



STAFF REPORT

CITY of YORBA LINDA

PUBLIC WORKS DEPARTMENT

DATE: OCTOBER 19, 2021

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JAMIE LAI, P.E., DIRECTOR OF PUBLIC WORKS/ CITY ENGINEER

SUBJECT: AWARD OF A PROFESSIONAL SERVICES AGREEMENT TO WILLDAN FINANCIAL SERVICES FOR THE ASSESSMENT ENGINEER SERVICES FOR THE ANNUAL LEVY OF THE STREET LIGHTING AND LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT (LMAD)

RECOMMENDATION

It is recommended that the City Council award:

- 1) A three-year professional services agreement to Willdan Financial Services for the preparation of the Street Lighting and Landscaping Maintenance Assessment District (LMAD) Annual Engineer's Report for FY 21/22 through FY 23/24 in the amount not-to-exceed \$120,420, subject to a Consumer Price Index (CPI) increase starting in FY 23/24, with two (2) one-year extension options at the City Council's discretion; and
- 2) As part of the agreement Willdan Financial Services to research and prepare a supplemental engineers report(s) as needed in anticipation of Proposition 218 votes in an amount not to exceed \$36,000 during the contract term.

BACKGROUND

The LMAD was formed pursuant to the Landscaping and Lighting Act of 1972 (72 Act). The District contributes toward the cost of installation, maintenance, and servicing of public street lighting and landscape maintenance in the City. Annually, the City is required to prepare an Engineer's Report identifying the proposed assessments for the fiscal year and setting forth the proposed changes and/or new improvements, as well as describing the servicing, maintenance, and operation of the public lighting and landscaping maintenance facilities within the City.

DISCUSSION

With the upcoming expiration of Willdan Financials' 5-year contract, the City issued a Request for Proposals (RFP) on March 31, 2021 inviting all qualified consulting firms with experience in

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Assessment District Administration to submit a proposal. Of the firms that showed initial interest, two (2) firms submitted proposals by the deadline of April 29, 2021. This RFP was seeking to secure the most qualified consultant with experience in Assessment District Administration, to provide consulting and engineering services as outlined in the Scope of Services of the RFP.

As part of this annual effort the consultant is to examine zone boundaries within the District, conduct analysis of special benefit and proportionality, and apply appropriate methodology and legal conformance. The consultant chosen shall be familiar with the laws and regulations associated with property related fees and charges. Related to these annual services, the consultant shall provide Proposition 218 balloting, public outreach and administration services for zone(s) that are identified as ones in which an increase in assessments is required to sustain the existing maintenance and operations.

Staff conducted a thorough evaluation of the proposals submitted, including a mandatory pre-proposal conference call, a written question supplemental and interview with each firm. At the end of the lengthy process Willdan Financial Services was found to be the best qualified firm. Willdan has successfully completed the preparation of the past nine (9) annual Reports and associated Assessment Engineer's services under previous agreements. Willdan's long term history and experience with the Report's preparation is of significant benefit. Additionally, Willdan has provided Assessment Engineering services as part of the ongoing Proposition 218 process for previous LMAD deficit Zones. Also, continuing with Willdan for the preparation of the annual Report will allow for a smooth integration of any future Proposition 218 results into the annual report.

The total amount for the proposed three-year agreement of \$156,420 is broken down as follows:

Annual Administration & Engineering Services: \$120,420 (+ annual CPI increase starting FY 23/24)

- Annual Administration of LMAD - \$21,500/ year (total of \$64,500 for three years)
- Update GIS Mapping of Landscape Improvements - \$8,250 (\$24,750 for three years)
- Prepare Annual Engineer's Report Budgets – \$6,390 (\$19,170 for three years)
- Research and Draft Response to City – Estimate \$10,000 (per Hourly Rates Misc. Engineering Services Provision)
- Estimated \$2,000 for reimbursable expenses

Proposition 218 Balloting Services: \$18,000 for potential of two separate P218 processes = \$36,000 and broken down as follows:

- Research & Preparation of Supplemental Engineer's Report - \$ 7,500
- Develop Community Outreach Plan - \$4,200
- Petition Validation - \$1,800

- Proposition 218 Noticing & Balloting - \$2,000
- Public Hearing & Ballot Tabulation - \$2,500

Staff recommends awarding a three-year professional services agreement in the amount of \$156,420, subject to a CPI increase starting with FY23/24, with the ability to extend the agreement for two (2) one-year terms, at the Council's discretion, with Willdan Financial Services.

FISCAL IMPACT

Currently the LMAD operating budget includes sufficient funding in each LMAD Zone's for the preparation of the annual Engineer's Report. Subsequent fiscal year operating budgets may include fund requests for the preparation of the Engineer's Report to cover the annual cost in the attached agreement. No additional appropriation is required for this action item. Funding for this agreement will come from (Acct Number 2010350-431480).

ALTERNATIVES

- Do not approve the agreement with Willdan and direct staff to conduct another RFP process for an Assessment Engineer. Another RFP process will take away time from the development of the annual Engineer's Report, potentially delaying the process altogether.
- Award an agreement with Willdan for a term of less than 3 years.

ATTACHMENTS

Professional Services Agreement – Annual Engineer's Report and Prop 218 Supplemental Engineer's Reports
