



**Agenda Item C.5**  
**CONSENT CALENDAR**  
**Meeting Date: May 19, 2009**

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**TO:** Mayor and Councilmembers

**FROM:** Steve Wagner, Director of Community Services

**CONTACT:** Marti Schultz, Principal Civil Engineer

**SUBJECT:** Contract Amendment for Professional Services Agreement for Street Design Services Fiscal Year 2009 -2010

**RECOMMENDATION:**

- A. Approve and Authorize the City Manager to execute an amendment to the Professional Services Agreement with Flowers and Associates, Inc. for design services increasing the contract amount from \$45,000 to an amount not to exceed \$55,000.
- B. Adopt resolution No. 09- \_ entitled "A Resolution of the City Council of the City of Goleta, California Authorizing the City Manager to execute the Certification Under Section 1511 of the American Recovery and Reinvestment Act."

**BACKGROUND:**

Flowers & Associates, Inc. (Flowers) has provided pavement design services for the last five (5) years for the City of Goleta. Each year the design services have been completed on time and under budget. On March 3, 2009 Council approved an agreement for professional services with Flowers for the design of the FY 2009-2010 pavement rehabilitation program which included two construction projects; one for a federally funded street improvement project and one for a non-federally funded street improvement project.

The scope of Flower's design services contract was based on a budget of approximately \$485,000 in Federal stimulus funds. The amount of Federal stimulus money available to the City for street improvements has now been increased to approximately \$1.27 million. In order to increase the scope of the overlay project and expend these monies, an amendment to the design services contract with Flowers is recommended for approval.

**DISCUSSION:**

The SBCAG Board approved the distribution of additional Stimulus Funding by population which provides for approximately \$785,000 in addition to the original \$485,000 to be distributed to the City of Goleta. The City now has a total of approximately \$1,270,000 in Stimulus Funding for the City's FY 2009-2010 Pavement Rehabilitation Project – Overlay project (Overlay Project). Due to the additional funding, the scope of services for Flowers has increased significantly. It is requested to increase their contract by \$10,000 for the additional streets to be designed for the overlay project.

The project schedule will be delayed approximately 2 months due to the time needed to provide for the federal approvals associated with the expanded project scope. Attachment 1 has the expanded list of streets to be included in the Overlay Project.

As a part of the requirements of SBCAG for the distribution of the Stimulus Funding, the City must certify that the infrastructure investment is an appropriate use of taxpayer dollars in accordance with the ARRA funding guidelines. Staff recommends that Council approve the resolution authorizing the Community Services Director to sign the "Certification Under Section 1511 of the American Recovery and Reinvestment Act" which provides the necessary certification and project description to be submitted to SBCAG, Attachment 2.

**ALTERNATIVES:**

The City Council may elect not to amend the contract with Flowers and direct staff to move forward with the project scope as originally limited to a \$485,000 construction project. However, this would however mean that the City would have two smaller projects, thereby reducing the cost benefit of a larger volume project.

**GOLETA STRATEGIC PLAN:**

The maintenance of streets in the City of Goleta is consistent with the goals in the Goleta Strategic Plan entitled "Prioritize Maintenance of City Streets, Parks, & Facilities." Specifically, this project meets the Objective "Street Improvement and Reinvestment Program" and moves the City closer toward realizing its vision as defined within the City's Strategic Plan.

**FISCAL IMPACTS:**

The approved FY 2008-09 Budget includes \$150,000 in the General Fund, account 101-5-5800-413 for the design of the pavement rehabilitation project. There are sufficient funds remaining in this account to cover the additional \$10,000 for design services. Staff recommends the approval of an amendment to the Professional Services Agreement with Flowers to increase the contract value by \$10,000 for a total amount not to exceed \$55,000. (Attachment 3)

Legal Review By:

Reviewed By:

Approved By:

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Tim W. Giles  
City Attorney

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Michelle Greene  
Admin. Services Director

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Daniel Singer  
City Manager

**ATTACHMENTS:**

1. Expanded List of Streets
2. A Resolution of the City Council of the City of Goleta, California Authorizing the City Manager to Execute the Certification Under Section 1511 of the American Recovery and Reinvestment Act
3. Amendment No. 1 Agreement for Professional Services Between the City of Goleta and Flowers and Associates, Inc.

**ATTACHMENT #1**

**Expanded List of Streets**

Attachment 1  
 Expanded List of Streets  
 FY 2009/2010 Overlay Project  
 Stimulus Funding

Street	From	To
Storke Rd	Hollister Ave	South Side of RR Bridge
Storke Rd	N/O 101 Bridge	185' N/O 101 Bridge
Storke Rd	N/O RR Bridge	S/S 101 Bridge
Hollister Ave	Ward Dr	St Joseph's St
Calle Real	Winchester Cyn Rd.	Salisbury Ave
Calle Real	Mid-block Pedestrian Signal	Kingston Ave
Carlo Dr	Cathedral Oaks Rd	Stow Canyon Rd
Pine Ave	Hollister Ave	Thornwood Dr
Patterson Ave	N/S 101 Bridge	North City Limits
Patterson Ave	N/O RR Bridge	S/O 101 Bridge

**Bid Alternate**

Cathedral Oaks Rd	Bridge (San Pedro Creek) Deck near Carlo	Los Carneros Rd
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**ATTACHMENT #2**

**A Resolution of the City Council of the City of Goleta,  
California Authorizing the City Manager to Execute the  
Certification Under Section 1511 of the American  
Recovery and Reinvestment Act**

**RESOLUTION NO. 09-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA AUTHORIZING THE CITY MANAGER TO EXECUTE THE CERTIFICATION UNDER SECTION 1511 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT**

**WHEREAS**, the City of Goleta is eligible to receive American Recovery and Reinvestment Act (ARRA) funding for investment in many programs including health care, energy, infrastructure, education and public safety; and

**WHEREAS**, the City of Goleta is preparing a street improvement project to invest in infrastructure that will provide long-term economic benefit; and

**WHEREAS**, pursuant to Section 1511 of ARRA, the Mayor or Chief Executive Officer must certify that the investment is in accordance with the ARRA guidelines; and

**WHEREAS**, the City Council of the City of Goleta desires to delegate the authority to execute the Certification Under Section 1511 of the ARRA; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLETA AS FOLLOWS:**

**SECTION 1.**

The City Council of the City of Goleta authorizes the City Manager as the Chief Executive Officer to execute the Certification Under Section 1511 of the ARRA.

**SECTION 2.**

The City Clerk shall certify to the adoption of this Resolution.

**PASSED, APPROVED AND ADOPTED** by the City Council of Goleta, California, this 19<sup>th</sup> day of May, 2009.

\_\_\_\_\_  
ROGER S. ACEVES, MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK

\_\_\_\_\_  
TIM W. GILES  
CITY ATTORNEY

STATE OF CALIFORNIA            )  
COUNTY OF SANTA BARBARA    )     ss.  
CITY OF GOLETA                 )

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California,  
DO HEREBY CERTIFY that the foregoing Resolution No. 09-\_\_ was duly  
adopted by the City Council of the City of Goleta at a regular meeting held on the  
19<sup>th</sup> day of May, 2009, by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

\_\_\_\_\_  
DEBORAH CONSTANTINO  
CITY CLERK





May 19, 2009

**CITY COUNCIL**  
Roger S. Aceves  
*Mayor*

Eric Onnen  
*Mayor Pro Tempore*

Michael T. Bennett  
*Councilmember*

Margaret Connell  
*Councilmember*

Edward Easton  
*Councilmember*

**CITY MANAGER**  
Daniel Singer

Santa Barbara County Association of Governments  
260 North San Antonio Road, Suite B  
Santa Barbara CA 93110  
c/o Brittany R. Odermann

**CERTIFICATION UNDER SECTION 1511 OF  
THE AMERICAN RECOVERY AND REINVESTMENT ACT:**

Pursuant to Title XV, Subtitle A, section 1511 of the American Recovery and Reinvestment Act (Pub. L. 111-5 (Feb. 17, 2009) ("ARRA"), I Daniel Singer, City Manager, hereby certify that the infrastructure investment funded by ARRA has received the full review and vetting required by law and that I accept responsibility that such investment is an appropriate use of taxpayer dollars. I further certify that the specific information required by section 1511 concerning each such investment (a grind and overlay of various streets, estimated at a total cost of \$1,619,000, and the amount of ARRA funds to be used is \$1,270,000) is attached.

I understand that my represented agencies may not receive ARRA infrastructure investment funding unless this certification is made and posted. Including [www.cityofgoleta.org](http://www.cityofgoleta.org) which is linked to the website established by section 1526.

\_\_\_\_\_  
Daniel Singer, City Manager

Signed this \_\_\_\_\_ day of May, 2009.

CERTIFICATION UNDER SECTION 1511 OF  
THE AMERICAN RECOVERY AND REINVESTMENT ACT

FY 2009/2010 Overlay Project  
Various Streets in the City of Goleta

<b>Street</b>	<b>From</b>	<b>To</b>
Storke Rd	Hollister Ave	South Side of RR Bridge
Storke Rd	N/O 101 Bridge	185' N/O 101 Bridge
Storke Rd	N/O RR Bridge	S/S 101 Bridge
Hollister Ave	Ward Dr	St Joseph's St
Calle Real	Winchester Cyn Rd.	Salisbury Ave
Calle Real	Mid-block Pedestrian Signal	Kingston Ave
Carlo Dr	Cathedral Oaks Rd	Stow Canyon Rd
Pine Ave	Hollister Ave	Thornwood Dr
Patterson Ave	N/S 101 Bridge	North City Limits
Patterson Ave	N/O RR Bridge	S/O 101 Bridge

**Bid Alternate**

Cathedral Oaks Rd	Bridge (San Pedro Creek) Deck near Carlo	Los Carneros Rd
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**ATTACHMENT #3**

**Amendment No. 1 Agreement for Professional Services  
Between the City of Goleta and Flowers and Associates,  
Inc.**

**AMENDMENT No. 1  
AGREEMENT FOR PROFESSIONAL SERVICES  
BETWEEN  
THE CITY OF GOLETA  
AND  
FLOWERS AND ASSOCIATES, INC.**

This Amendment No.1 ("Agreement") to Professional Services Agreement between the City of Goleta, a California municipal corporation ("CITY") and Flowers and Associates Inc. a California Corporation, ("CONSULTANT") dated March 3, 2009 AGREEMENT is made this 19<sup>th</sup> day of May, 2009.

**WHEREAS**, the AGREEMENT between CITY and CONSULTANT currently provides professional engineering design services in conjunction with the Pavement Rehabilitation Program in an amount not to exceed forty-five thousand dollars (\$45,000); and

**WHEREAS**, the parties desire to amend the AGREEMENT so as to provide for additional services that are necessary to complete the Overlay Project because of additional funding from SBCAG Board the scope of services for the CONSULTANT has increased significantly; and

**WHEREAS**, the parties desire to amend the AGREEMENT so as to provide for additional compensation of ten thousand dollars (\$10,000) to perform additional services provided herein; and

**WHEREAS**, The City Council, on this 19<sup>th</sup> day of May, 2009, approved this AGREEMENT and authorized the City Manager to execute the AGREEMENT.

**NOW THEREFORE** CITY and CONSULTANT agree as follows that the AGREEMENT be, and hereby is, amended as follows:

1. SECTION 2. DESCRIPTION OF SERVICES is amended to include the following additional language:

Additional services to be performed by CONSULTANT shall include the additional locations for Pavement Rehabilitation and Overlay Projects as depicted in Exhibit A-1 attached hereto and incorporated by this reference.

2. PARAGRAPH (a) OF SECTION 3. COMPENSATION AND PAYMENT is amended to increase the not to exceed amount by ten thousand dollars (\$10,000) with the resulting not to exceed amount of fifty-five dollars (\$55,000).
3. Except as amended by this Amendment No. 1, all other provisions of the Agreement shall remain in full force and effect.

**In concurrence and witness whereof**, this AMMENDMENT No. 1 has been executed by the parties effective on the date and year first above written.

**CITY OF GOLETA**

**CONSULTANT**

\_\_\_\_\_  
Daniel Singer, City Manager

\_\_\_\_\_  
By: Stephen Flowers  
Title: President

**ATTEST:**

\_\_\_\_\_  
Deborah Constantino, City Clerk

\_\_\_\_\_  
By: Eric L. Favell, P.E.  
Title: Vice President

**APPROVED AS TO FORM**

\_\_\_\_\_  
Tim W. Giles, City Attorney

## Exhibit A-1

### Expanded List of Streets FY 2009-2010 Overlay Project

<b>Street</b>	<b>From</b>	<b>To</b>
Storke Rd	Hollister Ave	South Side of RR Bridge
Storke Rd	N/O 101 Bridge	185' N/O 101 Bridge
Storke Rd	N/O RR Bridge	S/S 101 Bridge
Hollister Ave	Ward Dr	St Joseph's St
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