

Council Meeting
February 15, 2011

Honorable Mayor and Members
of the Torrance City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Parks and Recreation Commission, Community Services and General Services - Approve a contract amendment and appropriate funds for Seaside Heroes Park. Expenditure: \$ 11,500

RECOMMENDATION

Recommendation of the Parks and Recreation Commission, the Community Services Director and the General Services Director that City Council:

- 1) Approve a contract amendment with Land Concern Ltd (C2008-096) for additional architectural and civil engineering services for Seaside Heroes Park for \$6,100 for a total contract amount of \$87,400; and,
- 2) Appropriate \$11,500 from the Parks and Recreation Open Space Fund to Seaside Heroes Park (FEAP #653).

Funding: Funding is available in the Parks and Recreation Open Space Fund.

BACKGROUND/ANAYLSIS

On January 22, 2011, the City held a dedication ceremony for its newest park, Seaside Heroes Park. This neighborhood park, located at the west end of Lomita Boulevard at Anza Avenue, is 1.2 acres of beautiful landscape. The park consists of decorative entryways inlaid with community painted ceramics tiles, a play area with a climbing wall, open grass areas, drought tolerant plants, benches, a memorial wall, a meandering walkway, and a low flow irrigation system built to use reclaimed water in the near future.

On May 20, 2008, the City Council approved a contract award to Land Concern Ltd. for \$81,300 to provide the architectural landscape and engineering services for Seaside Heroes Park. On July 1, 2010, the State Water Resources Control Board (SWRCB) issued an order (Order No. 2009-0009-DWQ) requiring all construction projects over 1 acre of land to submit an online application for a General Construction Permit via the Storm Water Multiple Application and Reporting Tracking System (SMARTS). Land Concern assisted staff with the application, calculations, and subsequent Storm Water Pollution Prevention Plan (SWPPP), acting as the Qualified SWPPP Developer (QSD). Since the design portion is complete, staff are not requesting an extension to the contract term.

Staff is requesting an additional \$11,500 of Open Space funds to cover the unexpected costs for the SWRCB General Construction Permit and SWPPP, repairs to neighboring property, and the purchase of dedication plaques, all of which were not included in the original project budget. Here is the breakdown of these additional costs:

SWPPP	\$4,500
Property repairs	\$4,000
Dedication plaque	\$3,000
TOTAL	\$11,500

The original appropriation of funding for this project did include approximately \$10,000 in Open Space Fund, bringing the total amount to roughly \$22,000. The total cost of the project is roughly \$1.1 million, with more than \$800,000 covered by State Proposition 40 grant funds.

The Parks and Recreation Commission, the Community Services Director and General Services Director recommend City Council approve the contract amendment with Land Concern Ltd. (C2008-096) for additional design and civil engineering work in the amount of \$6,100 for a total contract of \$87,400, and appropriate \$11,500 from the Parks and Recreation Open Space and Facilities Fund for additional costs associated with the project.

Respectfully submitted,

PARKS AND RECREATION
COMMISSION



Keri Gilbert, Chairperson

CONCUR:



John Jones
Community Services Director



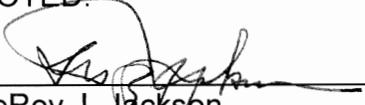
Sheryl Ballew
General Services Director

JOHN JONES
Community Services Director



By Jason Minter
Senior Business Manager

NOTED:



LeRoy J. Jackson
City Manager

Attachment: A. Land Concern Ltd. Contract Amendment

AMENDMENT TO AGREEMENT C2008-096

This Amendment to Agreement is made and entered into as of _____, 2011, by and between the CITY OF TORRANCE, a municipal corporation ("CITY"), and Land Concern Ltd., a California Corporation ("CONSULTANT").

RECITALS:

- A. CITY and CONSULTANT entered into an Agreement on May 20, 2008, whereby CONSULTANT agreed to provide landscape architectural services for the Lomita Right of Way Park Project.
- B. On December 8, 2009, the Agreement was amended to extend the term from December 31, 2009 to December 31, 2010.
- C. The CITY is satisfied with the level of service provided by CONSULTANT.
- D. Both parties want to amend the contract to provide additional services for the Design of the Wall Memorial and preparing a Storm Water Pollution Prevention Plan. Additionally, both parties want to increase the not to exceed amount by \$6,100 for the additional services.

AGREEMENT:

- 1. Paragraph 3.A., entitled "CONSULTANT's Fee" is amended to read in its entirety as follows:

"A. CONSULTANT's Fee

For services rendered pursuant to this Agreement, CONSULTANT will be paid in accordance with the Proposal, provided, however, that in no event will the total amount of money paid the CONSULTANT, for services initially contemplated by this Agreement, exceed the sum of \$87,400 ("Agreement Sum"), unless otherwise first approved in writing by CITY."

2. The following additional services are added to Exhibit A to the Agreement entitled "Proposal" as though fully set forth therein:

"(1) design of the Wall Memorial, (2) assistance with compliance the State Water Resources Control Board Order No. 2009-0009 DWQ, and (3) preparation of Storm Water Pollution Prevention Plan (SWPPP)."

3. In all other respects, the Agreement dated May 20, 2008 and amended on December 8, 2009, between CITY and CONSULTANT is ratified and reaffirmed and is in full force and effect.

4. The person(s) executing this Agreement on behalf of the CONSULTANT warrant that (i) the CONSULTANT is duly organized and existing; (ii) they are duly authorized to execute this Agreement on behalf of the CONSULTANT; (iii) by so executing this Agreement, the CONSULTANT is formally bound to the provisions of this Agreement; and (iv) the entering into this Agreement does not violate any provision of any other Agreement to which the CONSULTANT is bound.

CITY OF TORRANCE
a Municipal Corporation

Land Concern Ltd.
a California Corporation

Frank Scotto, Mayor

By: _____
Michael T. Imlay
Vice President

ATTEST:

Sue Herbers
City Clerk

APPROVED AS TO FORM:

JOHN L. FELLOWS III
City Attorney

By: _____