

**AMENDMENT NUMBER TWO  
TO PROFESSIONAL SERVICES AGREEMENT  
WITH  
DAVID VOLZ DESIGN LANDSCAPE ARCHITECTS, INC.**

This Amendment Number Two ("Amendment") is made and entered into this 5th day of May, 2020 ("Effective Date"), by and between the CITY OF COSTA MESA, a municipal corporation ("City"), and DAVID VOLZ DESIGN LANDSCAPE ARCHITECTS, INC., a California corporation ("Consultant").

WHEREAS, City and Consultant entered into an agreement on December 17, 2018 for Consultant to provide conceptual development services for playground improvements at Lions Park (the "Agreement"); and

WHEREAS, on February 5, 2019, City and Consultant amended the Scope of Services to include design services in connection with the playground improvements and increased Consultant's maximum compensation to Two Hundred Fifty-Six Thousand Four Hundred Fifteen Dollars (\$256,415.00); and

WHEREAS, City now desires to have Consultant provide additional design services in order to reduce the scope of work of the playground improvements and to have Consultant provide construction support services during construction of the playground improvements; and

WHEREAS, City and Consultant desire to amend the Scope of Services accordingly to include the additional services set forth in Exhibit "A," attached hereto and incorporated herein by this reference; and

WHEREAS, City desires to increase Consultant's maximum compensation accordingly to Three Hundred Six Thousand Three Hundred Sixty-Five Dollars (\$306,365.00).

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The Scope of Services shall be amended to include the additional services set forth in Exhibit A.
2. Section 2.1 of the Agreement shall be amended to reflect that Consultant's total compensation shall not exceed Three Hundred Six Thousand Three Hundred Sixty-Five Dollars (\$306,365.00). Consultant shall be paid according to the fee schedule set forth in Exhibit A.
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
4. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.
5. This Amendment may be executed in one or more counterparts, each of which shall be deemed an original. All counterparts shall be construed together and shall constitute one agreement. Counterpart written signatures may be transmitted by

facsimile, email or other electronic means and have the same legal effect as if they were original signatures.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

Doni Ann Jones H  
City Manager

Date: 6/8/20

CONSULTANT

[Signature]  
Signature  
David J. Volz, President  
Name and Title

Date: 5-20-2020

ATTEST:

Brenda Green 6-9-2020  
City Clerk



APPROVED AS TO FORM:

[Signature]  
City Attorney

Date: 6/5/20

APPROVED AS TO INSURANCE:

[Signature]  
Risk Management

Date: 5/28/2020

APPROVED AS TO CONTENT:

S. Yang for Arash Rahimian  
Project Manager

Date: 6/3/2020

DEPARTMENTAL APPROVAL:

Raja Sethuram  
Public Services Director

Date: 6-3-2020

APPROVED AS TO PURCHASING:

Carl S  
Assistant Finance Director

Date: May 26, 2020

**EXHIBIT A**  
**ADDITIONAL SERVICES**

April 21, 2020

[www.dvolzdesign.com](http://www.dvolzdesign.com)

Arash Rahimian  
Senior Engineer  
City of Costa Mesa  
77 Fair Drive  
Costa Mesa, CA 92626

**Home Office**  
151 Kalmus Drive, Suite. M8  
Costa Mesa, CA 92626  
phone 714.641.1300  
fax 714.641.1323

**Coachella Valley Office**  
78060 Calle Estado  
La Quinta, CA 92253  
phone 760.580.5165  
fax 760.564.0369

RE: SERVICES TO PROVIDE FOR REDUCED PROJECT CONSTRUCTION SCOPE FOR  
LIONS PARK PLAYLOT – Attached Site Plan Exhibit (March 13, 2020)

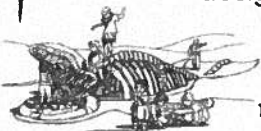
Dear Mr. Rahimian,

The city's planned reduce scope of work at the playlot will require new drawings and assistance during construction. DVD will provide the new plans as we have discussed this week. The goal of the new plans will be to provide sufficient construction documents for city to implement a revised scope to meet the new budget. The project focus will be on the playlot replacement, restroom replacement, and needed pathways to access the new improvements.

### Scope of Services

The bid plan set will be the basis for the new plan set that will identify the new reduced improvement program. See attached annotated Master Plan Map dated March 13, 2020. Updates to specifications and cost estimates will not be a part of this work. The following items will be addressed in the new plan set:

1. Restroom building: The restroom building plans will be as submitted and city plan checked in the previous project plan set and delivered with no design changes.
2. Demolition plans will be modified to address only the areas impacted by the new project program.
3. Grading plans will be modified to address only the areas impacted by the new project program. The site drainage collection and stormtech vault water storage will remain as designed. No changes to the previously prepared site hydrology study or the WQMP report are included herein. Playlot grades and building finish floor will be as previously designed resolution of grades at the edges of the new improvement program will be



resolved at the immediate perimeter of improvements. Utilities will be provided as previously designed.

4. Site layout plan will be updated to address only the new development program.
5. Construction details will be removed if not required and some adaptations in the field during the installing work will be anticipated.
6. Irrigation plans will not be included.
7. Planting plans will not be updated.
8. Electrical plans will be annotated by our electrical engineer to include only necessary rework of existing systems and feed to the restroom. No site electrical or lighting anticipated herein.
9. Playlot layout, equipment, surface, subsurface and edges are to remain as previously designed.
10. New site walkways (minimal) will be designed as shown or attached scoping map.
11. Coordination of trades, vendors, manufacturers, and suppliers will not be the responsibility of DVD.
12. Construction period assistance
  - Review submittals shop and drawings and RFI.
  - Provide construction observation of the work. (1 anticipated site meetings)

### **Proposed Professional Fee**

The following work tasks and professional fees are proposed for the revised scope to meet the new project budget.

Task 1 -	Landscape Architect	
	A. Redesign & Basemap Layout	\$ 5,000
	B. Construction Plans	\$ 13,600
	C. Project Management, Coordination & Submittal Preparation	\$ 5,000
	Task 1 Total	\$ 23,600
Task 2 -	Civil Engineering	
	A. Basemap & Demolition Plan	\$ 2,300
	B. Grading & Erosion Control Plan	\$ 5,290
	Task 3 Total	\$ 7,590
Task 3 -	Electrical Engineering	\$ 2,760

**DVD**



Task 4 - Construction Period Services

A. Prebid Meeting	\$ 500
B. Month 1	\$ 4,500
C. Month 2	\$ 3,500
D. Month 3	\$ 3,500
E. Month 4	\$ 2,000
F. Month 5	\$ 2,000

Task 5 Total \$ 16,000

**Total Proposed Fee \$ 49,950**

Any additional services, services not specifically identified above, will be provided on a time and material basis in addition the above fee. Additional services provided by consultants including site construction reviews will be billed at cost plus 15%.

These services will be provided by the DVD project team. The proposed delivery schedule is approximately 2 weeks, following notice to proceed, for plan review by the city. Follow-up revisions will be completed in approximately one week after city comments. Should you have any questions please do not hesitate to call.

Very truly yours,

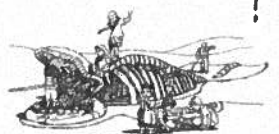
**DAVID VOLZ DESIGN**



David J. Volz, L.A. # 2375  
LEED Accredited Professional, QSD/QSP

Attachments: Lions Park Plans to be modified  
Annotated Master Plan

**DVD**



**Lions Park - Landscape, Restroom Improvements**



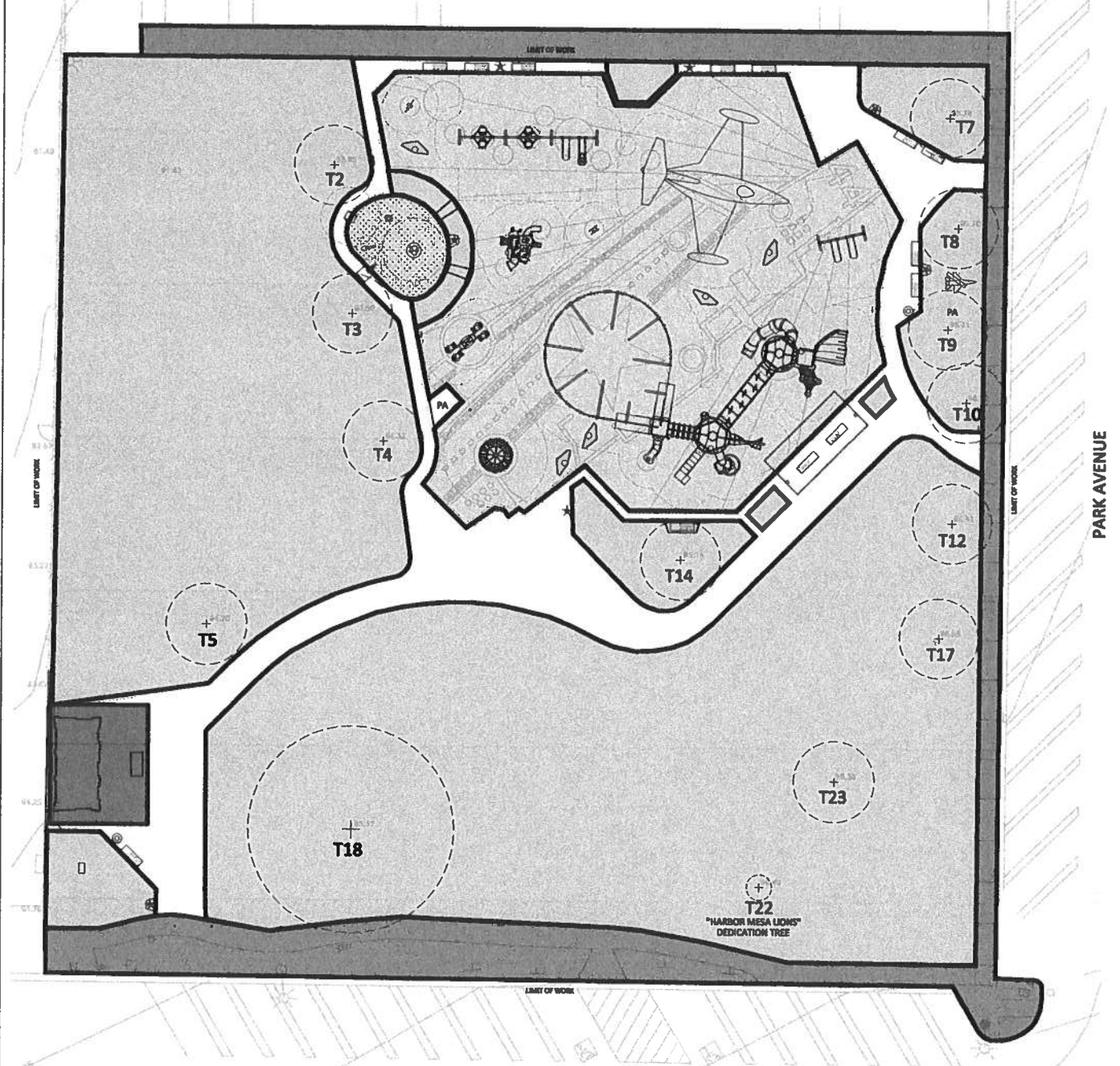
Plans to be Modified

Sheet	DWG No.	Description	Revisions Required
1	T.1	Coversheet	Modify
<b>Civil Engineering Plans</b>			
2	D.1	Demolition Plan	Modify
3	D.2	Demolition Plan	Modify
4	EC.1	Erosion Control Plan	Modify
5	EC.2	Erosion Control Plan	Modify
6	G.1	Grading Plan	Modify
7	G.2	Grading Plan	Modify
8	G.3	Details and Sections	No Change
9	G.4	Details and Sections	No Change
10	G.5	General Grading Notes	No Change
<b>Construction Plans</b>			
11	AC.1	Accessibility Plan	Modify
12	LC.1	Construction Legend	Modify
13	LC.2	Construction Plan	Modify
14	LC.3	Construction Plan	Modify
15	HC.1	Horizontal Control Plan	Modify
16	HC.2	Horizontal Control Plan	Modify
17	CD.1	Construction Details	Modify
18	CD.2	Construction Details	Delete
19	CD.3	Construction Details	Modify
20	CD.4	Construction Details	Delete
21	CD.5	Construction Details	Delete
22	CD.6	Construction Details	Delete
23	CD.7	Construction Details	No Change
24	CD.8	Construction Details	No Change
25	CD.9	Construction Details	No Change
26	CD.10	Construction Details	No Change
27	CD.11	Construction Details	No Change
<b>Irrigation Plans</b>			
28	LI.1	Irrigation Plan	Delete
29	LI.2	Irrigation Plan	Delete
30	LI.3	Irrigation Legend and Notes	Delete
31	LI.4	Irrigation Details	Delete
32	LI.5	Irrigation Details	Delete
<b>Planting Plans</b>			
33	LP.1	Planting Plan	Delete
34	LP.2	Planting Plan	Delete
35	LP.3	Planting Details	Delete
36	LP.4	Planting Details	Delete
<b>Architectural Plans</b>			
37-44		Plans	No Change
<b>Structural Plans</b>			



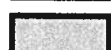

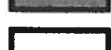


45-50		Plans	No Change
<b>Plumbing Plans</b>			
51-53		Plans	No Change
<b>Electrical Plans</b>			
54	EO.1	Electrical Legends and Notes	Modify
55	EO.2	Lumiere Schedule	Modify
56	EO.3	Title 24 Compliance	Modify
57	E-4-0.4	Single Line Diagram	Modify
58	E-1.1	Electrical Site Plan	Modify
59	E-1.2	Site Photometric	Delete
60	E-2.1	Restroom Electrical	No Change
61	E-3.1	Electrical Details	Modify
Specifications			No Changes
Bid Form/Estimates			No Changes

**DONALD DUNGAN LIBRARY  
SITE**



18TH STREET

-  PROTECT IN PLACE
-  EXISTING
-  PLAYGROUND AREA: 11,890 SF
-  RESTROOM: 740 SF
-  REMAINING:
  - PAVING
  - ELECTRICAL
  - SITE WORK

**MASTER PLAN**  
**LIONS PARK**  
CITY OF COSTA MESA