

**City of Garden Grove**

**INTER-DEPARTMENT MEMORANDUM**

To: Matthew Fertal  
Dept: City Manager  
Subject: AMENDMENT TO THE AGREEMENT WITH SCOTT FAZEKAS & ASSOCIATES, INC. FOR PLAN CHECK SERVICES

From: Susan Emery  
Dept: Community Development  
Date: July 12, 2011

OBJECTIVE

The purpose of this report is to request approval of Amendment No. 4 to the Agreement with Scott Fazekas & Associates, Inc. (SFA) for plan review services.

BACKGROUND

The Building Services Division is responsible for providing construction plan review services in order to ensure the safety of building occupants within homes, work places, worship centers, and other buildings constructed within Garden Grove.

In February 2006, the City Council approved the original plan check consultant contract with SFA. Since then, SFA staff has been providing quality plan review services for complex construction projects on an "as-needed" basis, thereby enabling our City to respond quickly and effectively during peak periods of plan review activity. The extension of the latest contract is desired so that the City can continue to provide the level of plan review service expected by those we serve.

SFA employs trained California registered engineers, architects, and/or certified code professionals. They provide a comprehensive review of building, plumbing, mechanical, and electrical system plans for compliance to State and local codes.

DISCUSSION

The amended term of this contract extends the original contract through June 30, 2012, with total compensation not to exceed five hundred thousand dollars (\$500,000.00), which is funded with plan check fees paid by developers or the Agency. This is an increase in compensation from \$250,000.00 in the original contract due a to one time increase in demand for plan check services related to the Great Wolf Resorts, Inc. development project, which will be paid by McWhinney Enterprises as part of its development fees.

EXTENSION AND INCREASE OF SCOTT FAZEKAS &  
ASSOCIATES, INC. PLAN CHECK  
CONSULTING CONTRACT  
July 12, 2011  
Page 2

FINANCIAL IMPACT

The agreement has a total compensation not to exceed five hundred thousand dollars (\$500,000.00) funded with plan check fees.. The amount in the contract is budgeted in the General Fund and no additional funding is needed.

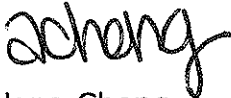
RECOMMENDATION

It is recommended that the City Council:

- Approve Amendment No. 4 to the agreement with Scott Fazekas & Associates, Inc. in the amount of \$500,000.00 for one year; and
- Authorize the City Manager to execute the agreement and amendments thereto, on behalf of the City.



SUSAN EMERY  
Community Development Director



By: Alana Cheng  
Administrative Aide

Attachment 1: Amendment No. 4 to the Scott Fazekas & Associates, Inc.  
Agreement

**Recommended for Approval**



**Matthew Fertal**  
City Manager

**CITY OF GARDEN GROVE**

**AMENDMENT NO. 4**

**Plan Check Services**

This Amendment No. **4** to furnish **Plan Check Services** is made and entered into this 12<sup>th</sup> day of July 2011, by and between the **CITY OF GARDEN GROVE**, hereinafter referred to as "CITY", and **Scott Fazekas & Associates, Inc.**, hereinafter referred to as "CONTRACTOR".

WHEREAS, CONTRACTOR and CITY entered into Contract No. **08-2357**, effective **October 10, 2007** for Plan Check Services (the "Existing Contract").

WHEREAS, CONTRACTOR and CITY desire to amend the Existing Contract as provided herein.

Now, therefore, it is mutually agreed, by and between the parties as follows:

Section 1.0, Term and Termination of the Existing Contract, shall be amended as follows:

This Amendment No. **4** hereby extends the performance period to cover services rendered from **July 1, 2011** to **June 30, 2012**.

Section 3.0. COMPENSATION - shall be amended as follows:

The contract price is hereby **increased** from **\$250,000** to a new Firm Fixed Price of **\$500,000**. This is an increase of \$250,000 to cover additional plan check fees associated with the new development project, Great Wolf Resorts, Inc; which is funded entirely with plan check fees paid by the developer, McWhinney Enterprises.

Contractor shall be compensated in accordance with the hourly rates set forth in Exhibit C to Contract No. 08-2357. In no event shall compensation for the extended performance period exceed the total amount of **\$500,000**.

Except as expressly amended hereby, all of the terms and conditions in the Existing Contract remains in full force and effect as originally executed

IN WITNESS WHEREOF, the parties have caused this Amendment No. 4 to the Existing Contract to be executed by their respective officers duly authorized on the date first written above.

Date: 6-23-11

**"CITY"**  
**CITY OF GARDEN GROVE**

By: \_\_\_\_\_  
**City Manager**

**ATTESTED:**

\_\_\_\_\_  
**City Clerk**

Date: \_\_\_\_\_

**"CONTRACTOR"**  
**Scott Fazekas & Associates, Inc.**

By: *Scott R. Fazekas*

Name: Scott R. Fazekas

Title: President/CFO

Date: 6/20/11

If CONTRACTOR is a corporation, a Corporate Resolution and/or Corporate Seal is required. If a partnership, Statement of Partnership must be submitted to CITY.

**APPROVED AS TO FORM:**

*James A. Eggert*  
Garden Grove City Attorney

6/23/2011

Date