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(Zoom is only for Public Comments)

<https://us02web.zoom.us/j/88390933781?pwd=U01zVC8zN25QUENZU0VnREZtdWxWdz09>

Meeting ID: 883 9093 3781
Passcode: 566795
Call In: 1-669-900-6833

**COMPTON CITY COUNCIL
AGENDA
01/05/2021
5:30 PM**

STUDY SESSION

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS ON AGENDA ITEMS AND NON-AGENDA MATTERS

(Persons wishing to address the City Council on the Study Session items may do so at this time. Comments are limited to one (3) minutes per speaker and shall be limited to Study Session agenda items)

REGULAR AGENDA

CITY MANAGER'S REPORT

3. ORAL REPORT - FLAVOR TOBACCO PREVENTION AND ENFORCEMENT GRANT

ITEMS FOR REVIEW AND DISCUSSION

4. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE CITY'S CONFLICT OF INTEREST CODE TO AMEND DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES PURSUANT TO THE POLITICAL REFORM ACT OF 1974
5. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN AMENDMENT TO THE PUBLIC WORKS DEPARTMENT 2020-2021 FISCAL YEAR BUDGET TO TRANSFER FUNDS, AUTHORIZE THE CITY MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH AND ESTABLISH A PURCHASE ORDER FOR NV5 TO PROVIDE STREET DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE ANNUAL RESIDENTIAL STREET REHABILITATION PROJECT, CIP# 18-01, PHASE 2
6. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN AMENDMENT TO THE PUBLIC WORKS DEPARTMENT 2020-2021 FISCAL YEAR BUDGET TO TRANSFER FUNDS, AUTHORIZE THE CITY MANAGER TO INCREASE THE PROFESSIONAL SERVICE AGREEMENT WITH AND ESTABLISH A PURCHASE ORDER FOR Z&K CONSULTANTS, INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE ANNUAL RESIDENTIAL STREET REHABILITATION PROJECT, CIP# 18-01, PHASE 1 (\$122,705)
7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RATIFYING SIDE LETTER AGREEMENT AMENDING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF COMPTON AND THE COMPTON MANAGEMENT EMPLOYEES ASSOCIATION, AMERICAN FEDERAL OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES UNION, LOCAL 2325, AFL-CIO, COUNCIL 36 (AFSCME LOCAL 2325) TO MODIFY THE SALARIES OF THE BATTALION CHIEF CLASSIFICATION AND ADD AN EDUCATIONAL INCENTIVE

COUNCIL COMMENTS

ADJOURNMENT

NEXT REGULAR MEETING: 1/12/2021 @ 5:30 PM

Visit our website at <http://www.comptoncity.org>

January 5, 2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY CLERK

**RE: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AMENDING THE CITY'S CONFLICT OF INTEREST CODE TO AMEND
DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES
PURSUANT TO THE POLITICAL REFORM ACT OF 1974**

SUMMARY

The City Council will consider adopting a resolution that will amend the "City of Compton Conflict of Interest Code – Designated Positions and Disclosure Categories" ("Appendix B", attached to the City's Conflict of Interest Code), to amend the designated positions and disclosure categories as required by the Political Reform Act of 1974, and amendments thereto.

BACKGROUND

The Political Reform Act of 1974 (the "Act") requires every state and local government agency to adopt a Conflict of Interest Code, which compels most state and local public officials and employees to disclose certain personal financial holdings so as to prevent public decision makers from participating in government decisions in which they have a personal, financial stake. The Act began as a ballot initiative approved by California voters in the wake of the Watergate scandals.

A stated purpose of the Act declares that ... "Assets and income of public officials which may be materially affected by their official actions should be disclosed and in appropriate circumstances the officials should be disqualified from acting in order that conflicts of interest may be avoided." [*California Government Code*, Section 81002(c)].

The Act requires that each state and local government agency adopt and implement a separate Conflict of Interest Code (the "Code"), which must designate the employee positions within that agency " ... *which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest*" of the employee. [*California Government Code*, Section 87302(a)]. The Act specifically requires members of city councils, planning commissions, as well as city managers, city treasurers, city attorneys, candidates for any of these offices and other public officials who manage public investments to disclose specified financial interests. The other public officials and employees not specifically covered by the Act are subject to the disclosure requirements set forth in the local agency's Conflict of Interest Code.

Designated officials and employees are required to file “Statements of Economic Interests” (i.e. “Form 700”), which is a public document intended to alert public officials, employees and members of the public to the types of financial interests that may create conflicts of interest.

STATEMENT OF ISSUE

The City of Compton initially adopted its Conflict of Interest Code in 1976 and the designated positions and disclosure categories have been intermittently amended over the years to address changed circumstances of the City’s workforce. The last update was in 2014. Staff has determined it is necessary to amend the current list of designated positions and disclosure categories of the City’s Code to incorporate revisions to the City’s Classification Plan since 2014. All designated positions are listed in “Appendix B” [an attachment to the City’s Conflict of Interest Code], which is attached hereto and incorporated fully herein by this reference.

The Fair Political Practices Commission (“Commission”) developed and adopted a regulation; Title 2, Division 6 of the California Code of Regulations, Section 18730; which contains the terms of a standard model Conflict of Interest Code. The Commission recommends that required agencies adopt, by incorporating by reference, the regulation contained in Section 18730 of Title 2 of the California Code of Regulations (i.e. standard model Conflict of Interest Code) so that amendments and revisions made to the Political Reform Act will automatically be applicable to the agency’s Conflict of Interest Code, thus providing agencies with a Conflict of Interest Code that is in compliance with current state law. Pursuant to Resolution No. 23,927, the City Council adopted the standard model in 2014.

Since the standard model was adopted by the City in 2014, the Commission revised the model to increase the annual limit on the aggregate value of gifts a public official may receive from a single source. The limit was increased from \$460 to the current limit of \$500. This change is automatically incorporated in the City’s Code and requires no action. No other changes have been made to the standard model.

FISCAL IMPACT

There is no anticipated fiscal impact resulting from adoption of this Resolution.

ALTERNATIVE

None. State law mandates that the local agency’s Code be amended, as needed, to address/reflect new, revised and/or deleted positions that are subject to disclosure requirements and applicable disclosure categories.

RECOMMENDATION

Staff recommends that Council adopt the attached Resolution.

**ALITA GODWIN, MMC
CITY CLERK**

APPROVED FOR FORWARDING:

**CRAIG J. CORNWELL
CITY MANAGER**

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON AMENDING THE CITY'S CONFLICT OF INTEREST CODE TO AMEND DESIGNATED POSITIONS AND DISCLOSURE CATEGORIES PURSUANT TO THE POLITICAL REFORM ACT OF 1974

WHEREAS, the Political Reform Act of 1974 (the "Act") requires every state and local government agency to adopt a Conflict of Interest Code, which compels most state and local public officials and employees to disclose certain personal financial holdings so as to prevent public decision makers from participating in government decisions in which they have a personal, financial stake; and

WHEREAS, the Act requires that agency-adopted Conflict of Interest Code (the "Code"), must designate the employee positions within that agency "*... which involve the making or participation in the making of decisions which may foreseeably have a material effect on any financial interest*" of the employee; and

WHEREAS, the Act specifically requires members of city councils, planning commissions, as well as city managers, city treasurers, city attorneys, candidates for any of these offices and other public officials who manage public investments to disclose specified financial interests. Other public officials and employees not specifically covered by the Act are subject to the disclosure requirements set forth in the local agency's Conflict of Interest Code; and

WHEREAS, designated officials and employees are required to file "Statements of Economic Interests" (i.e. "Form 700"), which is a public document intended to alert public officials, employees and members of the public to the types of financial interests that may create conflicts of interest; and

WHEREAS, the City of Compton initially adopted its Conflict of Interest Code in 1976 and the designated positions and disclosure categories have been intermittently amended over the years to address changed circumstances of the City's workforce. The last update was in 2014; and

WHEREAS, the Act requires agencies to amend their Conflict of Interest Code when a revision is necessary to address changed circumstances; such as, the creation of new positions, substantial changes in duties or responsibilities of positions, revisions to position titles and/or disclosure categories and deletion of abolished positions, etc.; and

WHEREAS, staff has determined it is necessary to amend the current list of designated positions and disclosure categories of the City's Code to incorporate revisions to the City's Classification Plan since the 2014 amendments. All designated positions and disclosure categories are listed in "Appendix B" [an attachment to the City's Conflict of Interest Code], which is attached hereto and incorporated fully herein by this reference.

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

Section 1. That the City Council finds and determines that the persons who hold the designated positions set forth in "Appendix B," attached hereto and made part of this Resolution, make or participate in the making of decisions which may foreseeably have a material effect on their financial interests and shall file Statements of Economic Interests according to the assigned disclosure categories pursuant to the requirements of the City of Compton Conflict of Interest Code.

Section 2. That the City Clerk is the filing official for the Mayor, Council Members, City Managers, City Attorney, City Treasurer, Planning Commissioners, candidates for any of these offices and other public officials who manage public investments. For the persons in these positions, the City Clerk accepts the filing, retains a copy and shall forward the original to the Fair Political Practices Commission in Sacramento. For all other persons holding designated positions, the City Clerk is the filing officer and retains the statements. Filings shall be made by the date(s) requested by the City Clerk. The City Clerk shall make the statements available for public inspection and reproduction pursuant to state law.

Section 3. That the City Clerk will review the City's Conflict of Interest Code and the designated positions at least biennially or sooner and if changes are required will submit a revised Conflict of Interest Code and/or listing of designated positions and disclosure categories for City Council approval. Or, if no changes are necessary, so notify the City Council by the applicable deadline specified in the Political Reform Act.

Section 4. That prior City Council Resolutions designating the positions of persons required to file Statements of Economic Interests and their assigned disclosure categories are hereby rescinded.

Section 5. That a certified copy of this Resolution will be filed in the offices of the City Clerk and each and every department and agency of the City of Compton.

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

ADOPTED this _____ day of _____, 2021.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY 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, signed by the Mayor, and attested by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2021.

That said Resolution was adopted by the following vote:

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-
ABSTAINS: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

**APPENDIX A
RESOLUTION NO. 23,927**

**CITY OF COMPTON
CONFLICT OF INTEREST CODE**

Pursuant to Resolution No. 23,927, adopted by the City Council of the City of Compton, pursuant to the Political Reform Act of 1974, Government Code Sections 87300 et seq., and Section 18730 of Title 2 of the California Code of Regulations, the City of Compton has adopted the standard model Conflict of Interest Code promulgated by the Fair Political Practices Commission of the State of California as set forth in Section 18730 of Title 2 of the California Code of Regulations.

**APPENDIX B
RESOLUTION NO. _____**

**CITY OF COMPTON
CONFLICT OF INTEREST CODE**

DESIGNATED POSITIONS AND DISCLOSURE CATEGORIED

<u>POSITION/TITLE</u>	<u>DISCLOSURE CATEGORY</u>
Mayor	As required by State Law
City Council Members	As required by State Law
City Attorney	As required by State Law
City Clerk	As required by State Law
City Manager	As required by State Law
City Treasurer	As required by State Law
Candidates for Elected Office	As required by State Law
Planning Commission Members	As required by State Law

It has been determined that the following positions manage public investments and/or make or participate in the making of decisions which may foreseeably have a material effect on economic interests and shall file the Form 700 Statement of Economic Interests with the City Clerk, who will retain the statements.

<u>POSITION/TITLE</u>	<u>DISCLOSURE CATEGORY</u>
Assistant City Manager	Category 1
Budget Officer	Category 1
Building Inspector I	Category 1
Building Inspector II	Category 1
Building Inspector, Senior	Category 1
Business Licensing Supervisor	Category 1
Chief Building Official	Category 1
Chief Deputy City Attorney	Category 1
Chief Deputy City Clerk	Category 1
Chief Deputy City Treasurer	Category 1
City Clerk, Deputy	Category 1
City Controller	Category 1

City Controller, Deputy	Category 1
City Engineer	Category 1
City Engineer, Assistant	Category 1
Code Enforcement Manager	Category 1
Code Enforcement Officer I	Category 1
Code Enforcement Officer II	Category 1
Community Development, Director	Category 1
Community Services, Director	Category 1
Deputy City Attorney I	Category 1
Deputy City Attorney II	Category 1
Deputy City Attorney III	Category 1
Deputy City Treasurer	Category 1
Economic and Grants Management Services, Director	Category 1
Economic Development Specialist, Senior	Category 3
Employment & Training Services, Director	Category 3
Employment & Training Services, Assistant Director	Category 3
Fire Battalion Chief	Category 1
Fire Chief	Category 1
Fire Chief, Deputy	Category 1
General Manager, Water Department	Category 1
General Services, Director	Category 1
General Services, Deputy Director	Category 1
Grants Compliance Manager	Category 1
Grants Manager	Category 1
Housing, Director	Category 1
Housing Director, Deputy	Category 1
Housing Manager	Category 1
Housing Services Supervisor	Category 1
Human Resources, Director	Category 1
Human Resources, Deputy Director	Category 1
Information Systems, Director	Category 1
Internal Auditor	Category 1
Internal Services, Director	Category 1
Parks and Recreation, Director	Category 1
Parks and Recreation, Deputy Director	Category 1
Planning Director, Deputy	Category 1
Planning Manager	Category 1
Planning and Economic Development, Director	Category 1
Police Chief	Category 1
Police Chief, Assistant	Category 1
Public Works, Director	Category 1
Public Works/City Engineer, Director	Category 1
Public Works and Municipal Utilities, Deputy Director	Category 1
Redevelopment Manager	Category 1
Risk Manager	Category 1
Senior Civil Engineer	Category 1
Street Superintendent	Category 1

Boards, Commissions, Committees

Ad Hoc Finance Committee	Category 1
Audit Ad Hoc Committee	Category 1
Beautification Committee	Category 1
Block Club Commission	Category 1
Charter Review Committee	Category 1
Commission on Aging	Category 1
Community Relations Commission	Category 1
Compton Commission for Women	Category 1
Disability Commission	Category 1
Employment and Training Advisory Council	Category 1
Federal Grants Advisory Board	Category 1
Housing Advisory & Appeals Board	Category 1
Law Enforcement Review Board Committee	Category 1
Loan Review Board	Category 1
Oversight Committee	Category 1
Parks and Recreation Commission	Category 1
Personnel Board	Category 1
Public Safety Commission	Category 1
Resident Advisory Board	Category 1
Youth Leadership Council	Category 1

Acting Positions

Subject to the same disclosure requirements as the position in which the person is "Acting." The term "Acting" shall include designations of "temporary," "exempt," "interim" or "emergency."

Contract Employees

If a designated position is filled by a contract employee (full or part-time) the contract employee has a filing obligation.

Consultants

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the Code subject to the following limitation:

The Department Director, with concurrence of the City Manager, may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to comply with the disclosure requirements of this Code.

Such written determination shall include description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The Department Director's determination, with concurrence of the City Manager, is public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code.

DISCLOSURE CATEGORIES

Disclosure Category 1:

All interests in real property located within the City or within two (2) miles of the boundaries of the City or within two (2) miles of any land owned or used by the City; all investments and business positions in business entities, and income, including loans, gifts, and travel payments.

Disclosure Category 2:

All interests in real property located within the City or within two (2) miles of the boundaries of the City or within two (2) miles of any land owned or used by the City.

Disclosure Category 3:

All investments and business positions in business entities, and income, including loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the City.

Disclosure Category 4:

All investments and business positions in business entities and all sources of income, including loans, gifts, and travel payments, from sources that provide services, supplies, materials, machinery, or equipment of the type utilized by the designated position's division or department.

January 5, 2021

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN AMENDMENT TO THE PUBLIC WORKS DEPARTMENT 2020-2021 FISCAL YEAR BUDGET TO TRANSFER FUNDS, AUTHORIZE THE CITY MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH AND ESTABLISH A PURCHASE ORDER FOR NV5 TO PROVIDE STREET DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE ANNUAL RESIDENTIAL STREET REHABILITATION PROJECT, CIP# 18-01, PHASE 2

SUMMARY

Adoption of this resolution will approve an amendment to the Public Works Department 2020-2021 Fiscal Year budget to authorize a transfer of funds in the amount of One Hundred Twenty Eight Thousand Five Hundred Dollars (\$128,500.00), amend the professional services agreement with NV5 to provide street design and construction support services for the Annual Residential Street Rehabilitation Project, CIP# 18-01, Phase 2 and authorize the establishment of a purchase order in the amount of \$128,500.00.

BACKGROUND

On September 18, 2018, pursuant to Resolution No. 24,863, City Council authorized the City Manager to enter into a professional service agreement with NV5 to provide street design services for the Annual Residential Street Rehabilitation Project in the amount of \$518,000.

On February 19, 2019, pursuant to Resolution No. 24,946, City Council authorized the City Manager to enter into an amendment to the professional service agreement with NV5 to expedite the design services for certain residential street ("Phase 1") which included the following street segments:

- Tajauta Avenue (Rosecrans Avenue to Compton Boulevard)
- Myrrh Street (Santa Fe to East City limits)
- Bradfield Avenue (Pixley Street to Compton Boulevard)
- Elva Avenue (Parmelee Avenue to 138th Street)
- Grandee Avenue (El Segundo Boulevard to 138th Street)
- Caldwell Street (Oleander Avenue to West City limits)

- Alondra Boulevard (Lime Avenue to East City limits)

Phase 1 is expected to be completed by mid-January 2021. The City is now ready to proceed with the Annual Street Rehabilitation Project, CIP# 18-01, Phase 2. Due to the estimated construction cost exceeding the current available budget and the number of streets (19) in this phase, the City requested that the project be divided into phases.

On November 18, 2020, City staff requested that NV5 provide a proposal to separate the Annual Street Rehabilitation Project, Phase 2 into four (4) phases and provide design support services during construction of all phases.

The scope of work would include the following:

1: Project Meetings and Coordination

At the start of the task, NV5 will have a kick-off meeting/conference call with the project team to review the project objectives, budget, schedule, the scope and approach. At this meeting, NV5 will request all available information related to the project. NV5 will be available to attend progress meetings/conference calls with City staff to review work progress and schedule.

2: Obtain and Review Available Information/Documentation

NV5 will obtain available information pertinent to the estimated project budget for each phase and receive a list of the streets within the Phase 2 project area that were recently repaired and improved by the City. The information and documentation received from the City will be utilized to update the plans and finalize the proposed phasing packages.

3: Preliminary Phasing Package

Utilizing the information received from the City and the available final Plans, Specifications, and Cost Estimate (PS&E) for the Phase 2 project; NV5 will prepare bid documents (PS&E) for Phase 2A, Phase 2B, Phase 2C, and Phase 2D. The preliminary phasing package for each phase will be submitted to the City for review.

4: Final Phasing Package

Upon City review of the preliminary phasing package, NV5 will proceed with the preparation of the final phasing package for each phase.

5: Specifications

NV5 will provide project specifications, including special provisions for each phase.

6: Cost Estimates

NV5 will provide construction quantity estimate and cost estimate for each phase.

7: Design Support Services During Construction

NV5 will provide design support services during construction for all the phases (Phase 2A, Phase 2B, Phase 2C, and Phase 2D). The proposed services will include the following:

7.1 Bid Support Services

1. NV5 will respond to Request for Information (RFIs) during the project advertisement period, and log questions and responses
2. NV5 will attend regularly scheduled progress meetings/conference calls
3. NV5 will provide response to contractor's Requests for Information (RFIs). This task includes conferring with the City's Construction Manager regarding the RFI as appropriate
4. NV5 will review and process submittals. NV5 will provide a log listing all submittals

STATEMENT OF ISSUE

In order for the City Manager to amend the 2020-2021 Fiscal Year budget to authorize a transfer of funds in the amount of One Hundred Twenty Eight Thousand Five Hundred Dollars (\$128,500.00) within the Public Works Department budget, amend the professional services agreement with NV5 to provide street design and construction support services for the Annual Residential Street Rehabilitation Project, CIP# 18-01, Phase 2 and authorizing the establishment of a purchase order in the amount of \$128,500.00, City Council's authorization is necessary.

ALTERNATIVE

City Council may reject staff's proposal and direct staff to seek out alternative means to accomplish Phase 2 design work.

FISCAL IMPACT

The Public Works 2020-2021 Fiscal Year Budget will be amended to transfer funds as follows:

From:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4300	Capital Outlay	\$128,500

To:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4262	Other Professional Services	\$128,500

Funds in the amount of \$128,500 will be available in the Public Works 2020-2021 fiscal year budget in Account No. 1528-710-000-4262.

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution.

CRAIG CORNWELL
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN AMENDMENT TO THE PUBLIC WORKS DEPARTMENT 2020-2021 FISCAL YEAR BUDGET TO TRANSFER FUNDS, AUTHORIZE THE CITY MANAGER TO AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH AND ESTABLISH A PURCHASE ORDER FOR NV5 TO PROVIDE STREET DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE ANNUAL RESIDENTIAL STREET REHABILITATION PROJECT CIP# 18-01, PHASE 2.

WHEREAS, the City maintains approximately 173 centerline miles of pavement within the City limits; and

WHEREAS, on September 18, 2018, pursuant to Resolution No. 24,863, City Council authorized the City Manager to enter into a professional service agreement with NV5 to provide street design services for the Annual Residential Street Rehabilitation Project in the amount of \$518,000; and

WHEREAS, on February 19, 2019, pursuant to Resolution No. 24,946, City Council authorized the City Manager to enter into an amendment to the professional service agreement with NV5 to expedite the design services for certain residential street ("Phase 1") which included the following street segments:

- Tajauta Avenue (Rosecrans Avenue to Compton Boulevard)
- Myrrh Street (Santa Fe to East City limits)
- Bradfield Avenue (Pixley Street to Compton Boulevard)
- Elva Avenue (Parmelee Avenue to 138th Street)
- Grandee Avenue (El Segundo Boulevard to 138th Street)
- Caldwell Street (Oleander Avenue to West City limits)
- Alondra Boulevard (Lime Avenue to East City limits); and

WHEREAS, Phase 1 is expected to be completed by mid-January 2021 and the City is now ready to proceed with the Annual Street Rehabilitation Project, CIP# 18-01, Phase 2; and

WHEREAS, due to the estimated construction cost exceeding the current available budget and the number of streets (19) in this phase, the City requested that the project be divided into phases; and

WHEREAS, on November 18, 2020, City staff requested that NV5 provide a proposal to separate the Annual Street Rehabilitation Project, Phase 2 into four (4) phases and provide design support services during construction of all phases; and

WHEREAS, the scope of work would include the following: Project Meetings and Coordination, Obtain and Review Available Information/Documentation, Preliminary Phasing Package, Final Phasing Package Specifications, Cost Estimates, Design Support Services During Construction, and Bid Support Services; and

WHEREAS, the Public Works 2020-2021 Fiscal Year Budget will be amended to transfer the following funds:

From:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4300	Capital Outlay	\$128,500

To:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4262	Other Professional Services	\$128,500; and

WHEREAS, funds in the amount of \$128,500 will be available in the Public Works 2020-2021 fiscal year budget in Account No. 1528-710-000-4262; and

WHEREAS, in order for the City Manager to amend the 2020-2021 Fiscal Year budget to authorize a transfer of funds in the amount of One Hundred Twenty Eight Thousand Five Hundred Dollars (\$128,500.00) within the Public Works Department budget, amend the professional services agreement with NV5 to provide street design and construction support services for the Annual Residential Street Rehabilitation Project, CIP# 18-01, Phase 2 and authorize the establishment of a purchase order in the amount of \$128,500.00.

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 professional services agreement with and establish a purchase order for NV5 to provide street design and construction support services for the Annual Residential Street Rehabilitation Project, CIP# 18-01, Phase 2 and authorize the establishment of a purchase order in the amount of \$128,500.

SECTION 2. That the Public Works 2020-2021 Fiscal Year Budget will be amended to transfer funds as follows:

From:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4300	Capital Outlay	\$128,500

To:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4262	Other Professional Services	\$128,500

SECTION 3. That funds in the amount of \$128,500 will be available in the Public Works 2020-2021 fiscal year budget in Account No. 1528-710-000-4262.

SECTION 4. That all other terms and conditions of the original Agreement and any amendments between the City and the Contractor all remain in effect.

SECTION 5. That copies of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, City Attorney and the Public Works Department.

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

ADOPTED this _____ day of _____, 2021.

MAYOR OF THE CITY OF COMPTON

Resolution No. _____
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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 by the City Clerk, at a regular meeting thereof held on the _____ day of _____, 2021.

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

November 18, 2020

John Strickland
Project Manager
City of Compton
205 South Willowbrook Avenue
Compton, CA 90220

RE: Proposal for Professional Engineering Service for Annual Street Rehabilitation Project (Phase 2)

Dear Mr. Strickland,

In response to your request, we are pleased to present this proposal to the City of Compton (City) to perform professional engineering services to separate the Annual Street Rehabilitation Project (Phase 2) into four (4) Phases and provide design support services during construction of all Phases.

PROJECT UNDERSTANDING

We understand that the City intends to separate the Annual Street Rehabilitation Project (Phase 2) into multiple phases due to the estimated construction cost exceeding the current available budget. By dividing the project into smaller projects, it will make each project construction cost consistent with the available City available budget. The current Phase 2 Project will be separated into four (4) new Phases; Phase 2A, Phase 2B, Phase 2C, and Phase 2D.

SCOPE OFWORK

Our proposed scope of work is as follows:

1: Project Meetings and Coordination

At the start of the task, we will have a kick-off meeting/conference call with the City Project Manager and the project team to review the project objectives, budget, schedule, the scope and approach. At this meeting, we will request all available information related to the project. We will be available to attend progress meetings/conference call with City staff to review work progress and schedule.

2: Obtain and Review Available Information/Documentation

We will obtain available information pertinent to the estimated project budget for each phase and receive a list of the streets within the Phase 2 Project area that were recently repaired and improved by the City. The information and documentation received from the City will be utilized to update the plans and finalize the proposed Phasing Packages.

3: Preliminary Phasing Package

Utilizing the information received from the City and the available final Plans, Specifications, and Cost Estimate (PS&E) for the Phase 2 Project; we will prepare bid documents (PS&E) for Phase 2A, Phase 2B, Phase 2C, and Phase 2D. The preliminary Phasing Package for each Phase will be submitted to the City for review.

4: Final Phasing Package

Upon City review of the preliminary Phasing Package, we will proceed with the preparation of the final Phasing Package for each Phase.

5: Specifications

We will provide project specifications, including special provisions for each Phase.

6: Cost Estimates

We will provide construction quantity estimate and cost estimate for each Phase.

7: Design Support Services During Construction

We will provide design support services during construction for all the Phases (Phase 2A, Phase 2B, Phase 2C, and Phase 2D). The proposed services will include the following:

7.1 Bid Support Services

1. We will respond to Request for Information (RFIs) during the project advertisement period, and log questions and responses.
2. We will prepare project addenda as needed.

7.2 Construction Support Services

1. We will attend the pre-construction meeting and job-site meeting over the course of the construction phase (total of four meetings allocated).
2. We will attend regularly scheduled progress meetings/conference calls.
3. We will provide response to contractor's requests for information (RFI). This task includes conferring with the City's Construction Manager regarding the RFI as appropriate.
4. We will review and process submittals. We will provide a log listing all submittals.

Exclusions & Exemptions:

- (1) Survey & Design for additional streets
- (2) Field Review & Pavement Investigation for additional streets
- (3) Construction Management and Inspection

FEE

FEE PROPOSAL		
TASK	DESCRIPTION	FEE
1	Project Meetings and Coordination	\$1,700
2	Obtain and Review Available Information/Documentation	\$800
3	Preliminary Phasing Package	\$14,020
4	Final Phasing Package	\$4,250
5	Specifications	\$3,230
6	Cost Estimates	\$4,500
7A	Design Support Services During Construction - Phase 2A	\$25,000
7B	Design Support Services During Construction - Phase 2B	\$25,000
7C	Design Support Services During Construction - Phase 2C	\$25,000
7D	Design Support Services During Construction - Phase 2D	\$25,000
	TOTAL FEE	\$128,500

We thank you for the opportunity to submit our proposal. If you should have any questions or require additional information, please feel free to contact me at (949) 545-3600 or david.niknafs@NV5.com.

Sincerely,
NV5, Inc.



David Niknafs, PE
Director of Transportation

PN: P27020-0006454.00



**SECOND AMENDMENT
TO
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
CITY OF COMPTON
AND
NV5**

This **SECOND AMENDMENT** to the Professional Services Agreement is made by and between the **CITY OF COMPTON**, a municipal corporation of the State of California (hereinafter referred to as "**CITY**") and **NV5** (hereinafter referred to as "**CONSULTANT**").

RECITALS:

WHEREAS, the City implemented the Annual Residential Street Rehabilitation Project Fiscal Years 2018-2023; and

WHEREAS, the City has determined that it will be prudent to engage the services of a professional and experienced engineering firm to act as the City's Engineer for this project and be responsible to provide design engineering services for the Annual Residential Street Rehabilitation Project; and

WHEREAS, by Resolution No. **24,863**, adopted on the **18th** of **September 2018**, the City Council authorized the City Manager to accept the proposal of the Consultant (NV5) and enter into a contract to provide the necessary services; and

WHEREAS, by Resolution No. **24,946**, adopted on the **19th** of **February 2019**, the City Council authorized the City Manager to amend the professional agreement (First Amendment) to expedite the design services for certain specified residential streets ("Priority Streets") and enter into an agreement to provide the necessary services; and

WHEREAS, by Resolution No. _____, adopted on the _____ of **December 2020**, the City Council authorized the City Manager to amend the professional agreement (Second Amendment) to provide street design and construction support services for the Annual Residential Street Project, Phase 2 for certain specified residential streets ("Phase 2") and enter into an agreement to provide the necessary services; and

WHEREAS, the parties desire to amend the original Agreement to provide design and construction support services for certain residential street ("Phase 2 Streets") and extend the terms of the Agreement until project completion and provide additional compensation in the amount of \$128,500 for services rendered during the extended term of the Agreement.

NOW, THEREFORE, Consultant and City, for the consideration, terms and conditions herein described, do hereby mutually agree to amend the original Agreement as follows:

AMENDMENTS:

1. The parties agree to amend **Section 1 – Services to be rendered by Consultant** of the original Agreement to identify the services to be rendered by the Consultant during the extended term of the Agreement, as specified in **Consultant's "Proposal for Professional Engineering**

Design Services for Annual Street Rehabilitation, City of Compton” correspondence, dated November 18, 2020, which is attached hereto and incorporated herein.

2. The parties agree to amend **Section 2 – Duration of Contract** of the original Agreement to extend the term of the Agreement to continue provisions of the contracted services to completion, including, but not limited to the mutually accepted final contract figures, filing of the Notice of Completion with the Los Angeles County Recorder’s Office and processing the City’s authorization for release of the Project construction contractor’s retention funds withheld for this Project.

3. The parties agree to amend **Section 3 – Compensation** of the original Agreement to provide additional compensation to Consultant for services rendered during the extended term of the original Agreement, as specified above, in the not-to-exceed amount of **One Hundred Twenty Eight Thousand Dollars (\$128,500)**.

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

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

NV5/CONSULTANT

Dated: _____

By _____
Todd George, P.E., Senior Vice-President

Approved by:

Dated: _____

By _____
Craig J. Cornwell, City Manager

Approved as to form:

By _____
Damon Brown, City Attorney

Dated: _____

ATTEST:

Dated: _____

By _____
Alita Godwin, City Clerk

January 5, 2021

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON APPROVING AN AMENDMENT TO THE PUBLIC WORKS DEPARTMENT 2020-2021 FISCAL YEAR BUDGET TO TRANSFER FUNDS, AUTHORIZE THE CITY MANAGER TO INCREASE THE PROFESSIONAL SERVICE AGREEMENT WITH AND ESTABLISH A PURCHASE ORDER FOR Z&K CONSULTANTS, INC. FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE ANNUAL RESIDENTIAL STREET REHABILITATION PROJECT, CIP #18-01, PHASE 1 (\$118,455)

SUMMARY

Adoption of this resolution will approve an amendment to the Public Works Department 2020-2021 Fiscal Year budget to authorize a transfer of funds in the amount of One Hundred Eighteen Thousand Four Hundred and Fifty Five Dollars (\$118,455), amend the professional services agreement with Z&K, Consultants, Inc. to provide additional compensation for the provision of construction management and inspection services for the Annual Residential Street Rehabilitation Project, CIP #18-01, Phase 1 and establish a purchase order in the amount of One Hundred Eighteen Thousand Four Hundred and Fifty Five Dollars (\$118,455).

BACKGROUND

The Annual Residential Rehabilitation Project ("Project") CIP# 18-01, Phase 1 provides improvements to the below-specified streets within various areas throughout the City:

No.	Street Name	Limits
1	Myrrh Street	Santa Fe Avenue to East City Limits
2	Tajauta Avenue	Rosecrans Avenue to Compton Boulevard
3	Bradfield Avenue	Pixley Street to Compton Boulevard
4	Elva Avenue	Parmelee Avenue to 138 th Street
5	Grandee Avenue	El Segundo Boulevard to 138 th Street
6	Caldwell Street	Oleander Street to West City Limits
7.	Alondra Boulevard	Lime Street to East City Limits

On April 14, 2020, pursuant to Resolution No. 25,241, the City Council authorized the City Manager to enter into a professional service agreement with Z&K Consultants, Inc to provide construction management and inspection services for the Annual Residential Street Rehabilitation Project, CIP #18-01, Phase 1 in an amount not to exceed \$216,960.00.

The scope of services performed by the contracted consultant is the oversight and management of the construction of the CIP #18-01 Project (Phase 1), which construction is being performed and completed in accordance with the plans, specifications and other contract documents and consist of the following general work descriptions: construction of cold mill, ARHM pavement, AC base course, aggregate base, full depth AC slot pavement, curb and gutters, sidewalks, cross gutter, alley intersection, driveway approach, curb ramps, signing, striping, markings, and pavement legends, speed humps, traffic signal loops, adjust to grade existing sewer manholes, water valves, water meters, and storm drain manholes, and such other items or details, not mentioned above, that are required by the plans and standard specifications.

STATEMENT OF ISSUE

On December 16, 2020, City staff received a request from Z&K Consultants, Inc. for additional funds needed for additional construction management services in the amount of \$118,455. The project required additional construction management efforts due to the following:

- The need to increase the time of the Senior Construction Inspector on-site from part-time to full time
- Added overtime cost due to work performed on Saturdays by the Senior Construction Inspector
- Coordination with local agencies, such as Los Angeles County, SoCal Gas, United States Postal Services, Caltrans for permits and approvals
- Production of change orders, estimates, schedule adjustments, developed submittals/request for information, project updates, and project solutions by the Senior Construction Inspector and the Office Engineer/Document Control personnel

The above items have resulted in the necessity for additional construction management and inspection services to complete the project. City Staff is requesting authority to amend the agreement with Z&K Consultants, Inc. to provide additional compensation and that a purchase order be established in the amount of \$118,455 to compensate Z&K Consultants, Inc. for additional services rendered.

ALTERNATIVE

An amendment to the construction management services agreement is needed to complete the project. Therefore, no alternative is being proposed.

FISCAL IMPACT

The Public Works 2020-2021 Fiscal Year Budget will be amended to transfer funds as follows:

From:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4300	Capital Outlay	\$118,455

To:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4262	Other Professional Services	\$118,455

Funds in the amount of \$118,455 will be available in the Public Works 2020-2021 fiscal year budget in Account No. 1528-710-000-4262.

RECOMMENDATION

Staff recommends the City Council adopt the attached Resolution.

CRAIG J. CORNWELL
CITY MANAGER

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON
AUTHORIZING THE CITY MANAGER TO INCREASE THE PROFESSIONAL
SERVICE AGREEMENT WITH AND ESTABLISH A PURCHASE ORDER FOR
Z&K CONSULTANTS, INC. FOR CONSTRUCTION MANAGEMENT AND
INSPECTION SERVICES FOR THE ANNUAL RESIDENTIAL STREET
REHABILITATION PROJECT, CIP #18-01, PHASE 1 (\$118,455)**

WHEREAS, the Annual Residential Street Rehabilitation Project (“Project”) CIP# 18-01, Phase 1 provides improvements to the below-specified streets within various areas throughout the City:

No.	Street Name	Limits
1	Myrrh Street	Santa Fe Avenue to East City Limits
2	Tajauta Avenue	Rosecrans Avenue to Compton Boulevard
3	Bradfield Avenue	Pixley Street to Compton Boulevard
4	Elva Avenue	Parmelee Avenue to 138 th Street
5	Grandee Avenue	El Segundo Boulevard to 138 th Street
6	Caldwell Street	Oleander Street to West City Limits
7.	Alondra Boulevard	Lime Street to East City Limits; and

WHEREAS, the scope of services to be performed by the contracted consultant will the oversight and management of the construction of the CIP #18-01 Project, which construction will be performed and completed within accordance with the plans, specifications and other contract documents; and

WHEREAS, on April 14, 2020, pursuant to Resolution No. 25,241, the City Council authorized the City Manager to enter into a professional service agreement with Z&K Consultants, Inc to provide construction management and inspection services for the Annual Residential Street Rehabilitation Project, CIP #18-01, Phase 1 in an amount not to exceed \$216,960.00; and

WHEREAS, the scope of services to be performed by the contracted consultant will the oversight and management of the construction of the CIP #18-01 Project (Phase 1), which construction will be performed and completed within accordance with the plans, specifications and other contract documents and shall consist of the following general work descriptions: construction of cold mill, ARHM pavement, AC base course, aggregate base, full depth AC slot pavement, curb and gutters, sidewalks, cross gutter, alley intersection, driveway approach, curb ramps, signing, striping, markings, and pavement legends, speed humps, traffic signal loops, adjust to grade existing sewer manholes, water valves, water meters, and storm drain manholes, and such other items or details, not mentioned above, that are required by the plans and standard specifications; and

WHEREAS, on December 16, 2020, City staff received a request from Z&K Consultants, Inc. for additional funds due to the need for additional construction management services in the amount of \$118,455 and the project required additional construction management efforts due to the following:

- The need to increase the time of the Senior Construction Inspector on-site from part-time to full time
- Added overtime cost due to work performed on Saturdays by the Senior Construction Inspector
- Coordination with local agencies, such as Los Angeles County, SoCal Gas, United States Postal Services, Caltrans for permits and approvals
- Production of change orders, estimates, schedule adjustments, developed submittals/request for information, project updates, and project solutions by the Senior Construction Inspector and the Office Engineer/Document Control personnel; and

WHEREAS, the above items have resulted in the necessity for additional construction management and inspection services to complete the project and City staff is requesting authority to amend the agreement with Z&K Consultants, Inc. to provide additional compensation and that a purchase order be established in the amount of \$118,455 to compensate Z&K Consultants, Inc. for additional services rendered; and

WHEREAS, the Public Works 2020-2021 Fiscal Year Budget will be amended to transfer funds as follows:

From:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4300	Capital Outlay	\$118,455

To:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4262	Other Professional Services	\$118,455

WHEREAS, funds in the amount of \$118,455 will be available in the Public Works 2020-2021 fiscal year budget in Account No. 1528-710-000-4262; and

WHEREAS, the necessity for additional construction management and inspection services to complete the project and City staff is requesting authority to increase the agreement with Z&K Consultants, Inc. to provide additional compensation and that a purchase order be established in the amount of \$118,455 to compensate Z&K Consultants, Inc. for additional services rendered.

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

SECTION 1. That the City Manager, upon the advice of the City Attorney, is hereby authorized to increase the professional services agreement with Z&K Consultants, Inc. for the provision of construction management and inspection services for the Annual Residential Street Rehabilitation Project (CIP# 18-01, Phase 1) in the amount of One Hundred Eighteen Thousand Four Hundred and Fifty-Five Dollars (\$118,455.00).

SECTION 2. That the Public Works 2020-2021 Fiscal Year Budget will be amended to transfer funds as follows:

Resolution No. _____
Page 3

From:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4300	Capital Outlay	\$118,455

To:

<u>Account No.</u>	<u>Description</u>	<u>Amount</u>
1528-710-000-4262	Other Professional Services	\$118,455

SECTION 3. That funds in the amount of \$118,455 will be available in the Public Works 2020-2021 fiscal year budget in Account No. 1528-710-000-4262.

SECTION 4. That a purchase order in the amount of \$118,455 is authorized to be established for Z&K Consultants, Inc. for services performed for construction management and inspection services related to the Annual Residential Street Rehabilitation Project (CIP# 18-01, Phase 1).

SECTION 5. That all other terms and conditions of the original Agreement and any amendments between the City and the Consultant all remain in effect.

SECTION 6. That copies of this Resolution shall be filed in the offices of the City Manager, City Controller, City Clerk, City Attorney and the Public Works Department.

SECTION 7. That the Mayor shall sign and the City Clerk shall attest to the adoption of this Resolution.

ADOPTED this _____ day of _____, 2021.

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 to by the City Clerk, at a regular meeting thereof held on the ____ day of _____, 2021.

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

AYES: COUNCIL MEMBERS-
NOES: COUNCIL MEMBERS-
ABSENT: COUNCIL MEMBERS-

CITY CLERK OF THE CITY OF COMPTON

December 16, 2020

Mr. Craig Cornwell
City Manager, City of Compton
205 S. Willowbrook Avenue
Compton, CA 90220

Subject: Z&K Consultants, Inc. Budget Increase for the City of Compton's Annual Residential Rehabilitation Project (Phase 1)

Mr. Cornwell,

Z&K Consultants, Inc. would like to formally request a contract increase for the City of Compton's Annual Residential Rehabilitation Project (Phase 1) CIP #18-01. We recognize that this is an important Project for the City and the community. Although scope of work has been added for All American Asphalt, the Project is underbudget. This is due to the ongoing collaboration of our Z&K team and the City to realize significant cost savings.

We would like to continue serving the City and supporting this Project. At the time of the proposal, our team assumed a standard level of effort for maximum cost savings. Our team is impressed with the level of involvement from the City, community, and councilmembers and the positive impact it has on the Project.

Our Team is currently under budget for the Construction Manager and Construction Inspector positions. However, we are over budget for the Senior Construction Inspector and Document Control positions. Our team is proposing to adjust the remaining hours and increase the budget to compensate for this workload. All American Asphalt submitted an updated schedule with the Project completion date of January 15, 2021. This proposed budget will allow Z&K Consultants, Inc. to continue the same level of service the City through Project completion.

Below is a summary of proposed budget:

Construction Manager

The Construction Manager, Zack Faqih, had an original budget amount of \$34,720.00. We were able to decrease the Construction Manager's budget to \$19,530.00 due to the increased efforts from the Senior Construction Inspector and Office Engineer. This allows us to distribute \$15,190.00 to other area of the budget.

Senior Construction Inspector & Construction Inspector

Saturday Work

Our Senior Construction Inspector, Tom Dawson, charged \$7,395.00 in overtime for approved Saturday work. We anticipate that there will be additional Saturday work for the remainder of the project. This increased the remaining overtime budget by \$870.00. The total budget adjustment for Saturday overtime work is \$8,265.00.

Senior Construction Inspector & Construction Inspector

The original combined Senior Construction Inspector and Construction Inspector budget was \$170,240.00. The proposed combined budget, excluding overtime, is \$206,745.00. The original budget assumed a Senior Construction Inspector and Construction Inspector would each work half time for cost savings. This Project developed the need to have a Senior Construction Inspector on site full-time.

Mr. Dawson has an expanded scope of work that went beyond his original budgeted hours. He has performed numerous site walks and attended meetings with City staff and Councilmembers to discuss project specifics, issues, and propose solutions. Mr. Dawson has worked closely with the residents and local community to respond to complaints and keep the City updated on Project progress. His coordination with local agencies, such as LA County and USPS, has proved to be critical to the Project's success. Mr. Dawson has increased his efforts to produce change orders (including estimates), adjust the schedule, develop submittals/RFIs, provide Project updates, propose Project solutions, and many other tasks. These additional efforts are due to All American Asphalt's lack of communication and involvement in the Project. Mr. Dawson's expertise and experience are invaluable in saving the City money and keeping the Project on schedule. Mr. Dawson has and will continue to only charge 8 hours a day for Monday through Friday work.

Proposed Resolution

Z&K proposes to reallocate the remaining hours from the Construction Inspector position to the Senior Construction Inspector and increase their budget. We are also proposing to add overtime cost due to approved Saturday work and anticipated additional overtime. These adjustments increase the total Senior Construction Inspector & Construction Inspector positions from \$170,240.00 to \$215,010.00.

Document Control

Our Document Control, Brittany Duhn, has dedicated a higher level of effort for this Project than was anticipated at the time of the proposal. This is due to a variety of factors that are crucial in the project's success.

Ms. Duhn's increased efforts include, but are not limited to, the following:

- Attend meetings with City staff and Councilmembers to discuss project specifics, issues, and propose solutions
- Work closely with the residents and local community to respond to complaints and keep the City updated on Project progress
- Coordinate with local agencies, such as LA County, USPS, and Caltrans for permits and approval
- Prepare change orders and continually follow up with AAA for estimates, information, and approval
- Coordinate with AAA to adjust the schedule per the City's requests
- Prepare submittals/RFIs and continually follow up with AAA to submit or revise documents
- Provide project updates and answer project questions for the City, community and Councilmembers

Ms. Duhn's increased level of effort is critical to the success of the Project. Her communication and coordination throughout the Project have kept the Project within budget and on schedule.

Proposed Resolution

Z&K proposes to increase the Office Engineer budget from \$12,000.00 to \$100,875.00. The original assumed level of effort for the Office Engineer position was minimal based on other Project needs. Typically, the Office Engineer supports the Inspector and has minimal involvement in the Project. Ms. Duhn's projected budget assumes 2.5 days a week, or 4 hours a day. This has decreased from 3 days per week due to moving the progress meetings from weekly to bi-weekly. We are also assuming that AAA will increase their level of effort in response to the Notice from the City.

Proposed Resolution

Our team is proposing the following solution for the City's approval:

1. Reallocate budget from the Construction Manager and Construction Inspector position to the Senior Construction Inspector and Document Control Positions.
2. Increase the Z&K Consultants, Inc. contract by the amount of \$118,455.00 for a total contract amount of \$335,415.00.

Please feel free to contact me by phone at 951.310.7470 or by email at cfaqih@zandkconsultants.com. Our Office Engineer, Brittany Duhn is also available to answer questions. She can be contacted by phone at 714.788.9965 or by email at bduhn@zandkconsultants.com.

We are excited for the successful completion of this project and our continued relationship with the City of Compton.

Sincerely,



Crystal Faqih

President, Z&K Consultants, Inc.

951.310.7470 | cfaqih@zandkconsultants.com

Attachments:

1. Original Budget approved April 14, 2020
2. Proposed Budget

City of Compton-Public Works Department
Annual Residential Rehabilitation Project (Phase 1) CIP #18-01
Construction Management and Inspection Services

Project Fee Schedule											
PHASE	2020										
	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	HOURS		
Pre-Construction	216	0	0	0	0	0	0	0	216		
Construction	0	224	232	216	224	224	0	0	1120		
Project Closeout	0	0	0	0	0	0	216	0	216		

Phases		2020													
		May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Hours	Rate	Cost			
Pre-Construction		Role	Staff												
Construction Manager		Zack Faqih	32								32	\$ 155.00	\$ 4,960.00		
	Senior Construction Inspector	Gregory Hunkle, Thomas Dawson	84								84	\$ 145.00	\$ 12,180.00		
	Construction Inspector	Patrick Fraire	84								84	\$ 135.00	\$ 11,340.00		
	Document Control	Brittany Duhn	16									\$ 125.00	\$ -		
												\$ -	\$ -		
Sub Total				216	0	0	0	0	0	0	0	216		\$ 28,480.00	
Construction															
Construction Manager		Zack Faqih		32	32	32	32	32	32			160	\$ 155.00	\$ 24,800.00	
	Senior Construction Inspector	Gregory Hunkle, Thomas Dawson		88	92	92	84	88	88			440	\$ 145.00	\$ 63,800.00	
Construction Inspector		Patrick Fraire		88	92	92	84	88	88			440	\$ 135.00	\$ 59,400.00	
Document Control		Brittany Duhn		16	16	16	16	16	16			80	\$ 125.00	\$ 10,000.00	
													\$ -	\$ -	
Sub Total				0	224	232	216	224	224	224	0	0	1120		\$ 158,000.00
Project Closeout															
Construction Manager		Zack Faqih								32		32	\$ 155.00	\$ 4,960.00	
	Senior Construction Inspector	Gregory Hunkle, Thomas Dawson								84		84	\$ 145.00	\$ 12,180.00	
Construction Inspector		Patrick Fraire								84		84	\$ 135.00	\$ 11,340.00	
Document Control		Brittany Duhn								16		16	\$ 125.00	\$ 2,000.00	
													\$ -	\$ -	
Sub Total				0	0	0	0	0	0	216	0	216		\$ 30,480.00	
Total				216	224	232	216	224	224	216	0	1336		\$ 216,960.00	

Direct Expenses											
Direct Expenses											Total Cost
	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Sub Total	0	0	0	0	0	0	0	0	0	0	0

Phases Subtotal	\$ 216,960.00
Direct Expenses Subtotal	\$ -
Subconsultant Subtotal	\$ -
TOTAL FOR CM & INSPECTION SERVICES	\$ 216,960.00

**City of Compton-Public Works Department
Annual Residential Rehabilitation Project (Phase 1) CIP #18-01
Construction Management and Inspection Services**

Project Fee Schedule

PHASE	2020											HOURS
	April	May	June	July	August	September	October	November	December			
Pre-Construction	194	0	0	0	0	0	0	0	0			194
Construction	0	115	274	321	327	300	260	221	0			1818
Project Closeout	0	0	0	0	0	0	0	0	172			0

Phases

		2020																	
Role	Staff	April	May	June	July	August	September	October	November	December	December - Delay	January - Delay	Total Hours	Delay Hours	Hourly Rate	Budget	Total Cost without delay	Total Cost with delay	Delay Cost
Pre-Construction																			
Construction Manager	Zack Faqih	34											34	0	\$ 155.00	\$ 4,960.00	\$ 5,270.00	\$ 5,270.00	\$ -
Senior Construction Inspector	Thomas Dawson	54											54	0	\$ 145.00	\$ 12,180.00	\$ 7,830.00	\$ 7,830.00	\$ -
Construction Inspector	Patrick Fraire	62											62	0	\$ 135.00	\$ 11,340.00	\$ 8,370.00	\$ 8,370.00	\$ -
Document Control	Brittany Duhn	44											44	0	\$ 125.00	\$ -	\$ 5,500.00	\$ 5,500.00	\$ -
	Sub Total	194	0	0	0	0	0	0	0	0	0	0	194			\$ 28,480.00	\$ 26,970.00	\$ 26,970.00	\$ -
Construction																			
Construction Manager	Zack Faqih		7	8	18	20	16	8	5				82	0	\$ 155.00	\$ 24,800.00	\$ 12,710.00	\$ 12,710.00	\$ -
Senior Construction Inspector	Thomas Dawson		6	96	184	168	176	164	144				938	0	\$ 145.00	\$ 63,800.00	\$ 136,010.00	\$ 136,010.00	\$ -
Construction Inspector	Patrick Fraire		24	78	27	0	0	0	0				129	0	\$ 135.00	\$ 59,400.00	\$ 17,415.00	\$ 17,415.00	\$ -
Document Control	Brittany Duhn		78	92	92	121	92	88	72				635	0	\$ 125.00	\$ 10,000.00	\$ 79,375.00	\$ 79,375.00	\$ -
Senior Construction Inspector (OT)	Thomas Dawson		0	0	0	18	16	0	0				34	0	\$ 217.50	\$ -	\$ 7,395.00	\$ 7,395.00	\$ -
	Sub Total	0	115	274	321	327	300	260	221	0	0	0	1818			\$ 158,000.00	\$ 252,905.00	\$ 252,905.00	\$ -
Project Closeout																			
Construction Manager	Zack Faqih									4	2	4	4	6	\$ 155.00	\$ 4,960.00	\$ 620.00	\$ 1,550.00	\$ 930.00
Senior Construction Inspector	Thomas Dawson									112	64	80	112	144	\$ 145.00	\$ 12,180.00	\$ 16,240.00	\$ 37,120.00	\$ 20,880.00
Construction Inspector	Patrick Fraire									0	0	0	0	0	\$ 135.00	\$ 11,340.00	\$ -	\$ -	\$ -
Document Control	Brittany Duhn									56	32	40	56	72	\$ 125.00	\$ 2,000.00	\$ 7,000.00	\$ 16,000.00	\$ 9,000.00
Senior Construction Inspector (OT)	Thomas Dawson									0	4	0	0	4	\$ 217.50	\$ -	\$ -	\$ 870.00	\$ 870.00
	Sub Total	0	0	0	0	0	0	0	0	172	102	124	172	226		\$ 30,480.00	\$ 23,860.00	\$ 55,540.00	\$ 31,680.00
	Total	194	115	274	321	327	300	260	221	172	102	124	2184	226		\$ 216,960.00	\$ 303,735.00	\$ 335,415.00	\$ 31,680.00

Direct Expenses

											Total Cost
Direct Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -
Sub Total	0	0	0	0	0	0	0	0			0

Phases Subtotal	\$ 31,680.00
Direct Expenses Subtotal	\$ -
Subconsultant Subtotal	\$ -
TOTAL FOR CM & INSPECTION SERVICES	\$ 31,680.00

**FIRST AMENDMENT
TO
PROFESSIONAL SERVICES AGREEMENT
BETWEEN
CITY OF COMPTON
AND
Z&K CONSULTANTS**

This **FIRST AMENDMENT** to the Professional Services Agreement is made by and between the **CITY OF COMPTON**, a municipal corporation of the State of California (hereinafter referred to as “**CITY**”) and **Z&K CONSULTANTS** (hereinafter referred to as “**CONSULTANT**”).

RECITALS:

WHEREAS, the City implemented the Annual Residential Street Rehabilitation Project (Capital Improvement Project #18-01, Phase 1); and

WHEREAS, the City determined there was a need for a qualified and experienced engineering consulting firm to provide construction management and construction inspection services for the Annual Residential Street Rehabilitation Project and pursuant to Resolution No. 25,241, adopted by the City Council on April 14, 2020, entered into a professional services agreement with the Consultant (Z&K Consultants) to provide said services for the Project; and

WHEREAS, the Notice to Proceed with providing the contracted services was issued to the consultant on April 24, 2020 with an expected completion date of December 18, 2020 (130 working days); however, the construction portion of the project experienced unanticipated delays due to change in schedule, change orders, coordination with local outside agencies, and additional overtime work being added to the project; and

WHEREAS, the parties desire to amend the original Agreement to provide additional compensation in the amount of \$118,455 for services rendered during the project.

NOW, THEREFORE, Consultant and City, for the consideration, terms and conditions herein described, do hereby mutually agree to amend the original Agreement as follows:

AMENDMENTS:

1. The parties agree to amend **Section 1 – Services to be rendered by Consultant** of the original Agreement to identify the services to be rendered by the Consultant during the extended term of the Agreement, as specified in **Consultant’s “City of Compton – Annual Residential Street Rehabilitation Project CIP # 18-01, Phase 1 - Amendment No. 1 – Construction Management and Inspection Services” correspondence, dated December 16, 2020**, which is attached hereto and incorporated herein.

2. The parties agree to amend **Section 3 – Compensation** of the original Agreement to provide additional compensation to Consultant for services rendered during the term of the original Agreement, as specified above, in the not-to-exceed amount of One Hundred Eighteen Thousand Four Hundred and Fifty Five Dollars (\$118,455).

3. Except as provided for above, all other terms and conditions of the original Agreement and any amendments thereto between the City and the Contractor all remain in effect.

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

Z&K/CONSULTANT

Dated: _____

By _____
Crystal Faqih, President

Approved by:

Dated: _____

By _____
Craig J. Cornwell, City Manager

Approved as to form:

By _____
Damon M. Brown, City Attorney

Dated: _____

ATTEST:

Dated: _____

By _____
Alita Godwin, City Clerk

January 5, 2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: CITY MANAGER

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RATIFYING SIDE LETTER AGREEMENT AMENDING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF COMPTON AND THE COMPTON MANAGEMENT EMPLOYEES ASSOCIATION, AMERICAN FEDERAL OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES UNION, LOCAL 2325, AFL-CIO, COUNCIL 36 (AFSCME LOCAL 2325) TO MODIFY THE SALARIES OF THE BATTALION CHIEF CLASSIFICATION AND ADD AN EDUCATIONAL INCENTIVE

SUMMARY

Adoption of the attached resolution will ratify the Side Letter Agreement entered into amending the Memorandum of Agreement between the City and the Compton Management Employees Association, American Federation of State, County and Municipal Employees Union, Local 2325, AFL-CIO, Council 36 ("Local 2325").

Ratification of the Side Letter Agreement will approve modifying the salaries of the Battalion Chief position classification, effective retroactively to May 1, 2020.

BACKGROUND

Local 2325 represents supervisory and management level job classifications. The City and Local 2325 are parties to a Memorandum of Agreement ("MOA"), with an effective term of July 1, 2016 through June 30, 2019.

The Battalion Chiefs, members of the Union, and the City have been meeting and conferring about compaction issues since August 10, 2015. Local 2325 notified the City that it believed that pay inequities existed affecting the Battalion Chief classification. The City and Local 2325 met and conferred regarding the purported pay inequities affecting these position classifications and on December 15, 2020, the City and Local 2325 reached an agreement regarding pay adjustments to the Battalion Chief classification. The Side Letter Agreement between the City and Local 2325 is attached to the proposed Resolution.

There is three (3) Battalion Chief positions in the current 2020-2021 Fiscal Year budget.

STATEMENT OF ISSUE

The City has negotiated with Local 2325 to address purported pay inequities for incumbent employees in one (1) classification, the Battalion Chief position. The City and

Local 2325 reached an agreement to provide the following equity pay adjustments to incumbent employees in the classification:

1. Bachelor's Degree Incentive

Effective the first pay period following City Council approval of this Side Letter, any Battalion Chief who obtains a Bachelor's Degree shall be eligible for a salary increase of five percent (5%) in addition to base pay.

2. Base Salary Increase

Effective retroactive to May 1, 2020, the Battalion Chief position shall receive an increase of eight percent (8%) in base salary.

3. Base Salary Compaction

The City will maintain the same base salary compaction percentage between Fire Captain and Battalion Chief as International Association of Fire Fighters, Local 2216 has between the Firefighter and Fire Engineer positions and the Fire Engineer and Captain positions. The base salary compaction percentage is currently sixteen percent (16%).

FINANCIAL IMPACT

Compton Management Employees Association, American Federation of State, County and Municipal Employees Union, Local 2325, AFL-CIO, Council 36 ("Local 2325") retroactive pay for the period of May 1, 2020 through December 31, 2020 is Twenty Thousand, Four Hundred Seventy-Seven Dollars (\$20,477.00).

ALTERNATIVE

City Council may reject staff's proposed resolution to AFSCME 2325's purported pay inequities for Battalion Chiefs and send management back to the negotiating table for further bargaining.

CRAIG J. CORNWELL
CITY MANAGER

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMPTON RATIFYING SIDE LETTER AGREEMENT AMENDING THE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF COMPTON AND THE COMPTON MANAGEMENT EMPLOYEES ASSOCIATION, AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES UNION, LOCAL 2325, AFL-CIO, COUNCIL 36 (AFSCME LOCAL 2325) TO MODIFY THE SALARIES OF THE BATTALION CHIEF CLASSIFICATION AND ADD AN EDUCATIONAL INCENTIVE

WHEREAS, the City and the Compton Management Employees Association, American Federation of State, County and Municipal Employees Union, Local 2325, AFL-CIO, Council 36 ("Local 2325") are parties to a Memorandum of Agreement ("MOA"), with an effective term of July 1, 2016 through June 30, 2019; and

WHEREAS, Local 2325 represents supervisory and management level job classifications; and

WHEREAS, the Battalion Chiefs, members of the Union, and the City have been meeting and conferring about compaction issues since August 10, 2015. Local 2325 notified the City that it believed that pay inequities existed affecting the Battalion Chief classification; and

WHEREAS, The City and Local 2325 met and conferred regarding the purported pay inequities affecting these position classifications and on December 15, 2020, the City and Local 2325 reached an agreement regarding pay adjustments to the Battalion Chief classification.

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

Section 1. That the City Council hereby ratifies and adopts the Side Letter Agreement, attached hereto and incorporated herein, amending the Memorandum of Agreement between the City and the Compton Management Employees Association, American Federation of State, County and Municipal Employees Union, Local 2325, AFL-CIO, Council 36 ("Local 2325"), reached an agreement to provide the following equity pay adjustments to incumbent employees in the classification:

1. Bachelor's Degree Incentive

Effective the first pay period following City Council approval of this Side Letter, any Battalion Chief who obtains a Bachelor's Degree shall be eligible for a salary increase of five percent (5%) in addition to base pay.

2. Base Salary Increase

Effective retroactive to May 1, 2020, the Battalion Chief position shall receive an increase of eight percent (8%) in base salary.

3. Base Salary Compaction

The City will maintain the same base salary compaction percentage between Fire Captain and Battalion Chief as International Association of Fire Fighters, Local 2216 has between the Firefighter and Fire Engineer positions and the Fire Engineer and Captain positions. The base salary compaction percentage is currently sixteen percent (16%).

Section 2. That the above equity adjustment of base salary increase would be effective for incumbents in the Battalion Chief classification, retroactive to May 1, 2020.

Section 3. That all other equity adjustments would be effective for incumbents in the Battalion Chief classification, on the adoption date of this resolution.

Section 4. That the estimated cost to fund the Compton Management Employees Association, American Federation of State, County and Municipal Employees Union, Local 2325, AFL-CIO, Council 36 ("Local 2325") retroactive pay for the period of May 1, 2020 through December 31, 2020 is Twenty Thousand, Four Hundred Seventy-Seven Dollars (\$20,477.00).

Section 5. That a copy of this Resolution shall be filed in the offices of the City Manager, City Attorney, City Controller, and City Clerk, provided to the Compton Management Employees Association, American Federation of State, County and Municipal Employees Union, Local 2325, AFL-CIO, Council 36 ("Local 2325") and attached to the current Memorandum of Agreement with Local 2325.

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

ADOPTED this _____ day of _____, 2021.

MAYOR OF THE CITY OF COMPTON

ATTEST:

CITY 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 to by the City Clerk at a regular meeting thereof held on the _____ day of _____, 2021.

Resolution No. _____
Page 3

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

**SIDE LETTER OF AGREEMENT BETWEEN
CITY OF COMPTON
AND
COMPTON MANAGEMENT EMPLOYEES, AFSCME, LOCAL 2325**

This Side Letter Agreement is between the City of Compton ("City") and the Compton Management Employees Association, American Federation of State, County and Municipal Employees Union, Local 2325, AFL-CIO, Council 36 ("Union") and amends, modifies, and adds to the terms of the original Memorandum of Agreement, between the City and the Union, effective from July 1, 2016 through June 30, 2019 as outlined below.

WHEREAS, the Battalion Chief members of the Union and the City have been meeting and conferring about compaction issues since August 10, 2015;

WHEREAS, the City intends to ensure that the Fire Department will be able to sufficiently recruit competent Battalion Chiefs to ensure that the operations of the Department are not compromised;

WHEREAS, this Agreement is intended to resolve compaction issues with respect to the Battalion Chief members of the Union;

WHEREAS, this Agreement was reached after good faith bargaining in which both the City and the Union were adequately represented;

NOW THEREFORE, the parties agree to amend the Memorandum of Agreement as follows:

1. Bachelor's Degree Incentive

Effective the first pay period following City Council approval of this Side Letter, any Battalion Chief who obtains a Bachelor's Degree shall be eligible for a salary increase of five percent (5%) in addition to base pay.

2. Base Salary Increase

Effective retroactive to May 1, 2020, the Battalion Chief position shall receive an increase of eight percent (8%) in base salary.

3. Base Salary Compaction

The City will maintain the same base salary compaction percentage between Fire Captain and Battalion Chief as International Association of Fire Fighters, Local 2216 has between the Firefighter and Fire Engineer positions and the Fire Engineer and Captain positions. The base salary compaction percentage is currently sixteen percent (16%).

This Side Letter Agreement is of no force and effect whatsoever unless and until the City Council of the City of Compton approves this Side Letter Agreement by resolution.

This language will be part of the successor Memorandum of Agreement.

Any dispute regarding the enforcement or application of this Side Letter Agreement is subject to the grievance and arbitration procedure set out in the current Memorandum of Agreement.

All other terms and conditions of the current Memorandum of Agreement between the City and Union, shall remain in effect.

Both parties do hereby concur with the revision terms provided in this agreement amending the current Memorandum of Agreement between the City and Union. Therefore, both parties duly execute this Side Letter Agreement.

AFSCME, LOCAL 2325:



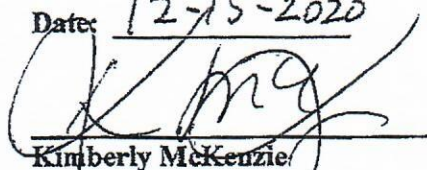
Desmond Fletcher
President

Date: 12-15-2020



Bob Adams
Business Representative
AFSCME Council 36

Date: 12-15-2020



Kimberly McKenzie
Vice-President

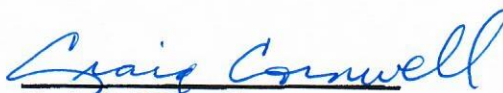
Date: 12/15/20



Rosalind Rambo
Secretary

Date: 12/15/2020

CITY OF COMPTON:



Craig J. Cornwell
City Manager

Date: 12/17/2020