

FIRST AMENDMENT TO AGREEMENT WITH DAVID EVANS AND ASSOCIATES, INC., TO PROVIDE DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE STANDARD-MCFADDEN PARK PROJECT

THIS FIRST AMENDMENT to the above-referenced agreement is entered into on May 2, 2023, by and between David Evans and Associates, Inc. (“Consultant”), and the City of Santa Ana, a charter city and municipal corporation organized and existing under the Constitution and laws of the State of California (“City”).

RECITALS

WHEREAS, following City’s issuance of Request for Proposal No. 21-055, the parties entered into Agreement No. A-2021-163, dated August 17, 2021, by which Consultant agreed to provide Design and Construction Support Services for the Standard-McFadden Park Project (Project No. 20-2729) for the City’s Public Works Agency (“Agreement”).

WHEREAS, the Agreement is current and in effect through August 16, 2024.

WHEREAS, the parties now wish to amend the Agreement to increase the total not to exceed amount under the Agreement due to additional professional services necessary to increase the safety and aesthetic value of the project to the surrounding community, as identified in Consultant’s request to increase total contract amount, attached hereto and incorporated herein as **Exhibit A-1**.

The Parties therefore agree:

1. **Section 2.a., Compensation**, is amended to increase the not to exceed amount by **\$50,000.00** for a total not to exceed amount of **\$350,000.00** for the remainder of the term of the Agreement. This additional \$50,000.00 sum is comprised of (1) a base amount of \$43,505.00 and (2) a fifteen percent (15%) contingency of \$6,495.00 for additional services at the City’s sole discretion.
2. Except as modified by this First Amendment, all terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to the Agreement on the date and year first written above.

Jennifer L. Hall
Clerk of the Council

APPROVED AS TO FORM
SONIA R. CARVALHO, City Attorney

By: 
Jonathan T. Martinez
Assistant City Attorney

Kristine Ridge
City Manager

CONSULTANT



Kim Rhodes
Vice President

RECOMMENDED FOR APPROVAL

Nabil Saba
Executive Director
Public Works Agency

EXHIBIT A-1



DAVID EVANS
AND ASSOCIATES INC.

March 27, 2023

Gabriel Guerrero-Gabany, P.E.
Civil Engineer
City of Santa Ana
20 Civic Center Plaza
Santa Ana, CA 92702

**SUBJECT: STANDARD & MCFADDEN PARK CONSTRUCTION
ADMINISTRATION SERVICES**

Dear Gabriel,

On behalf of *David Evans and Associates, Inc. (DEA)*, we would like to thank you for the opportunity to provide the City of Santa Ana with a proposal to provide construction administration services for the above noted project.

Task 1 - 100% PS&E Delivery, Bid Assistance, Construction Administration and Record Drawings

Task 1A: 100% Plans, Specifications and Estimate - \$4,100

DEA will prepare and deliver to the City 100% construction plans, technical specifications and cost estimate to accommodate option 1.

Deliverables: 100% PS&E as noted above.

Task 1B: Bid Assistance - \$1,420 (7 hours of bid assistance)

DEA will assist the City in providing responses to contractor requests for information during bidding. In addition, DEA will answer questions and provide clarification if conflicts arise on the civil engineering, landscape and electrical plans and specifications. Each item will be reviewed by the City prior to release of information.

Deliverables: Bid assistance as noted above.

Task 1C: Construction Administration - \$24,385 (106 hours of review and coordination)

DEA team members will attend the pre-construction meeting in person and be available to answer any technical questions related to information provided in the civil engineering, landscape and electrical plans and specifications. DEA will provide the City with a list of material submittals required to be submitted by the contractor for the City's review and approval.

We understand that the City will handle the day-to-day construction management process. The construction management team will assist the City in answering questions, reviewing submittals and shop drawings required to be submitted by the contractor for conformance with



the plans and specifications. The DEA team will assist the City in reviewing and responding to RFI's and clarifications during construction within five calendar days of receipt. DEA will complete shop drawing reviews within two weeks of receipt and assist the City in contract change order reviews within five working days of receipt. DEA will also be available to make delta revisions to the plans for the contractor's use should changes be considered necessary by the construction management team.

The City utilizes the construction management software "Procore" to manage projects during construction. DEA will need to interface with "Procore" for all tasks previously described. The City will provide the DEA team with access to the "Procore" system as well as user training. Any services required beyond 106 hours will be charged on a time and materials basis.

Deliverables: Construction administration activities as noted above.

Task 1D: Record Drawings - \$13,600

DEA will prepare 'Record Drawings' in digital format utilizing general contractor provided 'field marked' plans provided by the City and As-Built information. Hard copy plan sets including mylar prints are excluded.

Deliverables: Record Drawings as noted above.

Total Fee: \$43,505

Reimbursables - \$1,000 (for budgetary purposes only)

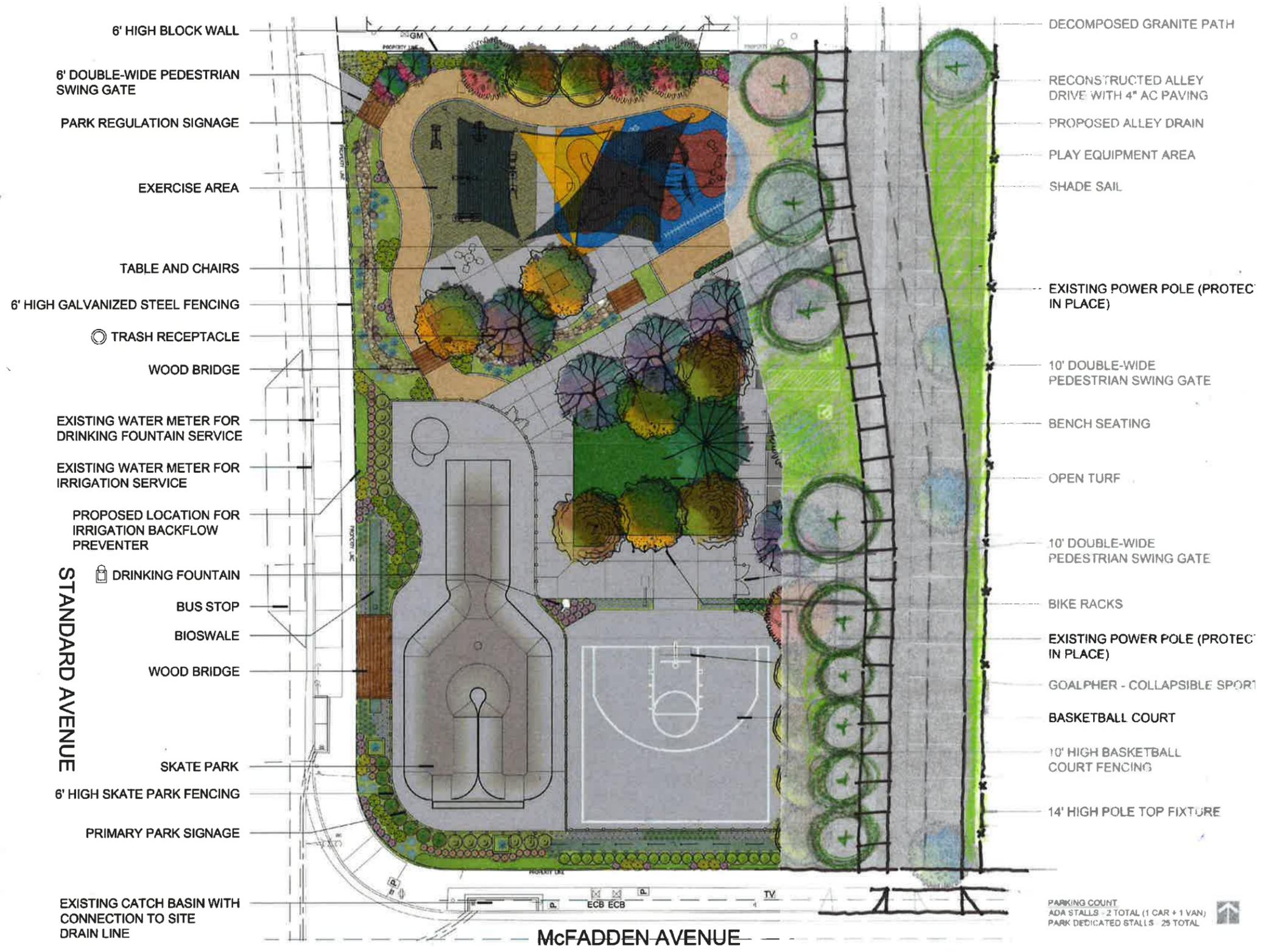
Government fees, mileage, delivery costs such as Federal Express charges and plotting / reproduction services are considered reimbursable fees and shall be billed to you at cost plus 15%. Invoices will be due and payable within 30 days and will be sent monthly based upon the percentage of work completed. Any service requested which does not fall within the scope of services listed, or any duplication of work due to changes desired by the City, will be performed on an "Extra Services" basis and negotiated accordingly.

DEA would be pleased to continue assisting the City of Santa Ana with this project and could begin work immediately following receipt of an authorization to proceed. If you have any questions or require further clarification of any item, please feel free to call. We look forward to discussing this proposal with you and thank you once again for this opportunity.

Sincerely,

DAVID EVANS AND ASSOCIATES, INC.

Heath Habig, PLA 5028
Associate



OPTION 1

**City of Santa Ana
Standard - McFadden Park
Project Fee Schedule - Option 1**

Task & Description		PM/LA	LA/QA	PME/QA	PE	ENG	ECAD	HYENG	SID	SLD	LCAD	ADM	SVY	GEO	EE	SPOHN	Total	Reim.
		\$185	\$195	\$225	\$200	\$180	\$140	\$225	\$155	\$150	\$125	\$110	LS	LS	LS	LS	\$	\$
1	Preliminary Conceptual Plan	8									14						\$ 3,230	\$ -
2	Final Colored Plan	4									20						\$ 3,240	\$ -
3	Project Meetings	8		6													\$ 2,830	\$ -
4	Title Sheet										8						\$ 1,000	\$ -
5	Horizontal Control Plan			1		4											\$ 945	\$ -
6	Erosion Control Plan			1		3											\$ 765	\$ -
7	Composite Utility Plan			1		3											\$ 765	\$ -
8	Precise Grading Plan, Sections and Details			6		16											\$ 4,230	\$ -
9	WQMP			2		2											\$ 810	\$ -
10	Landscape Construction Plan and Details	2									12						\$ 1,870	\$ -
11	Electrical Plan and Details														\$ 3,900		\$ 3,900	\$ -
12	Irrigation Plan and Details	2							36								\$ 5,950	\$ -
13	Planting Plan and Details	2									12						\$ 1,870	\$ -
14	Skatepark Plan and Details										4					\$ -	\$ 500	\$ -
15	Specifications	2		1								10					\$ 1,695	\$ -
16	Final Opinion of Probable Cost	1		2								8					\$ 1,515	\$ -
17	Plan Submittals, Approval Process and Permitting	2		4		8					32						\$ 6,710	\$ -
18	PSE Delivery	10		10													\$ 4,100	\$ -
19	Bid Assistance	2		2	3												\$ 1,420	\$ -
20	Construction Administration	40	8	32		8			12		6				\$ 4,175		\$ 24,385	\$ 900
21	As Built Plans	16	2	16	2	12			8	4	18						\$ 13,600	\$ 100

Legend:

PM/LA=Project Manager Landscape Architect, LA/QA - Senior Landscape Architect / Quality Assurance, PME= Project Manager Engineering, PE=Professional Engineer, ENG=Engineer, HYENG=Hydrology Engineer, SID=Senior Irrigation Designer, LCAD=Landscape CAD, ADM=Administrative, SVY=Survey, GEO= Geotechnical Engineer, EE=Electrical Engineer, SPOHN=Skatepark Designer

	\$ 41,825	\$ -
CA	\$ 43,505	\$ 1,000
Grand Total	\$ 85,330	\$ 1,000
Reimbursable	\$ 1,000	

*Please note that scope and fee are negotiable.
Reimbursables included for budgetary purposes only.
Greyed out areas are not included in the total cost.*