



Staff Report

Agenda Item: Addendum to Contract between Willdan and the Town of Clarkdale for Development of a Water Code for the Town of Clarkdale

Submitted By: Town Manager Mabery

Meeting Date: October 23, 2007

Background: The Town of Clarkdale contracted with Willdan on February 28, 2007 to prepare a Water code for the Town (see attached agreement labeled "Exhibit C – Authorization for Services"). As you can see from the original Scope of Services, a series of 3-4 meetings with representatives for Clarkdale and Cottonwood staff were anticipated during the preparation of the Water Code.

As the process unfolded, it became apparent that the staff involvement process for the development of the Water Codes needed to be more comprehensive. This led to a significant increase in the number of "Water Code Team" meetings as the Code was developed.

Willdan Associates contacted Town Manager Mabery in late-July about the unanticipated amount of extra time that was accumulating due to the expansion of the Scope of Work. At that time, Town Manager Mabery agreed to meet with Willdan representatives and come to consensus about a reasonable adjustment to the existing contract.

On September 27, 2007, Town Manager Mabery met with Willdan Regional Manager Susanna Struble and Project Manager Carol Johnson to review the status of the project and a proposal for a contract adjustment. As of that date, Ms. Johnson reported that her coordination of this project reflected 360 hours of work (the original contract anticipated 132 hours), and that additional work to complete the project would bring the total time over 400 hours. After discussion, Town Manager Mabery agreed that she could support a contract amendment that included the following provisions:

- Adjustment in the cost of the project to reflect an additional 100 hours of work (in excess of the original 132 hours). That adjustment would bring the project from a \$9,900 contract to a \$17,400 contract with the \$75 per hour rate.
- Add an additional Council worksession and an additional Council meeting to the Scope of Work.
- Adjust the project completion date (the date where a final draft of the Water Code would be presented to the Town Council) to December 11, 2007.

- Delete the development of a separate Water Conservation Code from the Scope of Services
- Remove the requirement for a separate Community Open House. If the Town desires to hold meetings outside the normal Council meeting process, then Town staff can coordinate those meetings.

Although there was original disagreement as to the appropriate amount of an adjustment necessary for the completion of this project, at the conclusion of the September 27th meeting, Town Manager Mabery and Willdan's representatives were in agreement that the 100 hour adjustment was something both parties could support.

From the Town Manager's perspective, a reasonable adjustment is supportable because of the significant increase in coordination that was necessary for this project to be completed. The original Scope of Work did not allow for the level of input necessary at the staff level and the increased involvement by our staff with Willdan has, and will, lead to an improved final product.

Recommendation: Staff recommends that the Council approve the addendum to the contract between Willdan and the Town of Clarkdale for the Development of a Water Code for the Town of Clarkdale, by increasing the contract amount from \$9,900 to \$17,400.

Staff Contact Person: Town Manager Gayle Mabery

**WILLDAN'S PROPOSAL FOR ADDENDUM #1
TOWN OF CLARKDALE, AZ
WATER CODE
October 8, 2007**

| | |
|---|---------------------|
| Original Lump Sum Contract Amount: | \$9,900.00 |
| Addendum #1: | <u>+ \$7,500.00</u> |
| Revised Contract Amount | \$17,400.00 |

| | |
|----------------------------------|-------------------|
| Notice to Proceed Date: | March 1, 2007 |
| Original Completion Date: | July 24, 2007 |
| New Completion Date: | December 11, 2007 |

Justification

On January 25, 2006, the Town of Clarkdale acquired the private water company that previously served potable water within portions of the Town's corporate limits. On March 1, 2007, WILLDAN, the Town Engineer, was given a Notice to Proceed to prepare a Water Code for the Town of Clarkdale to ensure equitable standards, policies, and procedures for connection to the Town's water system.

Because the Town of Clarkdale did not have a Water Code prior to this, there has been additional time and effort not originally contemplated. Several additional meetings with Town staff to review and receive comments on the draft Water Code have been held.

The original scope of services anticipated 3 (three) to 4 (four) meetings with Town staff and the Town's Contracted Operator (Cottonwood Utilities) to review and receive comments on the draft Water Code. During this same time period, the Town embarked upon creating its own water utility billing system and Town Council adopted water and sewer impact fees. Both of these events led to more discussion and expansion of the original staff review team. 10 (ten) additional meetings have been held.

While this team approach has added extra time and costs to the original contract, the benefits are that the team members have learned from others' points of view and experience, new facts and ideas were discussed and alternatives emerged. From there, the team members could understand and support why certain decisions were made and thus be more committed to the successful implementation of the Town of Clarkdale's first Water Code. There are no additional team meetings contemplated.

The original scope of services anticipated 1 (one) Town Council work session and one 1 (one) Town Council meeting. Two Town Council work sessions have been conducted to date, and it is anticipated there will be at least 1(one) additional Town Council work session and 1 (one) additional Town Council meeting.

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Proposal for Addendum #1
Town of Clarkdale, AZ
Water Code
October 8, 2007

Items to be deleted from this professional services agreement:

1. Water Conservation Code
2. Presentation at a Community Open House

Hours expended to date: 360 hours x \$75.00/hr = \$27,000.00
Original hours anticipated: 132 hours x \$75.000/hr. = \$ 9,900.00

Original Contract Amount = \$9,900.00
Additional hours to complete project: 100 hours x \$75.00/hr. = \$7,500.00

Original Contract Amount+ Addendum #1 = \$17,400.00

EXHIBIT C

AUTHORIZATION FOR SERVICES

AGREEMENT FOR PROFESSIONAL SERVICES

The Town of Clarkdale, AZ has previously entered into a Master Agreement for engineering services on Town Engineering and Building Safety Services with Willdan. The Town now desires additional services to be rendered. It is hereby agreed that the following services are authorized and approved.

TOWN OF CLARKDALE, ARIZONA WATER CODE

SCOPE OF SERVICES:

Prepare a Water Code for Town Council Adoption.

See Attachment "A" for complete scope of services.

SCHEDULE: All work to be completed within 16 weeks from the authorization and approval to proceed, assuming three weeks review time by town.

COST OF SERVICES: Unless provided herein, it is agreed that the cost of services shall be as provided in Attachment "1" to this authorization. The agreed upon services are at:

Lump Sum of \$9,900 .00

PROJECT MANAGER: Carol A. Johnson, P.E. shall be the Engineer's Project Manager and is fully responsible for seeing that the project is completed in compliance with the provisions of the Master Agreement.

MASTER AGREEMENT: The Master Agreement between the parties is incorporated and amended herein as if fully set forth.

DATED this 28th day of February, 2007.

Susanna R. Struble
Susanna R. Struble, P.E., Sr. V.P.
Regional Manager
Willdan

Gayle Mabery
Gayle Mabery
Town Manager
Town of Clarkdale

TOWN OF CLARKDALE, AZ
WATER CODE
2/15/07

PURPOSE

The Town of Clarkdale has acquired the private water company that previously served potable water within portions of the Town's corporate limits. The Town would now like to adopt a Water Code to ensure equitable standards, policies, and procedures for connection to the Town's water system. The following tasks will be performed to adopt such a Water Code

TASKS

1. Data Collection and Outline of Water Code

Willdan will gather and review the following documents:

- Water Company Acquisition Agreement(s), Operations and Maintenance Agreement and other pertinent agreements or policy statements/current practices with the City of Cottonwood to understand the roles and responsibilities of the Town in regards to providing water service to Clarkdale water customers.
- The Town Codes, including the Drought and Water Shortage Preparedness Plan, and any current practices and rate structures, to ensure consistency and to avoid redundancy. The Town General Plan will also be reviewed.
- Other cities and towns water codes (will review 3 different ones, and will pre-clear the 3 that have been selected with the Town Manager before review begins)

Willdan will circulate a draft of the outline for the water code, then meet with the following people/entities to review and receive comments on the outline of the water code:

- Town Manager, Public Works Director and staff
- Clarkdale Fire Department
- Cottonwood Utilities
- Cottonwood Assistant to City Manager

Deliverables

Willdan will deliver to the Town an outline of the water code (one electronic copy).

Schedule - 6 weeks

TOWN OF CLARKDALE, AZ
WATER CODE
2/15/07

2. Draft Water Code

Upon completion of Task #1, Willdan will prepare a draft Water Code for review and comment from the Town and others.

Willdan will meet with the following people/entities after they have reviewed and commented on the draft Water Code:

- Town Manager and staff
- Clarkdale Fire Department
- City of Cottonwood Utilities Department
- City of Cottonwood Assistant to City Manager

Following this meeting, Willdan will meet in a work session with the Town Council to receive Council comments, and review the comments received from the people/entities listed above with the Council.

Deliverables

Willdan will deliver to the Town the draft Water Code (one electronic copy)

Upon receiving review comments of the draft Water Code, Willdan will prepare an updated Draft Water Code for presentation and comment at a community Open House.

Schedule - 6 weeks

3. Final Water Code - Town Council Adoption

Upon receiving comments from the public of the draft Water Code, Willdan will prepare the final Water Code for additional comments, and, ultimately, Town Council approval and adoption.

Willdan will meet with the following people/entities after they have reviewed and commented on the draft Water Code:

- Town Council
- Town Manager and staff
- Clarkdale Fire Department
- City of Cottonwood Utilities Department

Deliverables

Final Water Code in Code format (one electronic copy) will be presented by Willdan at a Town Council meeting.

Schedule - 3 weeks