



Agenda Report

City Council

Date: August 22, 2023

To: Brian Saeki, City Manager

From: Kyle Cason, Public Works Director

Subject: SWA – Professional Services Agreement for Greenleaf Promenade Design Services – Amendment No. 2

RECOMMENDATION

Authorize the City Manager to execute Amendment No. 2 with SWA for the Greenleaf Promenade Projected Professional Service Agreement A22-039, adding \$84,500 to the project.

BACKGROUND

On February 26, 2019, City Council selected a concept design from SWA Architects for the Uptown Whittier Streetscape Beautification project inclusive of improvements from “paseo to paseo” along Greenleaf Avenue. The project area was approximately midblock north of Wardman Street to midblock north of Philadelphia Street and improvements consisted of new parklets, curbs, gutters, paving, concrete, tree removal, tree preservation, and tree replacement. At the time of the Council discussion, the project costs were estimated at \$3.8M.

On May 28, 2019, City Council was presented with a summary of public input gathered as part of the Uptown Streetscape Plan process referencing desired improvements including outdoor dining and parklets, gathering spaces, enhanced safety, cleanliness, and walkability, among others.

In June 2020, due to the COVID-19 public health crisis, the City Council approved a temporary closure of Greenleaf Avenue to facilitate the Greenleaf Promenade Outdoor Dine & Shop program. The closure, commonly referred to as the Greenleaf Promenade, allowed for retailers and restaurants to operate their businesses in the City-owned public right-of-way through approval of a temporary encroachment permit while adhering to indoor occupancy restrictions. The application process detailed equipment guidelines, current health order protocols, and notice of the City’s right to revoke the permit at any time should it be deemed necessary due to non-compliance or public safety.

As a result of evolving pandemic health orders, the City Council approved an extension of the street closure on October 13, 2020, through a minimum of 120 days after the point at which restaurants were permitted to serve indoors at 100% capacity again.

On March 23, 2021, the City Council received a presentation featuring a draft concept of a single-block closure of Greenleaf designed by SWA Architects. At that time, City Council

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directed staff to research traffic control alternatives and perform further outreach to stakeholders in the impacted Uptown area, specifically businesses, property owners, and nearby residents.

On June 15, 2021, consistent with the Governor's executive orders, the Health Officer Order for Los Angeles County allowed for the full reopening of businesses and restaurants, setting the new deadline for removal of outdoor operations along the Promenade of October 15, 2021.

On August 10, 2021, the City Council received the results of the Greenleaf Promenade community survey. Feedback indicated that more than 1,600 of 1,800 community members supported a permanent Promenade. Of those respondents, 60 of 81 Uptown business owners supported the permanent closure, as well as 199 of 241 Uptown property owners. When asked to rank priorities within the Promenade, common responses aligned with feedback received during the prior Streetscape Plan outreach process and included outdoor dining, aesthetic uniformity, security, cleanliness, and diversification of businesses. Additional improvements including sidewalk repair, lighting, public art, and community gathering space were also noted. City Council action included approving an extension of encroachment permits through February 1, 2022, and directing staff to bring back a report containing further information regarding various options for the construction of a future hybrid or permanent Greenleaf Promenade.

On October 26, 2021, City Council authorized a hybrid concept for the Greenleaf closure that would include the installation of bollards to facilitate expedited police and fire response, uniform build-outs for dining and outdoor gathering, and hosting of special events along Greenleaf Avenue.

In November of 2021, business owners were reminded of allowable outdoor dining operations and notified that the Greenleaf Promenade permit revocation process had been further refined to include multi-step notification of first and second violations.

On January 25, 2022, City Council authorized an extension of the current Greenleaf Promenade encroachment permits for an additional 90 days, with a tentative expiration date of May 1, 2022.

On March 8, 2022, the City Council authorized the City Manager to enter into an agreement with SWA Group for preliminary engineering and design services and directed staff to bring back an analysis of concerns brought forward by the Whittier Uptown Association (WUA), Uptown Whittier Improvement Association (UWIA) and Whittier Area Chamber of Commerce.

On March 22, 2022, the City Council approved \$84,545 in funding for the following interim improvements for the Greenleaf Promenade: special event lighting for City sponsored events, additional temporary lighting to improve safety and site aesthetics; increased trash service, and additional sidewalk and street cleaning. The City Council also extended

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the encroachment permits to February 1, 2023, and directed Staff to bring back a report on security, branding, and marketing for the Greenleaf Promenade.

Since the March 22, 2022, meeting the City has continued with increased patrols from its security service provider, which is present in the Uptown area daily from 1:00 p.m. to 5:00 a.m. Along Greenleaf Avenue, staff has replaced all 50W LED street lights with 100W LEDs. City staff has also met with the Whittier Uptown Association and Uptown Whittier Improvement Association to coordinate efforts regarding the branding of Uptown Whittier, as part of a larger City branding initiative set to begin in early 2023, and is working collaboratively with both associations, as well as the Whittier Chamber of Commerce, to ensure that future events and activities are marketed and supported.

On June 14, 2022, the City Council directed staff to request a design option from SWA that details a “paseo to paseo” full closure from mid-block north of Philadelphia Street to mid-block south of Philadelphia Street along Greenleaf Avenue, with the remaining portions open to vehicular traffic.

On June 28, 2022, the City Council directed staff to proceed with the Open Street promenade design, with the understanding that traffic access will be temporarily closed at a minimum from Thursday through Saturday.

On September 27, 2022, the City Council was presented with a 30% design progress report.

On November 8, 2022, the City Council received and filed the progress report on the 30% design for Greenleaf Promenade Streetscape Project and authorized the City Manager to execute Amendment No. 1 with SWA for the Greenleaf Promenade Projected Professional Service Agreement A22-039, adding \$675,200 to the project and authorizing SWA to continue moving the project into 100% plans.

At a study session held on February 14, 2023, the City Council directed staff to proceed with 4 x 4 pre-cast unit pavers, a running bond pattern with a gradient color blend, and a pillowed finished for skate deterrence; pre-cast concrete unit pavers with central concrete panels for the intersection crosswalks and midblock crosswalks; primary overhead structures at Hadley and Wardman reviewed and approved by LA County Fire and secondary column structures at Bailey and Philadelphia; either a metal canopy option or a cantilevered umbrella option for businesses along Greenleaf Avenue; a paseo plaza in front of the Multideck Parking Structure that would be open space and to close the side driveway to the parking structure between the alley and Greenleaf Avenue; and the creation of a pocket park with open space at 7018 Greenleaf Avenue.

On March 21, 2023, the City Council directed Staff to work with the consultant to design a blend of sign options and then obtain input from the Uptown Association and the Business Improvement Area; to move forward with an open space design; and to explore design options similar to the lights in East Whittier.

As of May 1, 2023, all businesses removed their outdoor enclosures and Greenleaf Avenue has been open to traffic.

On May 9, 2023, the City Council directed staff to move forward with a small pocket park, the Ligman ULI 21172 streetlight option, overhead structures Hadley and Wardman but with colors and signage controlled by the City, and the removable bollards.

DISCUSSION

Amendment No. 2 to the agreement with SWA is required to expand the work limits to include, but not limited to, design and rehabilitate street, sidewalk and alley approaches. The additional work limits will provide a proper transition from the adjacent streets onto Greenleaf Avenue at an additional cost of \$84,500 (Attachment A). The additional scope areas will be incorporated into the overall construction documents deliverables.

FISCAL IMPACT

Sufficient funds are in the Capital Projects Fund's Uptown Streetscape Beautification account (635-30-981-000 821405) to fund this agreement amendment.

STRATEGIC PLANNING GOAL

- Maintain & Enhance Quality of Life
- Transparent & Open Government
- Promote a Strong Local Economic Base

ATTACHMENT

A. SWA Amendment No. 2

AMENDMENT NO. 2 TO AGREEMENT A22-039

This Amendment No. 2, made and entered into this 22nd day of August 2023, by and between the City of Whittier (CITY) and SWA Group (CONSULTANT) modifies Agreement No. A22-039.

RECITALS

- A. CITY and CONTRACTOR entered into Agreement No. A22-039 effective March 8, 2022, and expiring August 8 2022, for professional design services (the "Agreement").
- B. Section 2.1 of the Agreement provides for the total compensation for CONSULTANT shall not exceed one hundred fifty-eight thousand dollars (\$158,000) unless CITY has given specific advance approval in writing.
- C. CITY now desires to increase CONSULTANT'S maximum compensation accordingly to nine hundred thirty-seven thousand seven hundred dollars (\$937,300).
- D. CITY and CONSULTANTS desire to extend the term of the Agreement by one year to January 8, 2025.

AMENDMENTS

This Amendment No. 2 shall amend Agreement No. A22-039 as follows:

- 1. The Scope of Services shall be amended to include the additional services set forth in Amendment No. 2 "Exhibit "A".
- 2. Section 2.1 of the Agreement shall be amended to reflect the CONSULTANT'S total compensation shall not exceed nine hundred thirty-seven thousand seven hundred dollars (\$937,300). CONSULTANT shall be paid according to the fee schedule set forth in the Agreement and Exhibit "A" of amendment No. 1.
- 3. Section 4.1 of the Agreement shall be amended to reflect the Agreement term ending in January 8th, 2025.
- 4. No other items are to be amended at this time and all other conditions and terms will stand per original Professional Services Agreement with SWA Group.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed, in the City of Whittier, County of Los Angeles, California.

CONTRACTOR:

DATE: _____

BY: _____

TITLE: _____

CITY OF WHITTIER:

BRIAN SAEKI, City Manager

DATE: _____

ATTEST:

RIGOBERTO GARCIA, JR. City Clerk
(seal)

APPROVED AS TO FORM:

RICHARD D. JONES, City Attorney

SWA Laguna Beach

570 Glenneyre Street
Laguna Beach, California
92651-2453
+1.949.497.5471
www.swagroup.com

June 13, 2023

City of Whittier
13230 Penn Street
Whittier, CA 90602

Sean O'Malley
Xiao Zheng
Dhaval Barbhaya
Stephen Rydzon

Attention: Kyle Cason, Director of Public Works
Subject: Greenleaf Avenue DD-CO -Additional Services Amendment #2
Executed Agreement No. A22-039
Whittier, Los Angeles County, California (WHIT301)

Dear Kyle:

This letter is in response to your request for SWA Group and the Project Consultant Team to provide Additional Services on the subject project. The Client wishes to amend the project limit of work to include the areas indicated within the AutoCAD file provided to SWA, by the City Engineering Team, on May 31, 2023 outlined in Exhibit A.

The added scope area includes an additional 2.27 acres that was not formerly a part of the 4.48 acres included within the executed Professional Services Agreement (PSA) #A22-039. The 50% increase in the scope area will include the additional following services.

A. ADDITIONAL SCOPE INCREASE PER DISCIPLINE

1. Civil Engineering
 - a. Additional topography survey and design to rehabilitate street, sidewalk, and alley approaches for expanded scope areas.
 - b. Two (2) days of field work, engineering field walk, and office drafting.
 - c. Street rehabilitation to be grind and overlay, R&R Alley approaches, regrade behind alley approaches to accommodate ADA compliant alley approach. R&R portions of sidewalk. Striping and Signage to be replaced in kind. Plan view only (No Plan and/or Profile).
2. Lighting and Electrical Consultant
 1. Additional photometric studies and electrical engineering for expanded scope areas to be added into improvement package.
3. Geotechnical Engineer
 - a. Plan reviews, meetings, coordination, project management, report updates and final report.
 - b. Field technician NTE twenty (20) hours.
 - c. Laboratory Services.

- d. Does not include improvements to the curb and gutter, streets, and or utilities.
- e. If additional Geotechnical Engineer time is required, such services may be provided as Additional Services subject to future agreement between the parties.

4. Landscape

- a. Landscape architectural services for additional scope areas outlined in Exhibit A, including:
 - i. Pedestrian pavements;
 - ii. Planting;
 - iii. Irrigation.
- b. Coordination of project consultant team.

B. CONSTRUCTION DOCUMENTATION

- 1. Additional scope areas to be incorporated into the overall Construction Documentation deliverables outlined in Section II, Item B., of Consultant's proposal Exhibit A dated October 24, 2022, in Amendment No. 1 to Agreement No. A22-039.

C. EXCLUSIONS

- 1. Dry Utility Consultant
 - a. At this time there is not adequate information available for the Dry Utility consultant to determine if additional scope is required.
 - b. Upon the review of the expanded topography survey, revised layout and grading design, the Dry Utility Consultant shall determine if additional services are required. If additional services are required, such services will be provided for an Additional Service Fee subject to a future agreement amendment.

These services will be provided for the fixed sum of Eighty-Four Thousand Five Hundred (\$84,500) Dollars, not including reimbursable costs, under the terms and conditions of PSA #A22-039.

We request your written authorization for Additional Services by issuing a formal Amendment No. 2 to PSA No. A22-039 so we may commence with work.

If this is not your understanding, or if you have questions regarding the above, please contact me or Principal Steve Rydzon.

Sincerely yours,

SWA Group



Sean O'Malley

Contracting Agent

Landscape Architect, CA License #3286

Landscape Architects are licensed by the State of California.

EXHIBIT A

The additional scope of work areas are highlighted in blue as indicated within the AutoCAD file provided by the City Engineering Team on May 31, 2023.

