

TO: James L. App, City Manager
FROM: Ron Whisenand, Community Development Director
SUBJECT: Uptown/Town Centre Specific Plan: Amendment of Consultant Services Agreement
DATE: May 18, 2010

Needs: For the City Council to consider an amendment to the consultant services agreement with Moule and Polyzoides for preparation of the Uptown/Town Centre Specific Plan.

Facts:

1. At its meeting of January 2, 2008, the City Council adopted Resolution 08-001 to approve a contract with Moule and Polyzoides in the amount not to exceed \$1.5 million to prepare the Uptown/Town Centre Specific Plan.
2. The consultant services agreement included a detailed scope of work which specified the number of meetings to be attended by the consultants and provided that the consultants would conduct two reviews of the administrative draft specific plan.
3. The City requested that Moule and Polyzoides perform three reviews of the administrative draft specific plan.
4. In September 2009, the City requested that Moule and Polyzoides attend a special meeting of City staff and the Housing Authority to help guide the redevelopment of Oak Park. As an outcome of that meeting, Moule and Polyzoides coordinated with Torti Gallas Associates Architects to assist in the development of a conceptual site plan for that affordable housing project. This meeting was not in the scope of work for the original contract.
5. In July 2009, Moule and Polyzoides provided the City with a Public Review Draft Specific Plan.
6. Between September and December 2009, three ad hoc committees, commissioned by the City Council and Planning Commission, met to review and comment on the Public Review Draft Specific Plan and formulate recommendations for revisions to the Specific Plan.
7. Several of the recommendations of the ad hoc committees necessitate additional analysis by the consultant team, which is beyond the scope of work of the original consultant services agreement.
8. Moule and Polyzoides have provided a proposal (copy attached) for completing the additional work, which includes the third review of the administrative draft specific plan, the meeting with the Housing Authority, the coordination with Torti-Gallas Associates, and the revisions recommended by the ad hoc committees. The total price for the additional work is \$27,430.

Analysis and
Conclusion: The expenses shown in Moule and Polyzoides' proposal can be classified as shown below.

Expenses to Date

For work requested by the City that was beyond the original scope:

Attend 9/22/09 Housing Authority Meeting and coordinate with Torti-Gallas	\$ 6,180
3rd Review of Admin Draft Specific Plan	<u>\$16,250</u>
Total.....	\$22,430

Proposed Additional Expenses

For addressing items recommended by the Ad Hoc Committees:..... \$5,000

Total: \$27,430

The additional consultant fees could be taken from the Housing Programs Budget for Fiscal Year 2010/2011. For this program, \$385,900 has been budgeted. It is funded from a combination of Community Development Block Grant (CDBG) Funds (\$60,000) and Low and Moderate Income Housing Funds (\$325,900).

The total employee services portion of the FY 10/11 Housing Programs Budget is \$30,500 more than the employee services budget for FY 09/10. However, there is a salary and merit increase freeze in effect.

Therefore, the extra \$27,430 could be charged to the Housing Programs Budget as a consultant services expense and still stay within budget. Additionally, this would put no burden on the General Fund.

The proposed extra consultant fees will be used for various “planning activities” described in 24 CFR 570.205(a) as a type of “capacity building” purposes. As such, the full amount of \$27,430 could be paid for with CDBG Funds. It is estimated that \$10,000 in LMIH funds would be eligible for this purpose as:

- a. All of the \$6,180 for the meeting with the Housing Authority and coordination with Torti Gallas Architects is directly attributable to the redevelopment of Oak Park Public Housing.
- b. About \$4,000 (20%) of the remaining \$21,250 would be directly related to affordable housing matters.

The \$1.5 million original contract is funded with a combination of regular Redevelopment Funds and LMIH Funds. CDBG funds have been used for staff time on this plan.

Policy

Reference: Draft Uptown/Town Centre Specific Plan; Federal Regulations Governing the CDBG Program (24 CFR 570)

Options:

That the City Council take one of the actions listed below.

- 1. Adopt the attached resolution approving an amendment to the consultant services agreement with Moule and Polyzoides for preparation of the Uptown/Town Centre Specific Plan;
- 2. Amend, modify or reject the above option.

RESOLUTION NO. 10-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AUTHORIZING THE CITY MANAGER TO SIGN A PROPOSAL FOR ADDITIONAL
WORK THAT WOULD AMEND THE CONSULTANT SERVICES AGREEMENT WITH
THE FIRM OF ELIZABETH MOULE & STEFANOS POLYZOIDES FOR PREPARATION
OF THE UPTOWN/TOWN CENTRE SPECIFIC PLAN

WHEREAS, at its meeting of January 2, 1008, the City Council adopted Resolution 08-001 approving a consultant services agreement with Moule & Polyzoides to prepare a Uptown/Town Centre Specific Plan in the amount not to exceed \$1,500,000; and

WHEREAS, the consultant services agreement included a detailed scope of work which specified the number of meetings to be attended by the consultants and provided that the consultants would conduct two reviews of the administrative draft specific plan; and

WHEREAS, subsequent to the execution of the original consultant services agreement, the City requested that Moule and Polyzoides perform three reviews of the administrative draft specific plan; and

WHEREAS, in September 2009, the City requested that Moule and Polyzoides attend a special meeting of City staff and the Housing Authority to help guide the redevelopment of Oak Park; as an outcome of that meeting, Moule and Polyzoides coordinated with Torti Gallas Associates Architects to assist in the development of a conceptual site plan for that project; this meeting and the coordination work was not in the scope of work for the original contract; and

WHEREAS, in July 2009, Moule and Polyzoides provided the City with a Public Review Draft Specific Plan; and

WHEREAS, between September and December 2009, three ad hoc committees, commissioned by the City Council and Planning Commission, met to review and comment on the Public Review Draft Specific Plan and formulate recommendations for revisions to the Specific Plan; and

WHEREAS, several of the recommendations of the ad hoc committees necessitate additional analysis by the consultant team, which is beyond the scope of work of the original consultant services agreement; and

WHEREAS, Moule and Polyzoides have provided a proposal, dated May 4, 2010 (“the Proposal”), for completing the additional work, which includes the third review of the administrative draft specific plan, the meeting with the Housing Authority, the coordination with Torti-Gallas Associates, and the revisions recommended by the ad hoc committees for a total price of \$27,430;

WHEREAS, in Fiscal Year 10/11, there will be sufficient salary savings in Program 211 (Housing Programs) to cover the amount of the Proposal; and

WHEREAS, the work described by the Proposal is directly related to the development of affordable housing, it is an eligible use of the revenues sources that fund Program 211;

WHEREAS, the original \$1,500,000 contract is presently being paid from Account #700-810-5235-240; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of El Paso de Robles as follows:

SECTION 1. To authorize the City Manager to sign Moule and Polyzoides' proposal, received on May 7, 2010 attached hereto as Exhibit A and incorporated herein by reference as an amendment to the original Consultant Services Agreement in the amount of \$27,430 on behalf of the City.

SECTION 2. To authorize a transfer of \$27,430 from Account #227-710-5010-211 to Account #700-810-5235-240.

PASSED AND ADOPTED THIS 18th day of May, 2010 by the following Roll Call Vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DUANE PICANCO, MAYOR

ATTEST:

LONNIE DOLAN, DEPUTY CITY CLERK

ELIZABETH MOULE & STEFANOS POLYZOIDES

ARCHITECTS AND URBANISTS

Paso Robles

MAY 07 2010

Planning Division

Ed Gallagher
City of El Paso de Robles
Community Development Department
1000 Spring Street
Paso Robles, CA 93446

Dear Ed:

Moule & Polyzoides would like to respectfully request additional compensation for unforeseen work that arose outside of the original contract between Moule & Polyzoides and the City of Paso Robles. This includes work that has already been completed by Moule & Polyzoides at the behest of the City as well as additional work that has recently been requested by the City in order for the Specific Plan to be finished.

Regarding the work that has already been completed, this includes:

- Coordinating and attending a September 22, 2009 meeting with the Housing Authority, Torti Gallas Associates, and the Housing Authority's architect Paul Davis to discuss refinements to Oak Park in anticipation of the Housing Authority's application for Federal funding.
- Responding to and incorporating to a third set of Administrative Draft comments, despite the contract calling for only two.

The work necessary for the successful completion of the Specific Plan consists of responding to comments generated by the various Ad-Hoc Committees during their review of the Public Draft Specific Plan. This response consists of a memorandum that will be distributed to the Planning Commission and City Council ahead of the May 26, 2010 joint Commission/Council Workshop. This extra work was not anticipated as part of the original contract.

MOULE & POLYZOIDES

ARCHITECTS & URBANISERS

The requested additional compensation is summarized as follows:

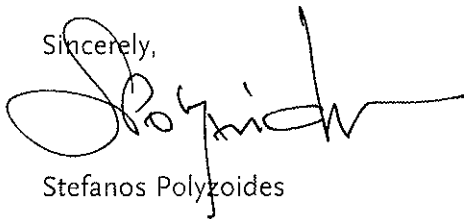
Fees and Expenses to Date:

Coordinate and attend the September 22, 2009 Housing Authority meeting	\$ 6,180
Generate and print Third Administrative Draft	\$16,250
Subtotal	\$22,430

Proposed Additional Expenses:

Respond to Ad-Hoc Committee comments	\$ 5,000
TOTAL	\$27,430

Sincerely,



Stefanos Polyzoides

Agreed:

Name and Title
For City of Paso Robles

Date