'Dell title block.

Task Cost: \$9,964

TASK 2: CONCEPTUAL BOUNDARY BASE MAPPING

- Prepare a conceptual property boundary/road right-of-way linework base map drawing covering the subject mapping limits area. Linework will be based solely on record information from filed survey maps, recorded documents, and any other client-provided information, then placed relative to other deliverables using a limited amount of physical evidence.
- This is not a resolved boundary; no boundary analysis or adjustment will be performed. The following limitations apply:
 - Excludes setting of monuments or filing maps/corner records.
 - Excludes review of adjoining property deeds or resolution of conflicting title evidence.
 - Excludes obtaining a title report. However, if one is provided it will be reviewed and any applicable exceptions will be plotted from record where possible.
 - Plotting of easements or other encumbrances is limited to readily available information obtained by or discovered throughout the process of researching relevant maps, documents, and title reports (if provided). Additional encumbrances may exist. No guarantee is made as to the completeness of said information.
- This item is conditional on finding sufficient corners set by previous surveys. If property corner monuments of record have been destroyed, do not fit, or were never set, then pursuant to the Professional Land Surveyors' Act, additional surveying and a "Record of Survey" or a "Corner Record" may be required to resolve the boundary. If additional surveying is necessary, a briefing with the Client will be arranged, and work will proceed only after authorization from the Client.

DELIVERABLES, Task 2:

- Digital copy of the conceptual boundary linework drawing in AutoCAD Civil 3D 2022 format.

Task Cost: \$2,617

TASK 3: CONCEPTUAL DESIGN

- Preparation of preliminary conceptual design options will be led by an O'Dell licensed landscape architect, and will prepare up to three (3) alternative conceptual design options for initial City review and comment. Conceptual documents may include the following graphics and exhibits:
 - Conceptual site design in full color;
 - Conceptual fountain design including plan and section/elevation;
 - Preliminary electric service layout and meter placement; and
 - Precedent supporting imagery
- After the City provides direction on a preferred preliminary conceptual design, O'Dell will prepare a final conceptual design package for City approval prior to improvement plan preparation. Conceptual documents may include the following graphics and exhibits:
 - Conceptual site design in full color;
 - Conceptual fountain design including plan and section/elevation;
 - Conceptual intent of electric design from point of connection to meter; and
 - Precedent supporting imagery

DELIVERABLES, Task 3:

- Electronic copies in PDF format

Task Cost: \$13,705

TASK 4: IMPROVEMENT PLANS (50% & FINAL SUBMITTAL)

- Based upon the topographic survey and conceptual boundary base mapping provided in Tasks 1 and 2 above, and City approved conceptual design package in task 3, the O'Dell design team will prepare complete improvement plans, technical specs, cost opinion and structural calculations for City review and comment.

All plans will be consistent with the most recent additions of California Building Code, CalGreen, the State of California Water Efficiency Ordinances, and all City requirements. Plans are expected to include the following:

- Cover sheet
 - Project data
- Notes sheet
- Demolition plans (based off topographic survey base file)
- Erosion control plans
- Grading plans
- Layout and horizontal control plans
- Landscape renovation plans
 - Irrigation plan conforming to city and state MWELo requirements.
 - Irrigation water use calculations (MAWA/ EWU)
 - Irrigation schedule (pre and post establishment)
 - Planting plans
 - Planting plan to conform to MWELo requirements.
 - Planting legend
- Landscape construction details:
 - Hardscape details
 - Fountain design details
 - Standard irrigation details

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CHANGE ORDER

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O'Dell Engineering

- Standard planting details
 - Electrical site plan:
 - New electrical service and coordination with City staff
 - Power connections to improvement areas.
 - Electrical details
 - Electrical calculations
 - Structural foundation plans
 - Structural framing plans/ elevations
 - Structural details, notes & plan specifications
 - Fountain MEP plans & details
- Cost opinion (at each submittal phase)
- Technical specifications
 - TOC spec outline (50% Submittal)
 - Full technical specifications (100% Submittal), excluding division 00.
 - Bid item list
 - Bid descriptions
- Respond to Client feedback.
- Project coordination with Client.

DELIVERABLES, Task 4:

- Electronic copies in PDF format

Task Cost: \$41,465

TASK 5: MEETING AND COORDINATION

- Attend virtual kick-off meeting with city and design team (1).
- Attend one progress meeting for each improvement plan submittal phase.
 - Assumes one virtual meeting per submittal = two (2) total.
 - Additional meetings will be billed at hourly rates provided in original contract.

Task Cost: \$900

TOTAL FEES, TASK 1 - 5: \$68,651

TASK 6: REIMBURSABLES FOR THE FOLLOWING ITEMS:

- Mileage.
- Printing 11x17 conceptual hard copies (up to three (3) sets) if requested.
- Printing final submittal package hard copies (up to three (3) sets) if requested.

Task Cost: \$500

TOTAL FEES WITH REIMBURSABLES: \$69,151

Client to Provide:

- Existing utility records, including as-builts, record drawings, plans, or GIS information, knowingly possessed by or available to client/owner.
- All other items in this section are per the original contract.

Limitations/ Assumptions:

- Does not include bidding and construction support services. We can provide this service upon request from the City.
- Does not include architectural design for fountain or related fountain vault. Vault is assumed to be a pre-packaged unit.
- Does not include utility extensions beyond 100 feet from the project site.
- Does not include temporary electric service for construction trailer.
- Does not include field supervision of construction forces.
- Does not include inspection and/or testing services.
- Does not include utility designs beyond connections/ meters.
- Pricing subject to increase based on PGE Globals provided after application and JT Intent and Form A.
- Does not include QSP services. We can provide this service upon request from the City.
- Does not include construction staking. We can provide this service upon request from the City.
- All other items in this section are per the original contract.

Note:

- All other conditions remain per the original contract.

IMPACT ON SCHEDULE:

TBD.

IMPACT ON BUDGET:

Impact on Budget: \$69,151
Proposed Contract Total: \$125,791

CLIENT SIGNATURE

CONSULTANT SIGNATURE

CLIENT SIGNATURE WILL AMEND THE CONTRACT AS SHOWN AND AUTHORIZES THE WORK TO BE PERFORMED.

Exhibit A –Survey Limits



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MAPPING LIMITS EXHIBIT			
SCALE:	1"=100'	DATE:	2024-01-26
JOB NO.:	42820 LATHROP GATEWAY ARCHES		
FILE:	M3892-EXH-MAPPING LIMITS.DWG		

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