



# Council Agenda Report

To: Mayor Grisanti and the Honorable Members of the City Council

Prepared by: Jesse Bobbett, Community Services Director

Approved by: Steve McClary, Interim City Manager

Date prepared: May 5, 2021 Meeting date: May 24, 2021

Subject: Amendment to Professional Services Agreement with California Skateparks

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**RECOMMENDED ACTION:** Authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with California Skateparks in the amount of \$50,150.

**FISCAL IMPACT:** An appropriation of \$50,150 from the Designated Reserve for the Case/Crummer Parcel to Account Number 310-9090 (CIP – Permanent Skate Park) is needed for the proposed amendment. The projected balance of the Designated Reserve for the Case/Crummer Parcel on June 30, 2021, is \$357,472.

**WORK PLAN:** This item was included as Item 7c in the Adopted Work Plan for Fiscal year 2020-2021.

**DISCUSSION:** On February 24, 2020, the Council approved a Professional Services Agreement (Agreement) with California Skateparks (Consultant) to provide design services and construction documents for the Permanent Skate Park (Skate Park). The Agreement included items related to the public design process, as well as engineering and construction documents related to the design; however, it did not include the preparation of architectural design plans and engineering for other areas of the project.

Staff originally planned to complete the additional work noted above with assistance from the Public Works Department, but due to a backlog of projects related to the Woolsey Fire and the COVID-19 pandemic, they are unable to assist.

Staff worked with the Consultant to prepare a proposal for the additional work through a subconsultant, RRM Design Group (Subconsultant). The proposed cost of the work is \$50,150, which includes:

- Preparation of architecture design plans for drainage, grading, erosion control, stormwater control, and landscape
- Civil engineering for areas of the project not included in the original Agreement
- Project coordination and administration, where needed

The proposal includes \$16,800 in variable costs for project coordination and preliminary design plans, which would be reduced if staff can assist in those areas.

On May 5, 2021, the Administration and Finance Subcommittee reviewed and recommended the appropriation of \$50,150 from the Designated Reserve for the Case/Crummer Parcel, which has a current balance of \$357,472.

Staff recommends amending the original Agreement to add the preparation of architectural design plans and additional engineering for the Skate Park. If approved by the Council, the Subconsultant would begin work immediately, with an anticipated completion time of four to six weeks. Once completed, the project would go before the Planning Commission for review before final approval by the Council.

ATTACHMENT: Amendment No. 1 to Agreement with California Skateparks

**AMENDMENT NO. 1 TO AGREEMENT**

THIS AMENDMENT NO. 1 TO AGREEMENT is made and entered in the City of Malibu on May 24, 2021, by and between the CITY OF MALIBU (hereinafter referred to as "City"), and California Skateparks (hereinafter referred to as "Consultant")

The City and the Consultant agree as follows:

**RECITALS**

A. On February 24, 2020, the City entered into a Professional Services Agreement ("Agreement") with the Consultant for the design of a permanent skate park.

B. The City desires to amend the Agreement for the Consultant to provide additional engineering and architectural design plan services and the Consultant has submitted a proposal for this purpose that is acceptable to the City.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

1. Section 1.0 – Scope of the Consultant’s Services, of the Agreement, is hereby amended as set forth in Exhibit B attached hereto shall be in addition to Exhibit A.
2. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended as set forth in Exhibit B attached hereto shall be in addition to Exhibit A. The total cost for all work performed under this Agreement as amended by this Amendment No. 1 shall not exceed \$51,000. The Consultant shall only bill the City for hours actually worked and services provided.
3. The Parties agree that this Amendment will be considered signed when the signature of a party is delivered physically or by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.
4. All terms and conditions of the Agreement not amended by this Amendment No. 1 remain in full force and effect.

This Agreement is executed on \_\_\_\_\_, 2021, at Malibu, California, and effective as of May 24, 2021.

CITY OF MALIBU:

\_\_\_\_\_  
PAUL GRISANTI, Mayor

ATTEST:

\_\_\_\_\_  
KELSEY PETTIJOHN, Acting City Clerk  
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED  
BY THE CITY ATTORNEY'S OFFICE

\_\_\_\_\_  
JOHN COTTI, City Attorney

CONSULTANT:

  
\_\_\_\_\_  
JOSEPH CIAGLIA JR., President  
California Skateparks



Revised April 29, 2021

**Transmitted via email: [jaxon@californiaskateparks.com](mailto:jaxon@californiaskateparks.com)**

Jaxon Statzell  
California Skate Parks  
273 N. Benson Avenue  
Upland, CA 91786

**RE: Malibu Skate Park Civil Engineering and Landscape Architecture  
Proposed Scope of Services**

Dear Jaxon,

Thank you for giving RRM Design Group (RRM) the opportunity to provide our scope of services for the design of the Malibu Skate Park. We are looking forward to working with you and the City team to take the next step toward implementation.

## **PROJECT UNDERSTANDING**

We understand that the City of Malibu intends to construct a permanent skate park in the vicinity of the Crummer site subdivision.

The development of the skate park has undergone several iterations of public review and is in the process of finalizing its design for Planning Commission approval. The park will reside at a currently vacant portion of property adjacent to the temporary skate park constructed by the City of Malibu. As part of this project the temporary skate park will be removed, and a permanent parking lot will be constructed in its place.

RRM will utilize the preliminary drawings and renderings as a basis for this proposal for civil engineering and landscape architecture services. The proposed extent of the landscape architecture design includes the limits of the project area up to the existing site wall as shown in attached Exhibit B-1. Finally, we understand that irrigation design will not be a part of the scope and that all proposed plants, trees, and shrubs are intended to be hand watered until they are fully established.

Based on our understanding of the project scope and projects of similar nature that we have completed in the past; we propose the following scope of services.



## SCOPE OF SERVICES

### **Task A: Project Coordination and Management**

#### **Subtask A.1: Kickoff Meeting and Project Coordination**

RRM will attend a kickoff meeting with California Skate Parks and City staff. The purpose of the kickoff meeting is to review major project objectives, milestones, and task delivery schedule as well as collect any additional relevant background documents from the City. RRM will also provide ongoing coordination with the project team. The meetings and coordination are meant to help facilitate the processing and approval of this project. We will assist in these efforts by providing the services listed below:

***Deliverables:***

- *Coordinate and attend up to four (4) project-related meetings with California Skate Parks and the City of Malibu*
- *Ongoing phone and email coordination with the Client and the project team*

***Estimated Fee: Time and Materials – Hourly***

- *\$6,500 (see footnote B)*

### **Task B: Preliminary Design**

#### **Subtask B.1: Civil Preliminary Design Plans**

The preliminary civil engineering design will include a preliminary grading plan for the skate park, parking lot layout design, and the driveway entry design. The design will include calculations for drainage management and stormwater quality in compliance with the City of Malibu's stormwater guidelines. The plans will utilize a site base map from the topographic survey provided.

***Deliverables:***

- *One (1) preliminary grading and drainage plan in PDF format*
- *Up to one (1) round of revisions to above deliverables to respond to design team comments, if needed*
- *Up to one (1) round of revisions to above deliverables to respond to Planning Commission comments, if needed*

***Estimated Fee: Time and Materials – Hourly***

- *\$ 6,500 (see footnote B)*

#### **Subtask B.2: Landscape Preliminary Design Plans**

The preliminary landscape design effort will include one design option for the landscape areas within the park. The preliminary landscape plans shall utilize a topographic survey and a resolved base map that depicts the locations of all proposed hardscape and softscape areas provided by California Skate Parks and approved by the City of Malibu. The general locations, container size,



and quantities of proposed plant species shall be included, as well as Model Water Efficient Landscape Ordinance (MWELO) water use calculations where required by the State of California. The requisite proposed plant palette shall be issued to RRM by the City of Malibu for incorporation into the preliminary landscape plans. Graphic images of landscape materials may also be provided and integrated into the preliminary design package as needed to demonstrate intent of proposed design features to the Planning Commission.

***Deliverables:***

- *One (1) draft preliminary landscape plan in PDF format*
- *One (1) final preliminary landscape plan in PDF format*
- *Up to one (1) round of revisions to above deliverables to respond to design team comments, if needed*
- *Up to one (1) round of revisions to above deliverables to respond to Planning Commission comments, if needed*
- *Virtual attendance to Planning Commission Hearing, if needed*

***Estimated Fee: Time and Materials – Hourly***

- *\$3,800 (see footnote B)*

## **Task C: Construction Documents**

### **Subtask C.1: Grading and Drainage Plan**

RRM will prepare grading construction documents for drive aisles, skate park features, and common landscaped areas as determined from the preliminary design. These plans will include the following:

- Title sheet, general note sheet, vicinity and key maps, and approval signature blocks
- Show existing and proposed contours, spot elevations, and slopes
- Grading of the skate park and associated parking area and will include sections necessary to construct the proposed structures
- Earthwork calculations will be performed, and those quantities and associated assumptions will be listed on the plans
- The plan will detail and dimension driveway locations, hardscape, and parking
- Drainage facilities, including stormwater quality facilities, and above-grade conveyance facilities

***Deliverables:***

- *One (1) grading and drainage plan (approximately four [4] sheets)*

***Fixed Fee:***

- *\$8,500 (see footnote A)*



### **Subtask C.2: Landscape Construction Documents**

RRM will prepare construction documents at an appropriate scale for landscape areas as determined by the approved final preliminary design plans. These plans will include the following:

- Title block, key map, notes, and approval signatures
- Planting Plans – the planting plans will indicate the layout, location, spacing, species, quantities, and container sizes of all proposed trees, shrubs, and ground covers. The planting plans will reference the locations of proposed pedestrian pathways, hardscape areas, parking lot, walls, and planter locations provided by California Skate Parks.
- Planting Details – in support of the landscape plans, we will prepare planting details that specify the method of construction and proper planting techniques. Planting design will meet the latest requirements as set forth in the Model Water Efficient Landscape Ordinance (MWELo).
- Sheet Specifications – the landscape construction documents will include technical specifications (CSI Division 32, as applicable) with provisions for planting. This scope assumes that all general provision specification sections related to this project will be provided by others. Planting specifications, in sheet format, shall be provided with the 100% submittal of landscape construction documents.

This task shall include one plan submittal to the Client for review at a desired progress/percentage point and a final set for bid and/or permit submittal. Landscape construction documents will be submitted under the engineering plans and title sheet.

#### ***Deliverables:***

- *Landscape construction documents (progress submittal)*
- *Landscape construction documents (100% final submittal)*

#### ***Fixed Fee:***

- *\$5,800 (see footnote A)*

### **Subtask C.3: Erosion Control Plan**

RRM will prepare plans for temporary erosion control facilities to be implemented during construction. Temporary facilities will be proposed for protection of exposed graded areas and drainage devices. Details and appropriate notes for best management practices (BMP) and guidelines for implementation are proposed to be in conformance with the State of California Water Resources Board requirements. The plan will include:

- Locations of erosion and sediment control BMP
- Equipment wash out areas with containment plan
- Dewatering BMP (if required)
- Locations of construction materials storage
- Concrete washout location and detail



**Deliverables:**

- One (1) erosion control plan (approximately two [2] sheets)

**Fixed Fee:**

- \$2,800 (see footnote A)

**Subtask C.4: Stormwater Control Plan**

RRM will prepare a Stormwater Quality Report meeting the requirements of the City of Malibu's Stormwater Ordinance. The report will include sizing and capacities of the stormwater quality treatment and retention facilities. The report will include an exhibit map showing the locations of the stormwater quality control measures and associated calculations. The report will be submitted to the City of Malibu for approval.

**Deliverables:**

- One (1) stormwater quality control plan

**Fixed Fee:**

- \$6,250 (see footnote A)

**Subtask C.5: Project Coordination and Processing**

RRM Civil Engineering will provide ongoing coordination with the Client, the project team, and the City of Malibu on an as-needed basis to facilitate the processing and approval of this project. We will assist in these efforts by providing the services listed below as needed:

- RRM will provide research, coordination, and advice on development strategies and processing requirements
- Prepare necessary applications and exhibits for obtaining permits from government agencies
- Coordinate and attend project-related meetings with the Client, the City of Malibu, utility companies, and consultants
- Prepare exhibits required for project approval, not identified in the above scope of services
- Transfer of electronic data or print sets to project team or local jurisdictions
- Prepare Cost Estimate
- Attend meetings with design team to review design and address comments or concerns

**Deliverables:**

- Exhibits required for coordination or project approval

**Fixed Fee:**

- \$5,500 (see footnote A)



### **Subtask C.6: Civil Engineering Construction Administration**

RRM will provide support during the construction phase of the project. We will review and respond to Requests for Information (RFI), Change Orders (CO), submittals, and contractor-supplied shop drawings. Under this task, RRM will also prepare and issue supplemental instructions, as necessary, to clarify technical details and prepare preliminary and final punch lists. If required, we will visit the site to address concerns and provide support for the contractor at the request of the Client.

**Deliverables:**

- RFI, submittals, and CO, as outlined above

**Fixed Fee:**

- \$4,500 (see footnote A)

### **SERVICES AND/OR INFORMATION TO BE PROVIDED BY CLIENT**

- Site topographic survey in suitable digital format (AutoCAD)

### **LIMITATIONS OF SCOPE AND EXCLUSIONS**

Please note that the tasks to be performed by the RRM team are limited purely to those outlined above. Substantive changes requested by the Client or changes in the Client's program or direction that are inconsistent with prior approvals are subject to additional services fees. Any additional services that RRM Design Group is asked to perform over and beyond those described above will be billed on a negotiated and Client-approved, fixed-fee or hourly basis. The following service or task is specifically excluded from the scope but can be provided under a separate agreement as the development progresses:

- Photometric and lighting plans
- Irrigation plans, specifications, and details
- Fuel modification plans
- Off-site improvements
- Construction details relating to the skate park hardscape, site walls, and fencing
- Traffic-related engineering services
- Construction phasing plan
- Hazardous materials report
- CEQA documentation
- Title report fees
- Government processing and plan checking fees
- Environmental and biological services
- Coordination of hazardous materials removal and/or abatement
- Stormwater Pollution Prevention Plan



- Dry utility design/coordination (e.g., electric, gas, cable, phone)
- Design changes based on revisions to building codes or other regulations
- Green building programs (e.g., LEED, GreenPoint)
- Solar panel design/coordination
- Security systems design/coordination
- Radon gas control systems design/coordination
- Perspective renderings, elevations, or sections

### TASK AND FEE SUMMARY

| TASK                            | DESCRIPTION                                   | FIXED FEE<br>(see footnote A) | T&M<br>(see footnote B) |
|---------------------------------|---|-------------------------------|-------------------------|
| A.1                             | Kickoff Meeting and Project Coordination      |                               | \$ 6,500                |
| B.1                             | Civil Preliminary Design Plans                |                               | \$ 6,500                |
| B.2                             | Landscape Preliminary Design Plans            |                               | \$ 3,800                |
| C.1                             | Grading and Drainage Plan                     | \$ 8,500                      |                         |
| C.2                             | Landscape Construction Documents              | \$ 5,800                      |                         |
| C.3                             | Erosion Control Plan                          | \$ 2,800                      |                         |
| C.4                             | Stormwater Control Plan                       | \$ 6,250                      |                         |
| C.5                             | Project Coordination and Processing           | \$ 5,500                      |                         |
| C.6                             | Civil Engineering Construction Administration | \$ 4,500                      |                         |
| <b>SUMMARY OF FEES:</b>         |   | <b>\$ 33,350</b>              | <b>\$ 16,800</b>        |
| <b>ESTIMATED PROJECT TOTAL:</b> |   | <b>\$50,150</b>               |                         |

#### Fee Footnotes

- Fixed fee tasks will be billed as the work progresses until the task is completed and the total amount stated in the contract for the task is invoiced.
- Estimated fees for tasks shown as “Time and Materials” (T&M) are provided for informational purposes. Amounts billed for these tasks, which will reflect actual hours worked may be more or less than the estimate given.

#### Reimbursable Expenses

Incidental expenses incurred by RRM Design Group, or any subconsultant it may hire to perform services for this project, are reimbursed by the Client at actual cost plus 10% to cover its overhead and administrative expenses. Reimbursable expenses include, but are not limited to reproduction costs, postage, shipping and handling of drawings and documents, long-distance



communications, fees paid to authorities having jurisdiction over the project, the expense of any additional insurance requested by Client in excess of that normally carried by RRM Design Group or its subconsultants, travel expenses (transportation/automobile/lodging/meals), renderings and models. Reimbursable automobile travel mileage will be billed at the current IRS business standard mileage rate.

### **Adjustment to Hourly Billing Rates**

RRM reserves the right to adjust hourly rates on an annual basis.

If you have any questions or require clarification of the scope of services, Exhibit A-1, Schedule I, or fees outlined above, please do not hesitate to call us. Thank you once again for this continued opportunity to work with you on this great project.

Sincerely,

### **RRM DESIGN GROUP**

A handwritten signature in blue ink, appearing to read 'Mike Hamilton', written over a horizontal line.

Mike Hamilton, PE, QSD/P  
Principal  
CA License No. 62696

Attachment: Exhibit I, Schedule I  
and Boundary of work

# EXHIBIT SCHEDULE 1

## Bill Rate Ranges

Subject to change effective March 1st each year

### ARCHITECTURE

|                                   |                 |
|-----------------------------------|-----------------|
| Architect                         | \$ 95 - \$ 155  |
| Assistant Manager of Architecture | \$ 130 - \$ 195 |
| Design Director                   | \$ 145 - \$ 240 |
| Designer I                        | \$ 70 - \$ 100  |
| Designer II                       | \$ 80 - \$ 125  |
| Designer III                      | \$ 90 - \$ 150  |
| Intern                            | \$ 45 - \$ 80   |
| Job Captain                       | \$ 90 - \$ 150  |
| Manager of Architecture           | \$ 145 - \$ 255 |
| Principal                         | \$ 180 - \$ 350 |
| Project Architect                 | \$ 110 - \$ 185 |
| Project Designer                  | \$ 110 - \$ 180 |
| Project Manager                   | \$ 110 - \$ 185 |
| Senior Architect                  | \$ 135 - \$ 220 |
| Senior Designer                   | \$ 135 - \$ 210 |
| Senior Project Manager            | \$ 135 - \$ 230 |

### ENGINEERING & SURVEYING

|                                 |                 |
|---------------------------------|-----------------|
| Associate Engineer              | \$ 90 - \$ 135  |
| Construction Inspector          | \$ 105 - \$ 175 |
| Designer I                      | \$ 55 - \$ 95   |
| Designer II                     | \$ 75 - \$ 120  |
| Designer III (Structural)       | \$ 90 - \$ 135  |
| Engineer I                      | \$ 85 - \$ 135  |
| Engineer II                     | \$ 105 - \$ 160 |
| Land Surveyor                   | \$ 115 - \$ 160 |
| Manager of Engineering Services | \$ 170 - \$ 280 |
| Manager of Surveying            | \$ 150 - \$ 230 |
| Party Chief                     | \$ 90 - \$ 145  |
| Principal                       | \$ 180 - \$ 350 |
| Project Engineer                | \$ 125 - \$ 180 |
| Project Manager                 | \$ 145 - \$ 230 |
| Senior Associate Engineer       | \$ 110 - \$ 185 |
| Senior Designer                 | \$ 110 - \$ 185 |
| Senior Land Surveyor            | \$ 130 - \$ 195 |
| Senior Party Chief              | \$ 115 - \$ 185 |
| Senior Project Engineer         | \$ 135 - \$ 225 |
| Supervisor of Surveying         | \$ 135 - \$ 205 |
| Survey Technician I             | \$ 60 - \$ 90   |
| Survey Technician II            | \$ 75 - \$ 115  |
| Survey Technician III           | \$ 90 - \$ 155  |

### Surveying Crew Rates

#### REGULAR

|  |                 |
|--|-----------------|
| One person w/ GPS or Robotic Workstation | \$ 125 - \$ 155 |
| Two person                               | \$ 175 - \$ 290 |
| Three person                             | \$ 235 - \$ 390 |

#### PREVAILING WAGE

|  |                 |
|--|-----------------|
| One person w/ GPS or Robotic Workstation | \$ 150 - \$ 180 |
| Two person                               | \$ 225 - \$ 340 |
| Three person                             | \$ 325 - \$ 490 |

### INTERIOR DESIGN

|                          |                 |
|--------------------------|-----------------|
| Designer I               | \$ 55 - \$ 85   |
| Designer II              | \$ 65 - \$ 115  |
| Interior Designer I      | \$ 75 - \$ 125  |
| Interior Designer II     | \$ 90 - \$ 150  |
| Intern                   | \$ 45 - \$ 80   |
| Senior Interior Designer | \$ 110 - \$ 195 |

### LANDSCAPE ARCHITECTURE

|                                   |                 |
|-----------------------------------|-----------------|
| Assistant Designer                | \$ 70 - \$ 110  |
| Associate Designer                | \$ 80 - \$ 125  |
| Designer                          | \$ 95 - \$ 135  |
| Intern                            | \$ 45 - \$ 80   |
| Landscape Architect               | \$ 95 - \$ 145  |
| Manager of Landscape Architecture | \$ 150 - \$ 245 |
| Principal                         | \$ 180 - \$ 350 |
| Principal Landscape Architect     | \$ 135 - \$ 235 |
| Senior Designer                   | \$ 105 - \$ 165 |
| Senior Landscape Architect        | \$ 110 - \$ 175 |

### PLANNING

|                       |                 |
|-----------------------|-----------------|
| Assistant Planner     | \$ 75 - \$ 120  |
| Associate Planner     | \$ 90 - \$ 155  |
| Intern                | \$ 45 - \$ 80   |
| Manager of Planning   | \$ 145 - \$ 26  |
| Principal             | \$ 180 - \$ 350 |
| Principal Planner     | \$ 140 - \$ 250 |
| Senior Planner        | \$ 115 - \$ 205 |
| Senior Urban Designer | \$ 115 - \$ 205 |
| Urban Designer        | \$ 90 - \$ 155  |

### CORPORATE SERVICES

|                                  |                 |
|----------------------------------|-----------------|
| Accounting Specialist            | \$ 60 - \$ 110  |
| Business Development Coordinator | \$ 85 - \$ 135  |
| Chief Executive Officer          | \$ 195 - \$ 500 |
| Graphic Designer                 | \$ 80 - \$ 135  |
| Marketing Manager                | \$ 110 - \$ 220 |
| Marketing Specialist             | \$ 90 - \$ 150  |
| Office Coordinator               | \$ 70 - \$ 125  |
| Project Accountant               | \$ 65 - \$ 135  |
| Project Administrator            | \$ 70 - \$ 125  |
| Receptionist                     | \$ 40 - \$ 80   |



PROPOSED LIMIT  
OF WORK FOR  
LANDSCAPE  
IMPROVEMENTS