



## Staff Report

### July 31, 2018

---

**TO:** Honorable Mayor and Members of the Town Council  
**FROM:** Sean Rabé, Town Manager  
**DATE:** July 31, 2018  
**RE:** Third Contract Amendment with Dudek

---

#### **Recommendation**

Staff recommends the Town Council authorize the Town Manager to enter into a third contract amendment with Dudek for Environmental Impact Report work associated with the Village at Loomis project. This contract amendment will bring Dudek's total allowable compensation under the contract to \$264,492.50.

#### **Issue Statement and Discussion**

The Town of Loomis entered into a professional services agreement with Dudek in September 2014, for the preparation of the Environmental Impact Report (EIR) for the Village at Loomis project. A first contract amendment was approved by Council at the October 10, 2017 Council meeting. A second contract amendment was approved March 7, 2018, which brought the total contract amount to \$257,742.50.

In response to Council direction in May, the project applicant has made changes to the Village project. These changes must be reviewed for potential California Environmental Quality Act impacts by Dudek. In order to accommodate this review, Dudek requires an additional \$6,750, which is captured in this third contract amendment.

Staff is prepared to answer any questions you may have.

#### **CEQA Requirements**

There are no CEQA implications associated with the recommended action.

#### **Financial and/or Policy Implications**

The out of scope costs of \$6,750 will be fully borne by the project applicant.

#### **Attachments**

- A. Resolution
- B. Third Contract Amendment
- C. Dudek EIR Errata and General Plan Consistency Memo

**TOWN OF LOOMIS**

RESOLUTION NO. 18-\_\_\_

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS  
AMENDING THE SEPTEMBER 11, 2014 CONTRACT FOR SERVICES BETWEEN THE  
TOWN OF LOOMIS AND DUDEK**

**WHEREAS**, the Town and Dudek entered into the September 11, 2014 Contract for Services ("Contract"), to retain Dudek to prepare an environmental impact report (EIR) for the Village at Loomis project; and

**WHEREAS**, the Town and Dudek entered into a First Contract Amendment on October 11, 2017, which increased the total allowable compensation under the Contract to \$250,992.50; and

**WHEREAS**, the Town and Dudek entered into a Second Contract Amendment on March 7, 2018, which increased the total allowable compensation under the Contract to \$257,742.50; and

**WHEREAS**, the Town and Dudek now desire to approve a Third Contract Amendment to the Contract to increase the total allowable compensation under the Contract to \$264,492.50.

**NOW, THEREFORE, IT IS MUTUALLY AGREED** by parties hereto to amend said Contract as follows:

I. Amendment. Section 3.A of the Contract is hereby amended by replacing the figure \$257,742.50 with \$264,492.50.

II. Remaining Terms Unaffected:

Except as expressly provided herein, nothing in this Amendment No. 3 shall be deemed to waive or modify any of the other provisions of the Contract. In the event of any conflict between this Amendment No. 3 and the Contract, the terms of this Amendment shall control.

**PASSED AND ADOPTED** by the Town Council of the Town of Loomis this 31st day of August, 2018 by the following vote:

**AYES:**  
**NOES:**  
**ABSTAINED:**  
**ABSENT:**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

**AMENDMENT NO. 3  
TO THE CONTRACT FOR SERVICES  
BETWEEN THE TOWN OF LOOMIS AND DUDEK  
DATED SEPTEMBER 11, 2014**

This Amendment No. 3 to the Contract for Services between the **Town of Loomis** ("Town") and Dudek ("Dudek") which was entered into on September 11, 2014, is made and entered into this First day of August, 2018 (the "Effective Date").

**RECITALS**

**WHEREAS**, the Town and Dudek entered into the September 11, 2014 Contract for Services ("Contract"), to retain Dudek to prepare an environmental impact report (EIR) for the Village at Loomis project; and

**WHEREAS**, the Town and Dudek entered into a First Contract Amendment on October 11, 2017, which increased the total allowable compensation under the Contract to \$250,992.50; and

**WHEREAS**, the Town and Dudek entered into a Second Contract Amendment on March 7, 2018, which increased the total allowable compensation under the Contract to \$257,742.50; and

**WHEREAS**, the Town and Dudek now desire to approve a Third Contract Amendment to the Contract to increase the total allowable compensation under the Contract to \$264,492.50.

**NOW, THEREFORE, IT IS MUTUALLY AGREED** by parties hereto to amend said Contract as follows:

- I. Amendment. Section 3.A of the Contract is hereby amended by replacing the figure \$257,742.50 with \$264,492.50.
- II. Remaining Terms Unaffected:

Except as expressly provided herein, nothing in this Amendment No. 3 shall be deemed to waive or modify any of the other provisions of the Contract. In the event of any conflict between this Amendment No. 3 and the Contract, the terms of this Amendment shall control.

**IN WITNESS WHEREOF** the parties hereto have executed this Amendment No. 3 as of the Effective Date.

**Town of Loomis**

By: \_\_\_\_\_  
Sean Rabe, Town Manager

Approved as to form:

By: \_\_\_\_\_  
Jeffrey Mitchell, Town Attorney

Attest:

By: \_\_\_\_\_  
Charleen Strock, Town Clerk

**Dudek**

By: \_\_\_\_\_

**MEMORANDUM**

---

**To:** Sean Rabé  
**From:** Katherine Waugh  
**Subject:** Village at Loomis Updated EIR Errata, General Plan consistency  
**Date:** July 23, 2018

---

Pursuant to your request, Dudek proposes to revise the EIR Errata prepared in March 2018 to reflect the most recent changes to the proposed project. Dudek will submit the revised Errata with changes tracked for Town review and make final revisions to the Errata based on a single consolidated set of Town comments. Dudek will submit the final Errata in clean formatting. Dudek will also prepare a brief memo discussing the project's consistency with the Town's General Plan. All submittals will be electronic. Dudek does not propose to provide any hard copies.

Dudek does not propose to complete any tasks associated with meeting attendance, telephone or email communications, or any additional documentation or impact analysis. Dudek has not allocated any budget towards these tasks. Therefore, any Dudek participation in meetings, telephone conferences, email correspondence, or additional documentation will require a separate scope of work and budget authorization.

**Information needs:** To complete this scope of work, Dudek will need to be provided with:

- The revised proposed Tentative Subdivision Map or project land use map,
- Confirmation that the development footprint is precisely the same as was previously evaluated OR a map showing the locations of any new grading or impervious surfaces
- Confirmation that roadway sections, size and location of detention basins, and proposed easements remain the same as described and evaluated in the EIR,
- Confirmation that the parcourse trail is still included in the revised project and that the active park sites would remain at the same sizes as evaluated under the Modified Transportation Alternative

*Memorandum*

*Subject: Village at Loomis Updated EIR Errata, General Plan consistency*

---

**Schedule:** Dudek can provide the draft revised EIR Errata within two weeks of our receipt of written notice of proceed.

**Budget:**

Dudek proposes to complete this scope of work for a cost not to exceed \$6,750. Dudek will bill the Town only for the time actually expended on completing the EIR Errata revisions and General Plan consistency memo.