# NOTICE

## COMPTON CITY COUNCIL
## AGENDA
## Tuesday, January 19, 2016
## 3:30 PM

## OPENING

**MOMENT OF SILENCE**

**ROLL CALL**

**INTRODUCTION OF SPECIAL GUESTS**

**PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS**

## CONSENT AGENDA

Consent items are routine and expected to be non-controversial. They will be acted upon by the Council at one time without discussion unless a Council Member requests an item be removed or discussed.

**APPROVAL OF MINUTES**

**REPORTS OF OFFICERS AND COMMISSIONS**

**CITY MANAGER/CITY ATTORNEY/CITY TREASURER REPORTS**

1. CLAIM AGAINST THE CITY OF COMPTON
   Deborah Cooper - Claim No. 8850/LI0000582A
   **Deny Claim**

## END CONSENT AGENDA

# REGULAR AGENDA

## REPORTS OF OFFICERS, BOARDS, COMMISSIONS AND COMMITTEES AND CITY COUNCIL

2. REMOVAL OF OFFICERS, COUNCIL MEMBERS, BOARDS/COMMISSIONS AND COMMITTEES

   LEAGUE OF CALIFORNIA CITIES - REQUEST FOR REMOVAL OF REPRESENTATIVE (Councilwoman Emma Sharif)

## CITY MANAGER'S REPORT

3. THIRD DISTRICT CITY COUNCIL APPOINTMENT PROCESS **(Discussion)**

## CITY ATTORNEY'S REPORTS

## UNFINISHED BUSINESS

## NEW BUSINESS

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO SOFTWARE ONE FOR ANNUAL LICENSE FEES ($178,816.82)

5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONSTRUCTION CONTRACT TERM AND INCREASE THE CONTRACT COST WITH AMERICAN ASPHALT SOUTH, INC., ACCEPT THE CONSTRUCTION OF THE 2014 STREET RESURFACING PROJECT (CIP# 14-01) AS COMPLETE, DIRECT STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE, AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S RETENTION ($42,230.34)

6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE TRAFFIC MANAGEMENT AND OPERATIONS CENTER PROJECT (CIP #12-01) AS COMPLETE, DIRECT STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER’S OFFICE AND AUTHORIZE THE RELEASE OF THE CONTRACTOR’S (LEVERAGE INFORMATION SYSTEMS) RETENTION ($8,827.61)

## APPROVAL OF WARRANTS

## COUNCIL COMMENTS

## ADJOURNMENT

*NEXT REGULAR MEETING: Tuesday, January 26, 2016 @ 5:30 PM.*

*Visit our website at http://www.comptoncity.org*

*View Meetings Live at mms://livemedia.comptoncity.org:8080*

**#1.**

**January 19, 2016**

**TO:** **MAYOR AND CITY COUNCIL MEMBERS**

**FROM:** **CITY ATTORNEY**

**SUBJECT:** **CITY ATTORNEY REPORT/CLAIM NO. I-8850/LI0000582A**

## SUMMARY

Council will consider the claim of Deborah Cooper (Claim No. I-8850/LI0000582A) presented to the City on December 8, 2015, pursuant to Govt. Code §915, 912.4(a) and 912.6(a).

## BACKGROUND

Ms. Cooper presented the above-referenced claim to the City Controller's Office on December 8, 2015. Ms. Cooper claims that on August 18, 2015, her vehicle was parked in her driveway while City employees were working on repaving the street. Ms. Cooper states that tar, used by the City employees while working on the street, damaged the paint on her vehicle.

Staff conducted an investigation of this claim and determined that a contractor for the City, American Asphalt South Inc., was working near the alleged incident during the stated time. It appears that this incident occurred while the company was applying slurry seal to the street as part of the 2014 Street Resurfacing Improvements Project, Resolution No. 24,009. Pursuant to our contract with American Asphalt South, Inc., the company is obligated to promptly remedy its potential liability at its cost without reimbursement by the City. We have contacted American Asphalt South for resolution of this claim and request that this claim be denied.

## FINANCIAL IMPACT

One Thousand Seventy Nine Dollars and Twelve Cents ($1,079.12).

## RECOMMENDATION

Staff recommends that this claim be denied.

____________/S/__________________

**CRAIG J. CORNWELL**
**CITY ATTORNEY**

January 19, 2016

**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM:** VAN WILSON, GENERAL SERVICES DIRECTOR

**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO SOFTWARE ONE FOR ANNUAL LICENSE FEES ($178,816.82)

## SUMMARY

City Council adoption of the attached Resolution will authorize the City Manager to issue a purchase order to Software One for the purchase of Microsoft Corporation Software licenses.

## BACKGROUND

The Information Technology Division conducted a thorough review of all software licenses such as servers, emails and desktops that would require the use of the Microsoft Windows operating systems and Microsoft Office Suite. With this review, it was determined that 400 Microsoft Corporation software licenses were necessary for the City to be in compliance with current regulations. In order to utilize the Microsoft programs, the City must pay an annual license fee to Software One, a direct distributor for Microsoft Corporation. The current operating licenses have expired and the annual fee is due for fiscal years 2014-15 and 2015-16.

## STATEMENT OF THE ISSUE

The Information Technology Division is working to keep the City in compliance with all current software licensing requirements as mandated by Microsoft. The annual license fee for 2015 in the amount of $89,408.41 was due on April 1, 2015 and the same fee of $89,408.41 will be due on April 1, 2016. The Information Systems Division is requesting a purchase order for a total of $178,816.82 to Software One, the direct distributor for Microsoft Corporation.

## ALTERNATIVE

If the attached resolution is not adopted, the City will risk losing the use of all Microsoft products, email, Microsoft Windows and Microsoft Office Suite, and risk a possible Microsoft Corporation audit that could result in levies and or fines.

#4.



## FINANCIAL IMPACT

Funds for this expenditure are allocated in account number 1001-600-IT0-4222 in the amount of One Hundred Seventy Eight Thousand, Eight Hundred Sixteen Dollars and Eighty Two Cent ($178,816.82).

## RECOMMENDATION

It is recommended that the City Council adopt the attached resolution.

**VAN WILSON**
**GENERAL SERVICES DIRECTOR**

**APPROVED FOR FORWARDING:**

**ROGER L. HALEY**
**CITY MANAGER**

**#4.**

**RESOLUTION NO. ________________**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON, AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHSE ORDER TO SOFTWARE ONE FOR ANNUAL LICENSE FEES ($178,816.82)**

**WHEREAS,** The Information Technology Division conducted a thorough review of all Microsoft software licenses; and

**WHEREAS,** it was determined that 400 Microsoft Corporate licenses were necessary for the City to be in compliance with current regulations; and

**WHEREAS,** In order to utilize the Microsoft programs, the City must pay an annual license fee to Software One, a direct distributor for Microsoft Corporation; and

**WHEREAS,** the current operating licenses have expired and the fees are due: for 2015 and 2016; and

**WHEREAS,** funds are available in the amount of s $178,816.82 in account number 1001-600-IT0-4222; and

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1.** That the City Manager is authorized to issue a purchase order to Software One for the annual license fees for fiscal year 2014 and 2015.

**Section 2.** That the total amount due is One Hundred Seventy Eight Thousand, Eight Hundred Sixteen Dollars and Eighty Two Cent, ($178,816.82).

**Section 3.** That funds are allocated in account number 1001-600-IT0-4222.

**Section 4.** That a copy of this Resolution shall be filed in the offices of the City Clerk, City Attorney, City Manager, General Services, and the City Controller.

**Section 5.** That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

**ADOPTED this ______ day of _______________, 2016.**

**________________________________**
**MAYOR OF THE CITY OF COMPTON**

**ATTEST:**

**#4.**



______________________________
**CLERK OF THE CITY OF COMPTON**

**STATE OF CALIFORNIA )**
**COUNTY OF LOS ANGELES ) ss**
**CITY OF COMPTON )**

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on this _______ day of _____________________, 2016.

That said Resolution was adopted by the following vote, to wit:

**AYES: COUNCILMEMBERS-**
**NOES: COUNCILMEMBERS-**
**ABSTAIN: COUNCILMEMBERS-**
**ABSENT: COUNCILMEMBERS-**

______________________________
**CITY CLERK OF THE CITY OF COMPTON**

# #5.

January 19, 2016

**TO:** MAYOR AND CITY COUNCIL MEMBERS

**FROM:** GLEN W.C. KAU, P.E., DIRECTOR
PUBLIC WORKS / MUNICIPAL UTILITIES

**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONSTRUCTION CONTRACT TERM AND INCREASE CONTRACT COST WITH AMERICAN ASPHALT SOUTH, INC., ACCEPT THE CONSTRUCTION OF THE 2014 STREET RESURFACING PROJECT (CIP# 14-01) AS COMPLETE, DIRECT STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S RETENTION ($42,230.34)

## SUMMARY

Adoption of this resolution by the City Council will authorize the City Manager to amend the construction contract with American Asphalt South, Inc. ("Contractor") to extend the contract term by a total of 270 working days (commencing from January 28, 2015) and authorize additional compensation in the amount of $42,230.34 pursuant to Section 4.3 of the original contract. Furthermore, adoption of this resolution will approve and accept the completion of construction of the 2014 Street Resurfacing Project CIP #14-01, direct staff to file the notice of completion with the Los Angeles County Recorder's office and authorize the release of the contractor's retention.

## BACKGROUND

The 2014 Street Resurfacing Project provides pavement rehabilitation to approximately 11 miles of roadways throughout the City of Compton. The improvements included slurry seals and cape seals on streets identified through the recent update of the City's Pavement Management Program. In addition to cape and slurry seals, the 2014 Street Resurfacing Project included removing and replacing isolated pavement failure areas, crack sealing, removing and replacing damaged curb, gutter and sidewalk, and installation of new handicap ramps.

Pursuant to Resolution No. 24,009, adopted by the City Council on September 2, 2014, the City Manager was authorized to enter into a contact with American Asphalt South, Inc. in an amount of $1,772,848.23, with an approved contingency in the amount of $177,300, totaling $1,950,148.23 for the construction work on the 2014 Street Resurfacing Project. However, due to a change in the funding source subsequent to

City Council's original authorization on September 2, 2014, Resolution No. 24,009 was rescinded and Resolution No. 24,106 was adopted by the City Council on March 17, 2015, which reflected the change in account information and ratified the construction contract entered into between the City and American Asphalt South, Inc. on or about September 24, 2014.

The initial contract time was 75 working days beginning on October 7, 2014 and was estimated to be completed by January 28, 2015. The project, however, experienced delays during construction due to design deficiencies, change in funding source and the incorporation of additional work which included the construction of project signs, tree removal, weather delays, and the addition of Bennett Street to the project.

Section 4.3 "Extensions" of the construction contract with American Asphalt South, Inc. provides that the Contract Time shall not be extended except by Change Order issued in accordance with the Contract Documents. A change order is a written order agreed to by both the City and American Asphalt South, Inc. and issued after the execution of the contract authorizing an adjustment in the contract price and/or contract time. Thus, the contract price and time can only be adjusted by change order. Therefore, staff is recommending that this action be brought to City Council for approval.

A narrative of all contract issues warranting a change in both time and price to this contract are as follows:

**Time Component**

The 2014 Street Resurfacing Project has experienced delays due to the following additions to the scheduled scope of work for this contract:

| Item (s) | Working Days |
|---|---|
| Change Orders (Exhibit A) | 200 |
| Project Close-out | 70 |
| **Total Days** | **270** |

The aforementioned delays have caused the project to go beyond the term of the original contract. While the construction has been recently completed, it is recommended that the contract be extended to February 29, 2016 to allow for the parties to execute the requested contract extension and process the outstanding payments. Thus, the City would like to extend the contract for an additional 270 working days, effective from January 28, 2015.

**Outstanding invoices**

The City has received an invoice in the amount of $146,298.00 to process and was able to pay only $104,067.66 to the contractor, leaving a balance owing of $42,230.34.

## STATEMENT OF THE ISSUE

The construction timeframe according to the original contract needs to be amended by an additional 270 working days and additional compensation provided in the amount of $42,230.34. Staff is requesting the following actions to be taken:

### A. Contract Price

The original contract amount, including retention, is $1,950,148.23. The contract needs to be amended to increase the contract price by an additional $42,230.34. The total contract amount will be $1,992,378.57.

### B. Contract Time

The original contract term can be extended by change order pursuant to the contract document. The current contract terms needs to be extended from the original 75 working days to an additional 270 working days (retroactive from January 28, 2015) due to the additional change order requests. All other terms of the contract will remain the same.

## FISCAL IMPACT

Funds in the amount of $42,230.34 are available in the Public Works/Municipal Utilities 2015-2016 Fiscal Year’s budget in Account No. 1012-720-000-4249.

## ALTERNATIVE

Due to the desire of the City to complete the project, no other alternative is being proposed.

## RECOMMENDATION

Staff recommends that the City Council adopt the attached Resolution.

# #5.



**GLEN W.C. KAU, P.E., DIRECTOR**
**PUBLIC WORKS/MUNICIPAL UTILITIES DEPARTMENT**

**APPROVED FOR FORWARDING:**

**ROGER L. HALEY**
**CITY MANAGER**

RLH:GK:JS

**#5.**

**RESOLUTION NO. ___________**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONSTRUCTION CONTRACT TERM AND INCREASE CONTRACT COST WITH AMERICAN ASPHALT SOUTH, INC., ACCEPT THE CONSTRUCTION OF THE 2014 STREET RESURFACING PROJECT (CIP# 14-01) AS COMPLETE, DIRECT STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S RETENTION ($42,230.34)**

**WHEREAS,** the 2014 Street Resurfacing Project provides pavement rehabilitation to approximately 11 miles of roadways throughout the City of Compton and the improvements include slurry seals and cape seals on streets identified through the recent update of the City's Pavement Management Program, removing and replacing isolated pavement failure areas, crack sealing, removing and replacing damaged curb, gutter and sidewalk, and installation of new handicap ramps; and

**WHEREAS,** pursuant to Resolution No. 24,009, adopted by the City Council on September 2, 2014, the City Manager was authorized to enter into a contact with American Asphalt South, Inc. in an amount of $1,772,848.23, with an approved contingency in the amount of $177,300, totaling $1,950,148.23 for the construction work on the 2014 Street Resurfacing Project; and

**WHEREAS,** due to a change in the funding source subsequent to City Council's original authorization on September 2, 2014, Resolution No. 24,009 was rescinded and Resolution No. 24,106 was adopted by the City Council on March 17, 2015, which reflected the change in account information and ratified the construction contract entered into between the City and American Asphalt South, Inc. on or about September 24, 2014; and

**WHEREAS,** the initial contract time was 75 working days beginning on October 7, 2014 and was estimated to be completed by January 28, 2015, however, the project experienced delays during construction due to design deficiencies, change in funding source and the incorporation of additional work which included the construction of project signs, tree removal, weather delays, and the addition of Bennett Street to the project, which also added to the initial projected cost for this project; and

**WHEREAS,** all work items and activity will have been reviewed for compliance with the project specifications and deemed responsive and when completed, a complete project accounting was presented to Council, along with staff's recommendation for acceptance of the project as complete; and

**WHEREAS,** this Resolution authorizes the City Manager to amend the contract with American Asphalt South, Inc to extend the contract term by 270 working days (retroactive from January 28, 2015) through February 29, 2016 to properly close out the project, and provide for additional compensation in the amount of $42,230.34; accept the construction of the 2014 Street Resurfacing Project CIP #14-01 as complete; sanction staff to file the notice of completion with the Los Angeles County Recorder's office; and, authorize the release of the contractor's retention; and

**WHEREAS,** funding for this additional expenditure are available in the 2015-2016 Fiscal Year budget.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** That the City Manager, upon the advice and approval of the City Attorney is hereby authorized to amend the contract with American Asphalt South, Inc. to extend the contract term by 270 working days (retroactive from January 28, 2015) through February 29, 2016 to properly close out the project, and provide for additional compensation in the amount of $42,230.34.

**SECTION 2.** That the City hereby accepts the construction of the 2014 Street Resurfacing Project (CIP #14-01) as complete and sanctions staff to file the notice of completion with the Los Angeles County Recorder's Office.

**SECTION 3.** That the contractor's retention funds are hereby authorized to be released.

**SECTION 4.** That funds in the amount of $42,230.34 are available in the Public Works/Municipal Utilities 2015-2016 Fiscal Year budget in Account No. 1012-720-000-4249.

**SECTION 5.** That a copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, City Attorney and Public Works/Municipal Utilities Department.

**SECTION 6.** That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

**ADOPTED** this ____ day of _______________, 2016.

_______________________________
**MAYOR OF THE CITY OF COMPTON**

**ATTEST:**

_______________________________
**CITY CLERK OF THE CITY OF COMPTON**

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON: ss

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council, signed by the Mayor and attested by the City Clerk at a regular meeting thereof held on the ____ day of ____________________, 2016.

That said Resolution was adopted by the following vote to wit:

**AYES:** **COUNCIL MEMBERS-**
**NOES:** **COUNCIL MEMBERS-**
**ABSENT:** **COUNCIL MEMBERS-**
**ABSTAIN:** **COUNCIL MEMBERS-**

_______________________________
**CITY CLERK OF THE CITY OF COMPTON**

**FIRST AMENDMENT**
**TO**
**CONSTRUCTION SERVICES AGREEMENT**
**BETWEEN**
**CITY OF COMPTON**
**AND**
**AMERICAN ASPHALT SOUTH, INC.**
**[2014 Street Resurfacing Project – CIP #14-01**

This **AMENDMENT** is entered into by and between the **CITY OF COMPTON,** a municipal corporation of the State of California (hereinafter referred to as **"CITY"**) and **AMERICAN ASPHALT SOUTH, INC.,** (hereinafter referred to as **"CONTRACTOR"**).

## RECITALS

**WHEREAS,** pursuant to Resolution No. 24,009, adopted by the City Council on September 2, 2014, the City Manager was authorized to enter into a contact with American Asphalt South, Inc. in an amount of $1,772,848.23, with an approved contingency in the amount of $177,300, totaling $1,950,148.23 for the construction work on the 2014 Street Resurfacing Project; and

**WHEREAS,** due to a change in the funding source subsequent to City Council's original authorization on September 2, 2014, Resolution No. 24,009 was rescinded and Resolution No. 24,106 was adopted by the City Council on March 17, 2015, which reflected the change in account information and ratified the construction contract entered into between the City and American Asphalt South, Inc. on or about September 24, 2014; and

**WHEREAS,** the initial contract time was 75 working days beginning on October 7, 2014 and was estimated to be completed by January 28, 2015, however, the project experienced delays during construction due to design deficiencies, change in funding source and the incorporation of additional work which included the construction of project signs, tree removal, weather delays, and the addition of Bennett Street to the project, which also added to the initial projected cost for this project; and

**WHEREAS,** there is a need to amend the contract to extend the term of the contract and increase the contract price in order to complete the Project; and

**WHEREAS,** by Resolution No. _______, adopted on the __ day of ____________, 2016, the City Council authorized the City Manager to enter into an amendment to the original Construction Services Contract with American Asphalt South, Inc. to extend the term of the contract for 270 working days and increase the contract price by an additional $42, 230.34.

**NOW, THEREFORE,** the parties do hereby mutually agree to amend the Construction Services Agreement as follows:

## AMENDMENTS

**1.** The parties agree to amend **Section 4.2.1 – <u>Construction Services</u>** of the

#5.



original Agreement to extend the amount of time for completion of the Work on the 2014 Street Resurfacing Project (CIP #14-01), as more fully described within the original Agreement, by an additional **Two Hundred Seventy (270) working days (effective retroactively from January 28, 2015) through February 29, 2016,** unless the original Agreement and this amendment thereto is terminated as provided for within the original Agreement.

**2.** The parties agree to amend **Section 3.1 – Total Compensation** of the original Agreement to provide for additional compensation for the completion of the Work on the 2014 Street Resurfacing Project (CIP #14-01), as more fully described within the original Agreement, in the amount of **Forty Two Thousand Two Hundred Thirty Dollars and Thirty Four Cents ($42,230.34).**

**3.** The above-indicated amendments to the Construction Services Agreement between the parties is based on the Change Orders identified in the attached Exhibits "A" (Change Order Log), which are incorporated herein.

**4.** Except as provided for above, all other terms and conditions of the original Construction Services Agreement and any amendments thereto between the City and the Consultant all remain in effect.

**IN WITNESS WHEREOF,** the authorized representatives of the parties have executed this **AMENDMENT** to the above-identified **CONSTRUCTION SERVICES AGREEMENT.**

**AMERICAN ASPHALT SOUTH, INC./CONTRACTOR**

**By** ________________________________ **Dated:** ______________
**Lyle Stone, Secretary**

**CITY OF COMPTON**
**Recommended for Approval:**

**By** ________________________________ **Dated:** ______________
**Glen W.C. Kau, Director**
**Public Works/Municipal Utilities Dept.**

**Approved by:**

**Dated:** ________________ **By** ________________________________
**Roger L. Haley, City Manager**

**Approved as to form:**

**By ________________________________** **Dated: ________________**
**Craig J. Cornwell, City Attorney**

**ATTEST:**

**Dated: __________________** **By_______________________________**
**Alita Godwin, City Clerk**

#5.

**EXHIBIT A**

**CHANGE ORDER LOG**

| Change Order No. | Date | Description | Working Days | Unit |
|---|---|---|---|---|
| 1 | 10/31/2014 | Project Signs | 30 | LS |
| 1 | 12/31/2014 | Tree Removal | 30 | LS |
| 2 | 6/30/2015 | Bennett Street | 60 | LS |
| 3 | 12/2/2015 | Project Close out | 131 | n/a |
| | | Total Time | 251 | |

# #5.

| Cost | Paid | |
|---|---|---|
| $4,521.32 | yes | |
| $1,220 | yes | |
| $146,298.00 | | $104,067.66 |
| 0 | n/a | |
| $152,039.32 | | |

# #5.

## RESOLUTION SIGN-OFF FORM

**DEPARTMENT:** **Public Works-Engineering**

**RESOLUTION TITLE:** **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO AMEND THE CONSTRUCTION CONTRACT TERM AND INCREASE THE CONTRACT COST WITH AMERICAN ASPHALT SOUTH, INC., ACCEPT THE CONSTRUCTION OF THE 2014 STREET RESURFACING PROJECT (CIP# 14-01) AS COMPLETE, DIRECT STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE, AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S RETENTION ($42,230.34)**

| | |
|---|---|
| ***Glen Kau*** | **1/6/2016 6:07:43 PM** |
| DEPARTMENT MANAGER'S SIGNATURE | DATE |

**REVIEW / APPROVAL**

| | |
|---|---|
| ***Ruth Rugley*** | **1/13/2016 6:33:10 PM** |
| CITY ATTORNEY | DATE |
| ***Stephen Ajobiewe*** | **1/13/2016 6:10:47 PM** |
| CITY CONTROLLER | DATE |
| ***Roger Haley*** | **1/7/2016 6:07:43 PM** |
| CITY MANAGER | DATE |

Use when:

| | |
|---|---|
| Public Works: | When contracting for Engineering Services. |
| City Attorney: | When contracting for legal services; contracts that require City Attorney's review. |
| Controller/Budget Officer: | Amending Budget; appropriating and/or transferring funds; adding and/or deleting positions; any resolution having account numbers. |
| Asst. City Manager/OAS: | All personnel actions. |

#6.

January 19, 2016

**TO:** MAYOR AND CITY COUNCIL MEMBERS

**FROM:** GLEN W. C. KAU, P.E., DIRECTOR
PUBLIC WORKS AND MUNICIPAL UTILITIES

**SUBJECT:** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE TRAFFIC MANAGEMENT AND OPERATIONS CENTER PROJECT (CIP #12-01) AS COMPLETE, DIRECT STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S (LEVERAGE INFORMATION SYSTEMS) RETENTION ($8,827.61)

## SUMMARY

Adoption of this resolution by the City Council will authorize the City Manager to approve and accept the completion of the integration of forty-eight (48) radio antennas from the "City of Compton Advanced Surveillance and Protection City-Wide" ("ASPC") Project (CFD-0814) with the Centracs Advanced Transportation Management System ("ATMS") for the Traffic Management and Operations Center ("TMOC") Project (Capital Improvement Project #12-01), sanction staff to file the notice of completion with the Los Angeles County Recorder's office and authorize the release of the contractor's, Leverage Information Systems ("Leverage"), retention in the amount of Eight thousand Eight Hundred Twenty Seven Dollars and Sixty-One Cents ($8,827.61).

## BACKGROUND

The Public Works and Municipal Utilities Department ("Department") is in the process of deploying a state-of-the-art TMOC to manage and control all one hundred and thirteen (113) existing signalized intersections within City boundaries. Due to budgetary constraints the project will be implemented in two Phases: Phase I consisting of forty-eight (48) intersections and Phase II consisting of sixty-five (65) intersections. In the current fiscal year only Phase I is planned for implementation. Pursuant to Resolution No. 23,819, adopted on September 3, 2013, Econolite Control Products, Inc. ("Econolite") was awarded the contract to install the Centracs ATMS for the TMOC Project. The major components of the TMOC Phase I was:

1. Installation of a wireless Ethernet network (radio antennas) at forty-eight (48) distinct signalized intersections as general traffic data collectors/transmitters.

2. Installation of five (5) aggregating radio antennas at an appropriate location to collect and transfer all data from the general traffic collectors/transmitters back to

the Martin Luther King Transit Center ("MLKTC") for processing by the Centracs ATMS unit.

3. Installation of all components of the Centracs ATMS unit at MLKTC.

Initially, the plan was to install the five (5) aggregating radio antennas atop the Compton Courthouse, but this site began unavailable for use. However, at that time another project being implemented by Leverage and administered by the Fire Department was the "City of Compton Advanced Surveillance and Protection City-Wide" Project. Both the ASPC Project and the Centracs ATMS each required the installation of their own wireless Ethernet network (radio antennas) and aggregating radio antennas atop the Compton Courthouse to collect and redirect all data from the general collectors/transmitters for processing. Due to the similar nature of the two (2) projects, merging their hardware infrastructure at geographically common street intersections was advantageous in that it would:

1. Eliminate potential interference between the radios from both projects at common locations due to insufficient separation of the frequencies of the wireless spectrum utilized by both systems.

2. Eliminate hardware duplicity of radios and their ancillary equipment thus providing savings to the City.

3. Eliminates potential maintenance and liability issues by avoiding the installation of two (2) wireless networks from different vendors.

Thus, pursuant to Resolution Nos. 24,122 and 24,250, the City Council authorized the City Manager to execute amendments to the construction services agreement with Leverage to expand the scope of services, extend the contract term and increase the contract price for the ultimate integration of a total of forty-eight (48) radio antennas from the ASPC project into the ATMS for the TMOC project and provide compensation for the additional services.

## STATEMENT OF THE ISSUE

All construction work associated with the contract amendments for services to be performed by Leverage for this project have been completed. Pursuant to state law, rrelease of the retention funds withheld by the City until completion of the services required by the contract shall take place within 60 days after the date of completion of the work. The retention amount for this project is $8,827.61.

## ALTERNATIVE

Due to the desire of the City to complete the project, no other alternative is being proposed.

## FISCAL IMPACT

Retention funds in the amount of Eight Thousand Eight Hundred Twenty Seven Dollars and Sixty-One Cents ($8,827.61) are available in the Public Works/Municipal Utilities 2015-2016 Fiscal Year's budget in Account No. 1900-710-000-4262.

## RECOMMENDATION

It is recommended that the City Council adopt the attached Resolution.

**GLEN W.C. KAU, P.E., DIRECTOR
PUBLIC WORKS/MUNICIPAL UTILITIES**

**APPROVED FOR FORWARDING:**

**ROGER L. HALEY
CITY MANAGER**

RLH:GK:JS:LO

#6.

**RESOLUTION NO. ___________**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE TRAFFIC MANAGEMENT AND OPERATIONS CENTER PROJECT (CIP #12-01) AS COMPLETE, DIRECT STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S (LEVERAGE INFORMATION SYSTEMS) RETENTION ($8,827.61)**

**WHEREAS,** the Public Works and Municipal Utilities Department ("Department") is in the process of deploying a state-of-the-art Traffic Management and Operations Center ("TMOC") to manage and control a total of one hundred and thirteen (113) signalized intersections which will be implemented in two (2) phases: Phase I consisting of forty-eight (48) intersections (implemented during this fiscal year) and Phase II consisting of sixty-five (65) intersections; and

**WHEREAS,** pursuant to Resolution No. 23,819, adopted on September 3, 2013, Econolite Control Products, Inc. ("Econolite") was awarded the contract to install the Centracs Advanced Transportation Management System ("ATMS") for the TMOC Project; and

**WHEREAS,** major components of Phase I of the TMOC Project are 1) installation of a wireless Ethernet network (radio antennas) at forty-eight (48) distinct signalized intersections as general traffic data collectors/transmitters; 2) installation of five (5) aggregating radio antennas at an appropriate location to collect and transfer all data from the general traffic collectors/transmitters back to the Martin Luther King Transit Center ("MLKTC") for processing by the Centracs ATMS unit; and, 3) Installation of all components of the Centracs ATMS unit at MLKTC; and

**WHEREAS,** another project being implemented by Leverage Information Systems ("Leverage") and administered by the Fire Department is the "City of Compton Advanced Surveillance and Protection City-Wide" ("ASPC") Project. Both the ASPC Project and the Centracs ATMS each require the installation of their own wireless Ethernet network (radio antennas) and aggregating radio antennas atop the Compton Courthouse to collect and redirect all data from the general collectors/transmitters for processing; and

**WHEREAS,** in order to facilitate the integration effort of Leverage's installed network equipment and the Centracs ATMS, which would save the City time and money, staff recommended and the City Council authorized amending the City's contract with Leverage; and

**WHEREAS,** pursuant to Resolution Nos. 24,122 and 24,250, the City Council authorized the City Manager to execute amendments to the construction services agreement with Leverage to expand the scope of services, extend the contract term and increase the contract price for the ultimate integration of a total of forty-eight (48) radio antennas from the ASPC project into the ATMS for the TMOC project and provide compensation for the additional services; and

**WHEREAS**, all construction work associated with the contract amendments for services to be performed by Leverage for this project have been completed and pursuant to state law, release of the retention funds withheld by the City until completion of the services required by the contract shall take place within 60 days after the date of completion of the work; and

**WHEREAS**, the retention amount for this project is $8,827.61 and funds in this amount have been allocated in the Public Works/Municipal Utilities Department's 2015-2016 Fiscal Year budget in Account No. 1900-710-000-4262; and

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**WHEREAS,** since the work to be performed by Leverage has been completed, staff requests authorization from the City Council to file the notice of completion with the Los Angeles County Recorder's Office and release the contractor's retention funds.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMPTON DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** That the City Manager is hereby authorized to accept Phase 1 of the Traffic Management and Operations Center Project (CIP #12-01) as complete and authorize staff to file the notice of completion with the Los Angeles County Recorder's Office.

**SECTION 2.** That the contractor's retention funds in the amount of Eight Thousand Eight Hundred Twenty Seven Dollars and Sixty-One Cents ($8,827.61) are hereby authorized to be released.

**SECTION 3.** That retention funds in the amount of $8,827,61 are available in the Public Works/Municipal Utilities 2015-2016 Fiscal Year's budget in Account No. 1900-710-000-4262.

**SECTION 4.** That a certified copy of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk and the Public Works/Municipal Utilities Department.

**SECTION 5.** That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

**ADOPTED** this ____ day of ________________, 2016.

________________________________
**MAYOR OF THE CITY OF COMPTON**

**ATTEST:**

_____________________________________
**CITY CLERK OF THE CITY OF COMPTON**

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF COMPTON: ss

I, Alita Godwin, City Clerk of the City of Compton, hereby certify that the foregoing Resolution was adopted by the City Council of the City of Compton, signed by the Mayor and attested to by the City Clerk at a regular meeting thereof held on the _____ day of __________________, 2016.

That said Resolution was adopted by the following vote, to wit:

**AYES: COUNCIL MEMBERS-**
**NOES: COUNCIL MEMBERS-**
**ABSTAIN: COUNCIL MEMBERS-**
**ABSENT: COUNCIL MEMBERS-**

______________________________________
**CITY CLERK OF THE CITY OF COMPTON**

#6.

# RESOLUTION SIGN-OFF FORM

**DEPARTMENT:** **City Attorney**

**RESOLUTION TITLE:** **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AUTHORIZING THE CITY MANAGER TO ACCEPT THE TRAFFIC MANAGEMENT AND OPERATIONS CENTER PROJECT (CIP #12-01) AS COMPLETE, DIRECT STAFF TO FILE THE NOTICE OF COMPLETION WITH THE LOS ANGELES COUNTY RECORDER'S OFFICE AND AUTHORIZE THE RELEASE OF THE CONTRACTOR'S (LEVERAGE INFORMATION SYSTEMS) RETENTION ($8,827.61)**

| | |
|---|---|
| ***Ruth Rugley*** | **1/13/2016 4:48:24 PM** |
| DEPARTMENT MANAGER'S SIGNATURE | DATE |

**REVIEW / APPROVAL**

| | |
|---|---|
| ***Ruth Rugley*** | **1/13/2016 6:30:55 PM** |
| CITY ATTORNEY | DATE |
| ***Stephen Ajobiewe*** | **1/13/2016 6:28:18 PM** |
| CITY CONTROLLER | DATE |
| ***Roger Haley*** | **1/13/2016 5:21:49 PM** |
| CITY MANAGER | DATE |

Use when:

| | |
|---|---|
| Public Works: | When contracting for Engineering Services. |
| City Attorney: | When contracting for legal services; contracts that require City Attorney's review. |
| Controller/Budget Officer: | Amending Budget; appropriating and/or transferring funds; adding and/or deleting positions; any resolution having account numbers. |
| Asst. City Manager/OAS: | All personnel actions. |