

TO: JAMES L. APP, CITY MANAGER
FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR
SUBJECT: ADJUSTMENTS TO RINCON CONSULTANT CONTRACT
DATE: JANUARY 20, 2004

Needs: For the City Council to consider a request from Rincon Consultants for an adjustment to their contract for assisting the City in preparation of the General Plan update.

Facts:

1. Rincon Consultants has a services agreement with the City to prepare work relating to update of the City's General Plan. With the Council's action on December 16, 2003 and some related "clean up" work on the General Plan text and graphics, that work should soon be complete.
2. Attached is a copy of the services agreement. The budget identified under that agreement was \$310,000.
3. Also attached is a letter from Rincon dated December 5, 2003 requesting an adjustment to the scope of services / budget for the General Plan and EIR. Their requested adjustment is \$28,842.
4. The attached letter from Rincon details the basis for their request.

Analysis
and

Conclusion: The successful completion of the General Plan update program involved a cooperative effort between the City and Rincon.

During the process of updating the General Plan and preparing required environmental documentation, both the City and the consultant team expended efforts beyond what had been anticipated at the start of the process. The letter from Rincon maintains that their actual costs for work performed total \$64,944 above their contract amount, and that they are only requesting \$28,642.

The number of ad hoc committee meetings and public workshops (each of which required preparation work on behalf of the consultant) were clearly above and beyond what was anticipated in the scope of work that was prepared. Reimbursement for unanticipated meeting costs are the bulk of what are requested by Rincon (\$20,000).

The additional scope of work being requested by Rincon related to preparation of alternatives and revisions of General Plan products. These work products are less tangible / quantifiable than the number of meetings. This additional work totals \$8,642.

Throughout the General Plan update process, Rincon was responsive to the City's needs to schedule additional meetings and was flexible in terms of adjusting to the needs of the program. (In turn, City staff undertook additional project coordination that extended beyond what was anticipated in the original scope of work.)

Options include payment of the entire amount requested, or to limit payment to the additional meetings that were clearly beyond the scope of what was anticipated in the original scope of work. However, Rincon represents that their actual costs were more than twice the amount of contact adjustment that they are requesting.

The Rincon request for an adjustment to their contract amount would constitute a 9.2 percent increase over the original Services Agreement.

Policy

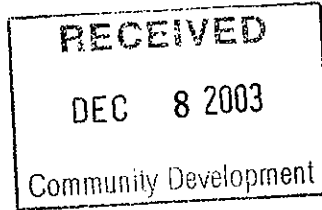
Reference: General Plan Update program; Consultant Services Agreement with Rincon

Fiscal

Impact: The City has not paid the additional funds requested by Rincon. There are, however, funds available in the contingency budget for the General Plan to pay for up to the amount requested.

Options:

- a. To authorize staff to utilize contingency funds to pay Rincon the requested adjustment of \$28,642 regarding their scope of work for the General Plan update program.
- b. To limit the additional payment to the costs related to the extra meetings (\$20,000.).
- c. Amend, modify or reject the foregoing options.



Raz

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December 5, 2003
 Job No. 01-51510

Bob Lata, Community Development Director
 City of Paso Robles
 1000 Spring Street
 Paso Robles, California 93446

Subject: Paso Robles General Plan and EIR

Dear Mr. Lata:

Per your request on December 3, 2003, this letter provides additional clarification regarding Rincon's request to recover our costs expended toward the completion of the City's General Plan, as documented in our letter to you dated November 12, 2003. In summary, we requested \$28,842, which is the cost incurred in labor to address the following work tasks:

- *Unanticipated workshops and meetings*
- *Additional work with regard to analysis of General Plan alternatives*
- *Number of Revisions of Products*

To specifically address your request, we are providing a disaggregated accounting of how the costs relate to the three types of work tasks. The table below summarizes this information.

Table 1. General Plan Budget Analysis

Task	Original Scope	Actual Effort	Amount of Unbudgeted Cost	Additional Requested Budget
Meetings and Workshops	<ul style="list-style-type: none"> • 3 public workshops (\$5,300 per workshop for preparation, attendance and follow-up) • 6 advisory committee meetings (\$1,300 per meeting) 	<ul style="list-style-type: none"> • 8 public workshops (June-Oct 2002) • 16 Ad Hoc Committee meetings (Jan-Nov 2003) • Special meetings with school district, Cuesta College 	<ul style="list-style-type: none"> • 5 public workshops (\$26,500) • 16 Ad Hoc Committee meetings (\$7,800) • 2 Special meetings (\$1,200) 	<ul style="list-style-type: none"> • 5 Public Workshops (\$9,000, which is \$1,800 per unanticipated public workshop) • 10 Ad Hoc Committee Meetings (\$10,000, which is \$1,000 per unanticipated meeting)



Table 1. General Plan Budget Analysis

Task	Original Scope	Actual Effort	Amount of Unbudgeted Cost	Additional Requested Budget
				<ul style="list-style-type: none"> • 2 Special Meetings (\$1,000, which is \$500 per meeting)
General Plan Alternatives Development and Analysis	<ul style="list-style-type: none"> • Develop three alts (\$13,920) • Present alts to Planning Commission, with preparation and follow-up (\$7,705) • Present alts to City Council, with preparation and follow-up (\$7,435) 	<ul style="list-style-type: none"> • Developed three alts • Presented alts to PC and CC on 4-29-03, 6-24-03 • Revised original 4-8-03 alternatives to respond to Ad Hoc Committee, staff, PC and CC direction (7 times: 4-29-03; 6-6-03; 6-24-03; 7-18-03; 10-08-03; 10-14-03; 11-25-03). This effort entailed graphics and text changes to spreadsheets, maps, and draft General Plan Elements 	<ul style="list-style-type: none"> • 7 unanticipated revisions to the original General Plan Alternatives (\$14,000, or \$2,000 per revision, including text, graphics and presentation) 	<ul style="list-style-type: none"> • 7 unanticipated revisions to the original General Plan Alternatives developed on April 8, 2003 (\$4,200, which is \$600 per revision)
Revisions to General Plan products	<ul style="list-style-type: none"> • General Plan Survey (\$5,620—84 hours) • General Plan Elements (1 administrative draft, 1 revision, and 1 final). Original budget: \$63,165, 80% of which would be the first draft, and 10%--or \$6,317--for each subsequent draft • Supporting graphics and analysis for those elements and various meetings and workshops 	<ul style="list-style-type: none"> • GP Survey response 50% greater than budgeted; additional data input needed • General Plan Elements (1 admin draft 6-6-03, 2 PC/CC drafts 6-24-03 and 9-18-03; 1 PC draft 11-25-03; 1 CC final 12-16-03) • Additional graphic and analysis to support these changes (included in Alternatives revisions in previous item) 	<ul style="list-style-type: none"> • GP Survey additional data entry (\$2,810, 50% more than anticipated) • General Plan Elements (2 additional drafts, \$12,634, which is \$6,317 per draft) 	<ul style="list-style-type: none"> • GP Survey (\$1,000, to cover the unanticipated response rate) • General Plan Elements (\$3,442, which is \$1721 per revision)
TOTAL			Actual Unbudgeted Cost: \$64,944	Requested Budget Amendment: \$28,642



Note that our actual cost for the directed work tasks is \$64,944. However, we are only requesting 44% of this total (\$28,642). This reflects the fact that many of the tasks associated with the General Plan effort have been cooperatively achieved with effort from both Rincon and City staff. We are aware that, like Rincon, the City has also expended unanticipated labor toward the completion of the General Plan.

We know that the City and Rincon have conducted the General Plan project with high expectations. The level of public interest combined with the City's efforts to ensure comprehensive community participation has resulted in a need to modify the scope and expand the tasks as are outlined in the "actual effort" column of the table.

We ask that the request be viewed in the spirit of continuing the collaborative effort for a project that demanded more time and energy than was budgeted when the original job was scoped over two years ago. Thank you for assistance in contributing to a resolution of this issue.

Sincerely,
RINCON CONSULTANTS, INC.

John Rickenbach, AICP
Planning Manager

Stephen Svete, AICP
Principal in Charge