

**CITY OF FULLERTON
AMENDMENT NUMBER ONE TO AGREEMENT
WITH
DUDEK**

THIS AMENDMENT NUMBER ONE (“Amendment”) to the Agreement is made and entered on this _____ day of _____, 2022, by and between the CITY OF FULLERTON (“City”), and DUDEK. (“Consultant”).

RECITALS

A. On August 18, 2020, the City and the Consultant entered into an Agreement (“Agreement”) for the Consultant to provide various services relating to the development of a Housing Incentive Overlay Zone and applicable CEQA analysis.

B. The City and Consultant desire to amend the Agreement to include additional services as set forth herein.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, the parties hereby agree as follows:

1. Section 1.1 of the Agreement “Scope of Services”, is amended to include the additional services relating to project initiations, feasibility, form-based development standards and HIOZ regulations, preparations of Environmental Evaluation and Documentation, Adoption, and Implementation, as well as Attendance at various meetings as further outlined within the scope of work attached hereto as Exhibit “A.”

2. Section 2.1 of the Agreement, “Compensation,” is amended to include the additional charges in accordance with the fee schedule set forth in Exhibit A.

3. Section 4.1 of the Agreement “Term” is amended to include an additional year from the effective date and continue through July 31, 2024 or upon completion of all tasks within the scope of work attached hereto as Exhibit “A”.

4. Except as set forth in this Amendment, all terms and provisions of the original Agreement shall remain in full force and in effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers.

CITY OF FULLERTON

Eric Levitt, City Manager

Date: _____

CONSULTANT – DUDEK

DocuSigned by:

61A12CB5F28F42F...

Joseph Monaco, President and CEO

Date: 7/23/2022 | 11:07:12 PM PDT

95-3873865
Social Security or Taxpayer ID Number

APPROVAL AS TO FORM

Richard D. Jones, City Attorney

EXHIBIT A

DUDEK

38 NORTH MARENGO AVENUE
PASADENA, CALIFORNIA 91101
T 626.204.9800 F 626.204.9834

30 March 2022

Via email

Gregory Pfost, AICP
Interim Director of Community & Economic Development
City of Fullerton
303 W. Commonwealth Avenue, Fullerton, CA 92832

Re: Additional Development Standards and CEQA services proposal for preparation of Housing Incentive Overlay Zone

Dear Greg,

As discussed, please find attached our proposal to provide additional services for:

1. Developing city-wide standards for residential development
2. Expanded CEQA-related analyses in preparation of the City of Fullerton's Housing Incentive Overlay Zone (HIOZ).

The requested amount is \$120,800 to supplement the existing contract value of \$334,870 for a revised contract amount of **\$455,760**.

Please also note that as per California HCD's email approval (Colin Cross, 2/17/2022, attached), HIOZ has been approved to expend \$145,670 of Fullerton's LEAP funds. This supplements the original \$310,000 of SB2 funds allocated to HIOZ. Therefore, the entirety of the HIOZ contract, post-amendment, is funded by a combination of SB2 and LEAP funds.

Please let me know if you have any questions.

Thanks.



Gaurav Srivastava
Project Manager
Dudek

**HOUSING INCENTIVE OVERLAY ZONE
Dudek Amendment #1**

Contracted tasks in the original scope of work are proposed to be revised to accommodate additional services. A summary of the additional work effort along with the additional cost are provided below. A detailed spreadsheet is attached for reference.

Task A: INTIATION OF PROJECT/KICK-OFF: +\$1,200

- Kickoff meeting to map out scope and schedule of expanded development standards and EIR work effort.

TASK B: EXISTING CONDITIONS AND FEASIBILITY REPORT: +\$7,600

- Expanded effort to review and analyze existing citywide residential standards and evaluate needed revisions. Additional stakeholder discussions.

TASK C: FORM-BASED DEVELOPMENT STANDARDS AND HIOZ REGULATIONS: +\$33,000

- Expanded effort to prepare citywide development standards for residential development.

TASK D: PREPARATION OF ENVIRONMENTAL EVALUATION AND DOCUMENT: +\$67,400

- Expanded effort to conduct and prepare CEQA regulatory documents to account for larger HIOZ footprint than originally scoped.

TASK E: ADOPTION AND IMPLEMENTATION: No change

TASK F: ATTENDANCE AT MEETINGS: +\$11,600

- Additional project management and coordination required to address increased scope and project timeline.

Revised Project Budget			
	Original Contract	Amendment #1 Changes	Total after Amendment #1
Task A: INTIATION OF PROJECT/KICK-OFF	\$4,150	+\$1,200	\$5,350
TASK B: EXISTING CONDITIONS AND FEASIBILITY REPORT	\$105,080	+\$7,600	\$112,680
TASK C: FORM-BASED DEVELOPMENT STANDARDS AND HIOZ REGULATIONS	\$47,100	+\$33,000	\$80,100
TASK D: PREPARATION OF ENVIRONMENTAL EVALUATION AND DOCUMENT	\$154,705	+\$67,400	\$222,105
TASK E: ADOPTION AND IMPLEMENTATION	\$3,320	\$0	\$3,320
TASK F: ATTENDANCE AT MEETINGS	\$20,515	\$11,600	\$32,115
TOTAL	\$334,870	+\$120,800	\$455,670

CITY OF FULLERTON - HIOZ

DUDEK ORIGINAL CONTRACT AMOUNTS

DUDEK ORIGINAL CONTRACT AMOUNTS						AMENDMENT #1			
DUDEK	VERONICA TAM & ASSOCIATES	PROFORMA ADVISORS	CONSENSUS	REIMBURSABLES	ORIGINAL TASK TOTAL	DUDEK ADD SERVICE	ADDITIONAL REIMBURSABLES	AMENDMENT #1 TOTAL	NEW CONTRACT TOTAL
TASK A — INITIATION OF THE PROJECT/KICK-OFF									
Task A: Initiation of the project/kick-off and study session	\$2,300	\$400	\$600	\$650	\$4,150	\$1,200	\$0	\$1,200	\$5,350
TASK B — EXISTING CONDITIONS AND FEASIBILITY REPORT									
Task B1: Data Gathering and Site Confirmation	\$9,320	\$0	\$0	\$400	\$9,720			\$0	
Task B2: Stakeholder and Community Engagement and Visioning	\$9,080	\$1,200	\$1,400	\$24,350	\$36,430	\$6,400	\$1,200	\$7,600	
Task B3: Existing Conditions and Development Feasibility Report	\$17,090	\$2,400	\$12,000	\$0	\$31,890			\$0	
Task B4: Illustrative Pro Forma	\$15,640	\$0	\$9,000	\$0	\$25,040			\$0	
TASK C — FORM-BASED DEVELOPMENT STANDARDS AND HIOZ REGULATIONS									
Task C1: Form-based development standards	\$19,600	\$0	\$0	\$100	\$19,700	\$18,600		\$18,600	
Task C2: HIOZ regulations	\$13,200	\$2,400	\$0	\$100	\$15,700			\$0	
Task C3: Draft standards and regulations for incorporation into Code	\$11,600	\$0	\$0	\$100	\$11,700	\$14,400		\$14,400	
TASK D — PREPARATION OF ENVIRONMENTAL EVALUATION AND DOCUMENT									
Task D: Preparation of environmental evaluation and document	\$154,105	\$0	\$0	\$600	\$154,705	\$66,200	\$1,200	\$67,400	\$222,105
TASK E — ADOPTION & IMPLEMENTATION									
Task E: Adoption & Implementation	\$3,220	\$0	\$0	\$100	\$3,320			\$0	\$3,320
TASK F — ATTENDANCE AT MEETINGS									
Task F1: Attendance at bi-weekly coordination meetings	\$11,160	\$0	\$0	\$160	\$11,320	\$4,400	\$400	\$4,800	
Task F2: Attendance at public meetings	\$9,095	\$0	\$0	\$100	\$9,195	\$6,400	\$400	\$6,800	
TOTAL	\$275,410	\$6,400	\$23,000	\$25,000	\$334,870	\$117,600	\$3,200	\$120,800	\$455,670