



# STAFF REPORT

## CITY of YORBA LINDA

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### PUBLIC WORKS DEPARTMENT

**DATE:** OCTOBER 15, 2024

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** JAMIE LAI, P.E., DIRECTOR OF PUBLIC WORKS/ CITY ENGINEER  
**PREPARED BY:** AUSTIN POSTOVOIT, SENIOR MANAGEMENT ANALYST

**SUBJECT:** APPROVE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN FINANCIAL SERVICES FOR CONTINUED ASSESSMENT ENGINEER AND ASSOCIATED SERVICES

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### **RECOMMENDATION**

It is recommended that the City Council:

1. Approve an amendment to the professional services agreement with Willdan Financial Services (Willdan) to allow for an additional term extension in an amount not to exceed \$79,478.00, for the annual Engineer's Report preparation and associated services for the upcoming Engineer's Report (FY2025-2026); and
2. Authorize annual expenditures for contract contingencies and potential additional services or unanticipated work that may arise, in an amount not-to-exceed fifteen 15% of the amendment amount (\$11,921.70) annually; and
3. Authorize the City Manager, on behalf of Council and at the City's sole discretion, to execute an additional term extension, as provided for within the proposed amendment, for the final allowable extension that would begin at the conclusion of this Amendment No. 2 term; and
4. Upon receipt of appropriate documents, authorize the City Manager to execute the amendment.

### **BACKGROUND**

The Landscape Maintenance Assessment District (LMAD) was formed pursuant to the Landscaping and Lighting Act of 1972 ('72 Act). The LMAD 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.

Each fiscal year, the City utilizes a professional services consultant to prepare the annual Engineer's Report for the LMAD which encompasses all applicable landscaping, lighting and traffic signal zones. The current agreement with Willdan Financial Services (Willdan) for provision of Engineer's Report and associated services was awarded in October of 2021 at the conclusion of a competitive solicitation process.

## **DISCUSSION**

The City's current agreement with Willdan was approved for a three-year initial term with two optional one-year extension periods available. The initial term is set to expire on October 31, 2024. City staff engaged Willdan in advance of the agreement expiration to request a proposal to allow for continued provision of services for the first extension period.

In addition to providing for the preparation of the annual Engineer's Report, the professional services agreement with Willdan also includes a scope component for miscellaneous engineering and associated services. The majority of the additional services relate to the provision of specific standalone Proposition 218 studies, reports and balloting services for underfunded zones. The additional Proposition 218 services will allow for staff to utilize Willdan to perform critical cost analysis and program management for underfunded zones in the district. The final portion of the amendment scope of services includes a not-to-exceed component that would allow for Willdan's team to provide as-needed investigative and analysis services related to targeted fiscal studies. The as-needed studies component of the proposal will allow for greater levels of fiscal projections and capital improvement planning for targeted zones as deemed necessary by staff.

It should be noted that while the existing agreement includes extension provisions that would extend the agreement for a calendar year period, staff pursued a truncated term that would allow for the contract scope to align with the City's fiscal year. As such, city staff negotiated the proposals with Willdan, which resulted in a revised cost proposal for the annual Engineer's Report services, which makes up the majority of the proposed Amendment, which represents an increase less than the aggregate Consumer Price Index (CPI) inflationary cost adjustment over the existing agreement. Further, Willdan has confirmed that they will honor the pricing structures and keep them fixed as included in the proposed Amendment for an additional future extension term if such an extension is desired by the City. Therefore, it is recommended that the City Council approve the proposed Amendment No. 2 and authorize the City Manager to execute a subsequent agreement extension provided that the proposed rates are consistent with this amendment.

## **FISCAL IMPACT**

The LMAD operating budget includes sufficient funding across all zones to accommodate the recommended amendment approval. Additionally, specific zone's requiring utilization of the Proposition 218 or as-needed study services will be confirmed prior to utilization for individual services. Funding for this amendment is budgeted within the LMAD operating account number 2010350-431480.

**ALTERNATIVES**

Do not approve the amendment to extend the agreement with Willdan and direct staff to conduct a procurement process for Assessment Engineer Services. Conducting such a process will greatly delay the development of the annual Engineer's Report, potentially resulting in the late submission of the annual Engineer's report to the County Assessor.

**ATTACHMENTS**

Attachment 1 – Willdan Financial Services (Amendment No.2)

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