



## Legislation Details (With Text)

|                      |              |                      |   |              |  |
|----------------------|--------------|----------------------|---|--------------|--|
| <b>File #:</b>       | 20-498       | <b>Version:</b>      | 1   | <b>Name:</b> |  |
| <b>Type:</b>         | Consent Item | <b>Status:</b>       |   | Passed       |  |
| <b>File created:</b> | 8/31/2020    | <b>In control:</b>   | City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency |              |  |
| <b>On agenda:</b>    | 9/21/2020    | <b>Final action:</b> | 9/21/2020   |              |  |

**Title:** SUBJECT: Approval of an Agreement for Professional Services with KLA, Inc., for Landscape Design Services for the Bellevue Ranch Area Landscape and Irrigation Improvements Project 120053 for a Total Amount Not to Exceed \$43,200

### REPORT IN BRIEF

Considers approving an agreement for professional services with KLA, Inc., for design of landscape and irrigation improvements in the Bellevue Ranch area in a total amount not to exceed \$43,200.

### RECOMMENDATION

City Council - Adopt a motion approving an agreement for professional services with KLA, Inc., in the amount not to exceed \$43,200 for design of landscape and irrigation improvements in the Bellevue Ranch area; and, authorizing the City Manager or the Assistant City Manager to execute the necessary documents.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. KLA Contract.pdf

| Date      | Ver. | Action By   | Action   | Result |
|-----------|------|---|----------|--------|
| 9/21/2020 | 1    | City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency | approved | Pass   |

*Report Prepared by: Juan Olmos, Acting Public Works Manager - Tax Services*

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necessary documents.

## ALTERNATIVES

1. Approve, as recommended by staff; or,
2. Approve, subject to modifications as conditioned by City Council; or,
3. Refer to staff for reconsideration of specific items; or,
4. Deny.

## AUTHORITY

Charter of the City of Merced, Section 200, et seq. and Section 3.04.120 of the Merced Municipal Code.

Services with an estimated value greater than \$33,000.00 are made by written contract in accordance with Merced Municipal Code, Title 3 - Revenue and Finance, Chapter 3.04.

## CITY COUNCIL PRIORITIES

As provided for in the 2020-21 Adopted Budget.

## DISCUSSION

Staff solicited proposals from qualified landscape architecture firms for the development of plans and specifications for areas within the Bellevue Ranch subdivision to include streetscape/park strip landscaping, as well as landscaping along open space bike trails.

Five proposals were received by the submittal deadline. An evaluation committee was convened consisting of Public Works staff members. Each member rated the proposals by granting up to 100 points on criteria including, but not limited to: project experience and understanding, overall approach, scope of work, and completeness. Shown below are the proposals' combined scores out of a maximum possible of 300 total points:

|  |     |
|--|-----|
| KLA, Inc. (Sonora, CA)                         | 283 |
| RRM Design Group (San Luis Obispo, CA)         | 272 |
| Wood Rogers, Inc. (Sacramento, CA)             | 235 |
| Pleinaire Design Group (Santa Maria, CA)       | 152 |
| Precision Civil Engineering, Inc. (Fresno, CA) | 140 |

KLA's proposed scope of work includes the conceptual design phase, construction documentation (bid documents), as well as bidding and construction support services. The KLA fee proposal for completing these tasks is for the not-to-exceed sum of \$43,200.

## History and Past Actions

Travelers Casualty and Surety Company of America ("Travelers") issued surety bonds as part of the Subdivision Agreements for Bellevue Ranch West Villages 1, 2, 3, 4, 5, and 10. As part of the Subdivision Agreements, Walnut Creek Development, Inc. ("Developer") was required to install certain public works improvements, including a bicycle path, landscaping, irrigation, and other related improvements. Since the Developer was found in default of the subdivision agreements, and the work was not completed, the City entered into negotiations with the bond surety company, Travelers.

On July 20, 2009, the City of Merced and Travelers entered into a Settlement Agreement requiring Travelers to have specific improvements completed as well as the payment of \$528,288 to be paid by Travelers to the City. This money was accepted by the City and deposited into Fund 062 - Developer Capital Fee. As stated in the Settlement Agreement:

*“G. Whereas, in exchange for Travelers: (1) completing (or causing to complete) a modified scope of work identified in Section II below; and (2) issuing payment in the amount of \$528,288.00, the City warrants and represents that the Project has been fully and satisfactorily completed by Developer in accordance with the term of the Subdivision Agreements and all applicable law including all statutory and contractual definitions of Project “completion,” and that the City accepts the Project as completed in full without reservations;*

*H. Whereas, this Agreement is intended to resolve all remaining issues between Travelers and the City with regard to the remaining improvements on the Projects, fully, finally and forever, as set forth herein.”*

Per the aforementioned, the City has no further ties or conditions to Travelers for the completion and use of this Settlement payment.

On February 16, 2010, City Council approved an Amendment to the Settlement Agreement to allow for additional time for Travelers to complete the agreed upon improvements due to Fish and Wildlife permit delays, as well as to make some minor changes to the original plans for the improvements.

On December 16, 2019, City Council approved a supplemental appropriation in the amount of \$574,078 from Fund 062 - Developer Capital Fee, transferring and appropriating the same to Account 450-1104-637.65-00 Project 120053 for use of the settlement payment to complete landscape and irrigation improvements in the Bellevue Ranch Subdivision Area.

## **IMPACT ON CITY RESOURCES**

No appropriation of funds is needed. This project as been established as a Capital Improvement Project and account 450-1104-637.65-00-112053 contains sufficient funding to complete the project.

## **ATTACHMENTS**

1. Agreement for Professional Services