



staff report

TO: Honorable Mayor and Members of the City Council

ATTENTION: Jeffrey L. Stewart, City Manager

FROM: Len Gorecki, Director of Public Works

SUBJECT: Consideration and possible action to receive and file Amendment No. 3 to Agreement File No. 667, in a form approved by the City Attorney, with Epic Land Solutions, Inc., to provide additional right-of-way services for the Bellflower Boulevard Widening Project, between Artesia Blvd. and SR-91.

DATE: November 14, 2016

EXECUTIVE SUMMARY

This action would authorize the City Manager to execute Amendment No. 3 to Agreement File No. 667 (Amendment) with Epic Land Solutions, Inc. (Epic). The Amendment will provide additional right-of-way services to partially acquire three properties that are required for the Bellflower Boulevard Widening Project.

RECOMMENDATION TO CITY COUNCIL

- 1) Receive and file Amendment No. 3 to Agreement File No. 667, in a form approved by the City Attorney; or
- 2) Alternatively, discuss and take other action related to this item.

FISCAL IMPACT

The Amendment includes additional land acquisition services and updated appraisal reports for \$21,850. The City had previously budgeted a not-to-exceed amount of \$450,000 under Agreement File No. 667. This amount is sufficient to cover the additional \$21,850. All costs authorized under this Amendment will be charged to the Bellflower Boulevard Widening Project using Measure R grant funds budgeted in Account No. 030-47654-9000.

DISCUSSION

On April 13, 2015, City Council approved Agreement File No. 667 with Epic to value various properties on Bellflower Boulevard and Lakewood Boulevard. Since then, the Agreement has been amended on August 10, 2015 and June 13, 2016 to include additional services that would be necessary to acquire any of the properties in the future. These services included acquisition and goodwill services, preliminary title

Staff Report – Amendment No. 3 to AFN 667 with Epic Land Solutions, Inc.

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reports, and relocation services for seven previously unidentified residential tenants. The total not-to-exceed cost payable to Epic under the amended Agreement was \$450,000.

Thus far, Epic has provided services related to the full acquisition of three properties located on 17325 Bellflower Boulevard and 17311-17 Bellflower Boulevard. Epic’s services pertaining to these properties are identified as “Priority 1” under Exhibit A of Agreement File No. 667. A portion of these properties is required to complete the Bellflower Boulevard Widening Project. Upon further discussion with the Metropolitan Transportation Authority (Metro), which manages the City’s Measure R grant that is financing the Project, the City determined it would be more effective to acquire only the portion needed for the Project and revised its acquisition efforts accordingly.

The revision will require Epic to perform additional hours of acquisition services that are specific to a partial acquisition and update existing fixtures and equipment reports required by Metro. Under Amendment No. 3 to Agreement File No. 667, the proposed cost for these additional services is \$21,850. Funds to cover this amount are available under the not-to-exceed amount of \$450,000 budgeted under Agreement File No. 667. The Amendment would also extend the term of Agreement File No. 667 from June 30, 2017 to June 30, 2018.

ATTACHMENT

Agreement File No. 667 – Amendment No. 3..... 3

**AMENDMENT NO. 3 TO
AGREEMENT FILE NO. 667 BETWEEN
THE CITY OF BELLFLOWER AND
EPIC LAND SOLUTIONS, INC.
FOR ADDITIONAL RIGHT-OF-WAY SERVICES**

THIS AMENDMENT NO. 3 ("Amendment") is made and entered into this 14TH day of November 2016, by and between the CITY OF BELLFLOWER, a general law city and municipal corporation ("CITY"), and Epic Land Solutions, Inc., a California corporation ("CONSULTANT").

1. Exhibit A of the Agreement is amended by adding the attached Exhibit A: Proposal for Additional Right-of-Way services.

2. Section 1 is amended to read as follows:

This Amendment shall commence on November 14, 2016, and shall remain and continue in effect until tasks described herein are completed, but in no even later than June 30, 2018.

3. This Amendment may be executed in any number or counterparts, each of which will be an original, but all of which together constitutes one instrument executed on the same date.

4. Except as modified by this Amendment, all other terms and conditions of Agreement File No. 667 remain the same.

IN WITNESS WHEREOF, the parties hereto have executed this contract the day and year first hereinabove written.

CITY OF BELLFLOWER

EPIC LAND SOLUTIONS, INC.

Jeffrey L. Stewart, City Manager

Holly Rockwell, President

ATTEST:

Mayra Ochiqui, City Clerk

Taxpayer ID No. 95-4813025

APPROVED AS TO FORM:

Karl H. Berger, City Attorney

ATTACHMENT

Exhibit A: Proposal for Additional Right of Way Services

Epic Land Solutions, Inc.

2601 Airport Drive, Suite 115
Torrance, CA 90505

Phone: (310) 626-4848
Fax: (310) 891-3348

October 28, 2016

Catherine Jun
City of Bellflower
16600 Civic Center Dr.
Bellflower, CA 90706

RE: Proposal for Additional Right of Way Services for City of Bellflower

Dear Ms. Jun:

Epic Land Solutions, Inc., (“Epic”) is pleased to provide this proposal for additional right of way services to the City of Bellflower (“City”).

Assignment Understanding

Update Preliminary Title Reports (PTRs)

Epic will coordinate with Chicago Title on the update of two (2) PTRs for the following:

- 1) 10477 Holdings, LLC
- 2) Victory Associates

Update FF&E Appraisals

Epic will coordinate with DM&A on the update of five (5) FF&E appraisals for the following:

- 1) Clear Channel Poster Panel
- 2) Super Bionicos
- 3) Funtastic, Inc.
- 4) Ricci's Italian Deli
- 5) Victory Home Medical Supply

Assumption: Per City's request, Epic will only request Updated FF&E Appraisals, but will not review. Metro will review appraisals and communicate directly with DM&A regarding any comments/revisions that may arise.

Additional Acquisition Services

METRO has required the re-negotiations for the acquisition of 10477 Holdings, LLC and Victory Associates based upon the above appraisal updates for the FF&E and the revised Real Estate appraisals to be performed by METRO's Appraiser.

- 1) Prepare Offer Packages
- 2) Diligence Negotiations
- 3) Work with City's Title Company to close escrow
- 4) Condemnation Support
- 5) Maintain Parcel Files

Fees

Epic's total fee for the assignment is \$21,850.00.

If this proposal is acceptable to you, please draft an amendment to Agreement File No. 667 and send to us for review and signature.

Please contact me at (424) 203-0359 if you have any questions.

Sincerely,

Ron Wicks
Regional Manager

Cost Proposal

City of Bellflower Additional Services

First Priority - Additional Services

| | Project Manager | Acquisition Agent | Relocation Agent | Project Support | Administrative Support | | |
|----------------------------------------------------|-----------------|-------------------|------------------|-----------------|------------------------|--------------------|-------------------|
| Hourly Rate | \$ 168.00 | \$ 126.00 | \$ 89.25 | \$ 84.00 | \$ 52.50 | | |
| Services | | | | | | TOTAL HOURS | TOTAL COST |
| Coordination of Preliminary Title Reports (2 PTRs) | 2 | 2 | 2 | 4 | 2 | 12 | \$1,208 |
| Request Updated FF&E's | 1 | | | 2 | 2 | 5 | \$441 |
| Revised Acquisiton | 10 | 55 | 5 | 25 | 12 | 107 | \$11,786 |
| TOTALS | 13 | 57 | 7 | 31 | 16 | 124 | \$13,435 |

Other Direct Costs

| | |
|-----------------------|--------------|
| Travel/Mileage | \$175 |
| Postage/Delivery | \$85 |
| Copies/Reproduction | \$55 |
| Digital Data Services | \$200 |
| ODCs | \$515 |

Subconsultants/Management

| | |
|-----------------------------------------|---------|
| Preliminary Title Reports (2) - Updated | \$600 |
| FF&E Appraisals (5) - Updated | \$7,300 |
| | \$7,900 |

| | |
|--------------------|-----------------|
| Total Costs | \$21,850 |
|--------------------|-----------------|