

CONSULTANT AGREEMENT

THIS AGREEMENT is made this **12th** day of **January** 2016, by the CITY OF GARDEN GROVE, a municipal corporation, ("CITY"), and Engineering Resources of Southern California, Inc., a California Corporation ("CONSULTANT").

RECITALS

The following recitals are a substantive part of this Agreement:

1. This Agreement is entered into pursuant to Garden Grove Council authorization dated **January 12, 2016**
2. CITY desires to utilize the services of CONSULTANT to provide On-Call Civil Engineering Plan Checking and Construction Inspection services.
3. CONSULTANT is qualified by virtue of experience, training, education and expertise to accomplish services.

AGREEMENT

THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. **Term of Agreement:** The term of this Agreement shall be for a period of three (3) years commencing upon the date of full execution of the Agreement.
 - a. Following expiration of the original term as described above, there will be an option to extend said Agreement for two (2) additional two (2) year terms, (from the date of execution), Option years shall be the sole option of the CITY. This Agreement may be terminated by the CITY without cause. In such event, the CITY will compensate CONSULTANT for work performed to date in accordance with proposal, which is attached as Exhibit A and is hereby incorporated by reference. CONSULTANT is required to present evidence to support performed work.
2. **Services to be Provided:** The services to be performed by CONSULTANT shall consist of the services as further specified in CONSULTANT'S proposal attached hereto as Exhibit "A" and incorporated herein by reference. CONSULTANT agrees that is provision of Services under this agreement shall be within accepted accordance with customary and usual practices in CONSULTANT'S profession. By executing this Agreement, CONSULTANT warrants that it has carefully considered how the work should be performed and fully understands the facilities, difficulties, and restrictions attending performance of the work under this agreement.
3. **Compensation.** CONSULTANT shall be compensated as follows:

- 3.1 Amount. CONSULTANT shall be compensated in accordance with the rate schedule set forth in Exhibit "B".
- 3.2 Not to Exceed. The Parties agree that CONSULTANT shall bill for the Services provided by CONSULTANT to City on an hourly basis, except where otherwise set forth herein, provided compensation under this Proposal shall not exceed \$500,000. CONSULTANT warrants that all services will be performed in a competent, professional and satisfactory manner in accordance with the standards prevalent in the industry for such services. CONSULTANT shall not be compensated for any services rendered in connection with its performance of this Agreement, which are in addition to those set forth herein, unless such additional services are authorized in advance and in writing by the City Manager. The Proposal and this Agreement do not guarantee any specific amount of work.
- 3.3 Payment. For work under this Agreement, payment shall be made per monthly invoice. For extra work not a part of this Agreement, a written authorization by CITY will be required and payment shall be based on hourly rates as provided in Exhibit "B".
- 3.4 Records of Expenses. CONSULTANT shall keep complete and accurate records of payroll costs, travel and incidental expenses. These records will be made available at reasonable times to CITY.
- 3.5 Termination. CITY and CONSULTANT shall each have the right to terminate this Agreement, without cause, by giving thirty-(30) days written notice of termination to the other party. If CITY terminates the project, then the provisions of paragraph 3 shall apply to that portion of the work completed.

4. **Insurance Requirements**

- 4.1 Commencement of Work CONSULTANT shall not commence work under this Agreement until all certificates and endorsements have been received and approved by the CITY. All insurance required by this Agreement shall contain a Statement of Obligation on the part of the carrier to notify the CITY of any material change, cancellation, or termination at least thirty (30) days in advance.
- 4.2 Workers Compensation Insurance For the duration of this Agreement, CONSULTANT and all subcontractors shall maintain Workers Compensation Insurance in the amount and type required by law, if applicable. The insurer shall waive its rights of subrogation against the CITY, its officers, officials, agents, employees, and volunteers.
- 4.3 Insurance Amounts CONSULTANT shall maintain the following insurance for the duration of this Agreement:

- a) Commercial general liability in the amount of \$1,000,000 per occurrence; (claims made and modified occurrence policies are not acceptable); Insurance companies must be admitted and licensed in California and have a Best's Guide Rating of A-, Class VII or better, as approved by the CITY;
- b) Automobile liability in the amount of \$1,000,000 per occurrence; (claims made and modified occurrence policies are not acceptable) Insurance companies must be admitted and licensed in California and have a Best's Guide Rating of A-, Class VII or better, as approved by the CITY.
- c) Professional liability in the amount of \$1,000,000 per occurrence; Insurance companies must be acceptable to CITY and have an AM Best's Guide Rating of A-, Class VII or better, as approved by the CITY. If the policy is written on a "claims made" basis, the policy shall be continued in full force and effect at all times during the term of the agreement, and for a period of three (3) years from the date of the completion of services provided. In the event of termination, cancellation, or material change in the policy, professional/consultant shall obtain continuing insurance coverage for the prior acts or omissions of professional/consultant during the course of performing services under the term of the agreement. The coverage shall be evidenced by either a new policy evidencing no gap in coverage, or by obtaining separate extended "tail" coverage with the present or new carrier.

An Additional Insured Endorsement, **ongoing and completed operations**, for the policy under section 4.3 (a) shall designate CITY, its officers, officials, employees, agents, and volunteers as additional insureds for liability arising out of work or operations performed by or on behalf of the CONSULTANT. CONSULTANT shall provide to CITY proof of insurance and endorsement forms that conform to city's requirements, as approved by the CITY.

An Additional Insured Endorsement for the policy under section 4.3 (b) shall designate CITY, its officers, officials, employees, agents, and volunteers as additional insureds for automobiles owned, lease, hired, or borrowed by CONSULTANT. CONSULTANT shall provide to CITY proof of insurance and endorsement forms that conform to CITY's requirements, as approved by the CITY.

For any claims related to this Agreement, CONSULTANT's insurance coverage shall be primary insurance as respects to CITY, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the CITY, its officers, officials, employees, agents, or volunteers shall be excess of the CONSULTANT's insurance and shall not contribute with it.

If CONTRACTOR maintains higher insurance limits than the minimums shown above, CONTRACTOR shall provide coverage for the higher insurance limits otherwise maintained by the CONTRACTOR.

5. **Non-Liability of Officials and Employees of the CITY.** No official or employee of CITY shall be personally liable to CONSULTANT in the event of any default or breach by CITY, or for any amount, which may become due to CONSULTANT.
6. **Non-Discrimination.** CONSULTANT covenants there shall be no discrimination against any person or group due to race, color, creed, religion, sex, marital status, age, handicap, national origin or ancestry, in any activity pursuant to this Agreement.
7. **Independent Contractor.** It is understood and agreed that CONSULTANT, including CONSULTANT's employees, shall act and be independent contractor(s) and not agent(s) or employee(s) of CITY, and that no relationship of employer-employee exists between the parties. CONSULTANT's assigned personnel shall not obtain or be entitled to any rights or benefits that accrue to, or are payable to, CITY employees, and CONSULTANT shall so inform each employee organization and each employee who is hired or retained under this Agreement. CITY is not required to make any deductions or withholdings from the compensation payable to CONSULTANT under the provisions of this Agreement, and is not required to issue W-2 Forms for income and employment tax purposes for any of CONSULTANT's assigned personnel. CONSULTANT hereby expressly assumes all responsibility and liability for the payment of wages and benefits to its assigned personnel, and all related reporting and withholding obligations. CONSULTANT hereby agrees to indemnify and hold CITY harmless from any and all claims or liabilities that CITY may incur arising from any contention by any third party, including, but not limited to, any employee of CONSULTANT or any federal or state agency or other entity, that an employer-employee relationship exists by reason of this Agreement, including, without limitation, claims that CITY is responsible for retirement or other benefits allegedly accruing to CONSULTANT's assigned personnel.
8. **Compliance With Law.** CONSULTANT shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government. CONSULTANT shall comply with, and shall be responsible for causing all contractors and subcontractors performing any of the work pursuant to this Agreement, if any, to comply with, all applicable federal and state labor standards, including, to the extent applicable, the prevailing wage requirements promulgated by the Director of Industrial Relations of the State of California Department of Labor. The City makes no warranty or representation concerning whether any of the work performed pursuant to this Agreement constitutes public works subject to the prevailing wage requirements.

9. **Disclosure of Documents.** All documents or other information developed or received by CONSULTANT are confidential and shall not be disclosed without authorization by CITY, unless disclosure is required by law.
10. **Ownership of Work Product.** All documents or other information developed or received by CONSULTANT shall be the property of CITY. CONSULTANT shall provide CITY with copies of these items upon demand or upon termination of this Agreement.
11. **Conflict of Interest and Reporting.** CONSULTANT shall at all times avoid conflict of interest or appearance of conflict of interest in performance of this Agreement.
12. **Notices.** All notices shall be personally delivered or mailed to the below listed addresses, or to such other addresses as may be designated by written notice. These addresses shall be used for delivery of service of process.

(a) Address of CONSULTANT is as follows:

Robert Righetti
 Engineering Resources of Southern California, Inc.
 3550 East Florida Ave. Suite B
 Hemet, CA 92544

(b) Address of CITY is as follows (with a copy to):

Engineering:	City Attorney
City of Garden Grove	City of Garden Grove
P.O. Box 3070	P.O. Box 3070
Garden Grove, CA 92840	Garden Grove, CA 92840

13. **CONSULTANT'S Proposal.** This Agreement shall include CONSULTANT'S proposal, Exhibit "A" hereto, which shall be incorporated herein. In the event of any inconsistency between the terms of the proposal and this Agreement, this Agreement shall govern.
14. **Licenses, Permits and Fees.** At its sole expense, CONSULTANT shall obtain a **Garden Grove Business License**, all permits and licenses as may be required by this Agreement.
15. **Familiarity With Work.** By executing this Agreement, CONSULTANT warrants that: (1) it has investigated the work to be performed; (2) it has investigated the site of the work and is aware of all conditions there; and (3) it understands the facilities, difficulties and restrictions of the work under this Agreement. Should CONSULTANT discover any latent or unknown conditions materially differing from those inherent in the work or as represented by

CITY, it shall immediately inform CITY of this and shall not proceed, except at CONSULTANT'S risk, until written instructions are received from CITY.

16. **Time of Essence.** Time is of the essence in the performance of this Agreement.
17. **Limitations Upon Subcontracting and Assignment.** The experience, knowledge, capability and reputation of CONSULTANT, its principals and employees were a substantial inducement for CITY to enter into this Agreement. CONSULTANT shall not contract with any other entity to perform the services required without written approval of the CITY. This Agreement may not be assigned voluntarily or by operation of law, without the prior written approval of CITY. If CONSULTANT is permitted to subcontract any part of this Agreement, CONSULTANT shall be responsible to CITY for the acts and omissions of its subcontractor as it is for persons directly employed. Nothing contained in this Agreement shall create any contractual relationship between any subcontractor and CITY. All persons engaged in the work will be considered employees of CONSULTANT. CITY will deal directly with and will make all payments to CONSULTANT.
18. **Authority to Execute.** The persons executing this Agreement on behalf of the parties warrant that they are duly authorized to execute this Agreement and that by executing this Agreement, the parties are formally bound.
19. **Indemnification.** To the fullest extent permitted by law, CONSULTANT agrees to protect, defend, and hold harmless CITY and its elective or appointive boards, officers, agents, and employees from any and all claims, liabilities, expenses, or damages of any nature, including attorneys' fees, for injury or death of any person, or damages of any nature, including interference with use of property, arising out of, or in any way connected with the negligence, recklessness and/or intentional wrongful conduct of CONSULTANT, CONSULTANT'S agents, officers, employees, subcontractors, or independent contractors hired by CONSULTANT in the performance of the Agreement. The only exception to CONSULTANT'S responsibility to protect, defend, and hold harmless CITY, is due to the negligence, recklessness and/or wrongful conduct of CITY, or any of its elective or appointive boards, officers, agents, or employees.

This hold harmless agreement shall apply to all liability regardless of whether any insurance policies are applicable. The policy limits do not act as a limitation upon the amount of indemnification to be provided by CONSULTANT.

20. **Modification.** This Agreement constitutes the entire agreement between the parties and supersedes any previous agreements, oral or written. This Agreement may be modified only by subsequent mutual written agreement executed by CITY and CONSULTANT.

21. **Waiver.** All waivers of the provisions of this Agreement must be in writing by the appropriate authorities of the CITY and CONSULTANT.
22. **California Law.** This Agreement shall be construed in accordance with the laws of the State of California. Any action commenced about this Agreement shall be filed in the central branch of the Orange County Superior Court.
23. **Interpretation.** This Agreement shall be interpreted as though prepared by both parties
24. **Preservation of Agreement.** Should any provision of this Agreement be found invalid or unenforceable, the decision shall affect only the provision interpreted, and all remaining provisions shall remain enforceable.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS THEREOF, these parties hereto have caused this Agreement to be executed as of the date set forth opposite the respective signatures.

**"CITY"
CITY OF GARDEN GROVE**

Dated: _____, 2016

By: _____
City Manager

ATTEST

**"CONSULTANT"
Engineering Resources**

City Clerk

By: 
Title: John M. Brudin, President

Dated: _____, 2016

Dated: December 22, _____, 2015

APPROVED AS TO FORM:

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

Garden Grove City Attorney

Dated: _____, 2016

EXHIBIT "A"

PROPOSAL

October 29, 2015

City of Garden Grove
Mr. Dan Candelaria, City Engineer
11222 Acacia Parkway
Garden Grove, CA. 92840

RE: Fee Proposal (Schedule) for Professional Civil Engineering Plan Checking &
Construction Inspection Services

Dear Dan:

Please find enclosed our fee proposal for Engineering Resources of Southern California, Inc., (ERSC), to provide As-Needed Professional Civil Engineering Plan Checking and Construction Inspection Services of land development projects in the City of Garden Grove. Recognizing that this is a proposal for ongoing services over an extended period of time, our fee proposal has been crafted to pass on to the city substantial cost savings from our adopted schedule of hourly rates. Recognizing that the city has been a good client in the past, we wanted to extend to you the best competitive rates possible so that the city can obtain these services under a budget neutral scenario. We would also extend the offer to the city to discuss or negotiate any of our fees contained in this proposal or the methodologies proposed as necessary in order to obtain the best rate possible for the city that meets that goal.

After careful review of the City's current adopted fee schedule, we believe that not all of the requested services that need to be performed are covered under the adopted fees. However, we believe that we can perform most of the necessary work under the city's current fee schedule. We would propose the following:

1. Where a task is covered by an hourly rate under the city's adopted fee schedule, we will perform the work for that adopted hourly rate.
2. Where a task is covered by a percent of project cost, we will perform the work for 90% of the fee collected by the city. This will leave 10% for the city's own administration purposes.
3. Where a task is not covered under the current city fee schedule, and the city wishes us to proceed with the work, we will use the attached hourly rate schedule for our team members. (See Attachment "1").

October 29, 2015

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We will use a system of project specific tracking numbers for our billing so that every project and task assignment will be documented to allow audit and monitoring of all effort expended by our team members. For assignments performed under an hourly rate, invoicing will show the amount of hours and the allowable rate under the city's fee schedule and the approved agreement. For assignments performed under a percent of fees collected, the amount of the fee collected under the city's fee schedule and the percent being invoiced from that fee will be shown. Invoicing for percent of fee work will be done by an estimate of the percentage of the work completed. Typical billing stages for percent of fee effort is 50% complete, 75% complete and 100% complete. However, these terms can be discussed and refined during negotiations with the city.

One of the problems that can develop is related to projects that require extensive reviews and coordination, exceeding the normal process of 3 or 4 submittals. When these projects are encountered, we will issue a "Project in Trouble" report, and a meeting will be held with the developer and his design engineer. It may be necessary at the meeting to impose additional fees upon the developer in order to cover the time and effort that may be required to achieve an approvable set of plans and support documentation. It is anticipated that the city will work with us to obtain adequate compensation from the developer to cover the cost of processing his project.

All in all, it is our desire to assist the city in maintaining a budget neutral scenario with minimal impact on the city's general fund budget so that all work is covered by the developer under the adopted fee schedule of the city. When this is not possible, we will make every effort to keep the cost to the city at a minimum with our reduced rates.

We truly appreciate the long term relationship that we have had with the city, and want to show our gratitude by continuing to offer these reduced rates. These rates are valid for the full period of the proposed contract duration, except as otherwise allowed by the city through subsequent negotiation.

A copy of our current published fee schedule is also enclosed for your review and comparison with our currently proposed fee schedule.

If you have any questions about the information provided in our Fee Proposal, please feel free to contact me at (951) 765-6622 or by email at matt@erscinc.com.

Sincerely,

Matt Brudin
President



MB/rr

ATTACHMENT "1"

Proposed Billing Rate Schedule for Garden Grove Effective 10/29/2015

Billing Title	Employee	Standard Rates (As of Jan. 2008)	Proposed Rates
Principal	Matt Brudin	\$185.00	\$152.00
Principal Engineer *	Brian Thomas	\$165.00	\$145.00
Principal Engineer *	Mo Ahmadi	\$165.00	\$140.00
Principal Engineer *	Robert Righetti	\$165.00	\$135.00
Engineer V *	Kris Winchak Reza Toorzani	\$155.00	\$125.00
Engineer III*		\$105.00	\$82.00
Engineer II*		\$90.00	\$70.00
Landscape Architect		\$125.00	\$100.00
Construction Manager *		2.6 x Direct Salary	Prevailing Wage
Construction Inspector *	Phil Laos Joe Axtell	2.6 x Direct Salary	Prevailing Wage
Clerical *		\$55.00	\$42.00

* Note: The "Proposed" Billing Rates for these classifications will be used for additional staff resources as requested by the City. These rates will only apply when a task or assignment is not covered by the city's fee schedule, and only when approved and directed by the city. Because of State of California regulatory requirements, our rates for construction inspection must conform with the minimum prevailing wages rates.



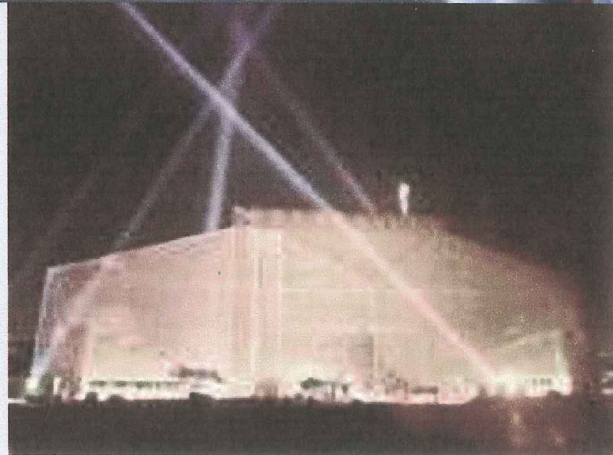
**CITY OF
GARDEN GROVE**

Proposal

for

**ON-CALL
CIVIL ENGINEERING
PLAN CHECKING
& CONSTRUCTION
INSPECTION SERVICES**

October 29, 2015



For:

**City of Garden Grove
Engineering Department
11222 Acacia Parkway
Garden Grove CA 92842
Attn.: Mr. Dan Candelaria
City Engineer**

Prepared by:
**Engineering Resources
of Southern California**
3550 East Florida Ave. , Suite B
Hemet, CA 92544
(951) 765-6622



October 29, 2015

City of Garden Grove
Mr. Dan Candelaria, City Engineer
11222 Acacia Parkway
Garden Grove, CA 92840

**RE: Proposal for On-Call Civil Engineering Plan Checking & On-Call
Construction Inspection Services**

Dear Dan:

Thank you for considering Engineering Resources of Southern California, Inc., (ERSC), to provide On-Call Civil Engineering Plan Check and On-Call Construction Inspection Services for the City of Garden Grove. We understand that the City desires support services for the review and inspection of development application packages, improvement plans, design studies and other support documents as well as other support services related to processing land development applications for the future development and construction of private and public improvements within the city. All work will be managed from our Hemet, CA. office, located at 3550 E. Florida Avenue, Suite B, Hemet, CA 92544. However, we are pleased to announce we have a new office in Irvine that will be actively supportive of all services we may offer to the city in the future.

We have reviewed the city's RFP, dated September 15, 2015, the sample agreement and Insurance Requirements, and ERSC is prepared to offer the services of our municipal services staff to assist the city in this capacity. Our proposed staff will be individuals that are well known to you and with whom you have an established level of trust, and they possess a broad background in providing these services. We hope that our proven excellence and dependability in this capacity will be ably attested to in our proposal.

Our team members will be available without reservation upon request to perform the services you need on compensation or fee basis as provided in our Fee Proposal which has been submitted in an envelope separate from this proposal. **This Proposal is valid for 120 days.**

If you have any questions about the information provided in our proposal, please feel free to contact me at the Hemet office, (951) 765-6622 or by email at matt@erscinc.com.

Sincerely,



Matt Brudin
President
MB/rr

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**PROPOSAL FOR ON-CALL CIVIL ENGINEERING PLAN CHECKING &
ON-CALL CONSTRUCTION INSPECTION SERVICES
CITY OF GARDEN GROVE**

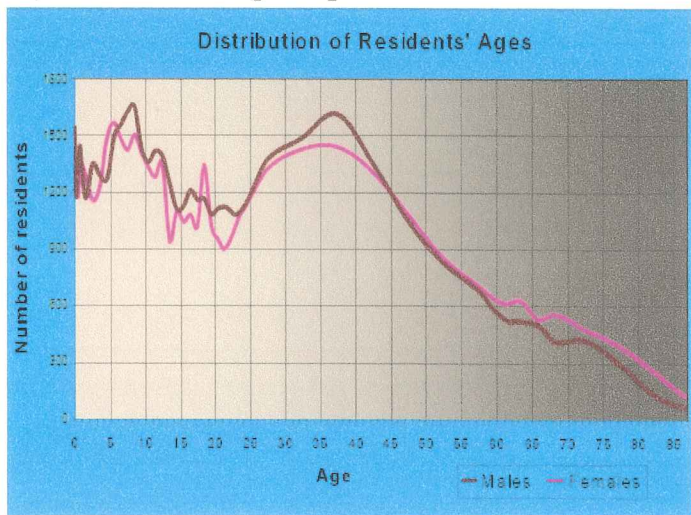
BACKGROUND AND PROJECT SUMMARY

Based on our review of the City’s Request for Proposal (RFP) dated September 15, 2015, and in reflection upon our past working relationship with City Staff providing all of the services requested in the RFP, it is our understanding that the City of Garden Grove wishes to contract for On-Call Civil Engineering Plan Checking and On-Call Construction Inspection Services for the independent review of private land development applications and capital improvement project submittals along with the associated improvement plans and technical studies processed through the City, as well as the as-needed field representation and review for private land development and capital improvement projects that may occur under city issued permits and franchise agreements (such as with various public utilities). Since its inception, *Engineering Resources of Southern California, Inc., (ERSC)* has built a solid reputation for providing the kind of services that the City of Garden Grove is seeking, and we have cultivated a unique and thorough understanding of the community of Garden Grove and all of its stakeholders and associated agencies as a result of past service to the city.



Besides the typical features associated with the city’s infrastructure and public right of way that are much like other cities around southern California, Garden Grove has some unique elements that make the city much different from other communities primarily due to its land use practice during the early years of cityhood with large residential lots, flat topography and physical location within a very heavily developed region of Orange County. One of the obvious results was an infrastructure that was designed for lower density capacities, and therefore requires periodic revisits to the master planned design

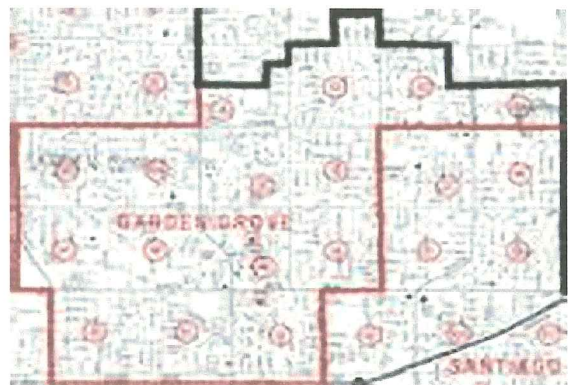
elements, and the associated models that support those plans. In addition, Garden Grove’s proximity to very intensely visited and active recreational venues, both natural and developed, along with a changing and very diverse population with a high percentage of young and middle-aged residents (See the chart on this page) has placed heavier burdens upon the infrastructure as visitors and residents of adjacent communities commute from the



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22, 57 and 605 freeways and through the city of Garden Grove. This, coupled with a variety of new and future developing land uses, will rely heavily upon the developed and future infrastructure improvements that the city is charged with maintaining and upgrading. All of these issues have a direct bearing upon how development related improvements are planned, approved and constructed without being detrimental to the quality of life in the city. New development must receive the input and assistance of every department, commission, agency and the public in order to provide the Planning Commission and City Council with the information needed to establish the best development guidelines and entitlements to promote new improvements that will be an asset and direct enhancement of the existing quality of life in the City of Garden Grove. And, as these new developments and infrastructure are built, experienced and qualified field inspectors will need to be available to monitor conformance with local, state and federal requirements as well as adherence to the approved design plan and contract documents.

With that in mind, we understand that the work will include assisting the private development sector, as well as the various departments (including, but not limited to, Planning, Building and Safety, Fire, Public Works, Water Services, Water Quality, Redevelopment and Community Services) as a representative of the Engineering Department in the processing of development projects for public hearing and entitlement approval, preliminary site plan and technical design study/report review and approval, permitting as well as coordination with affected public agencies such as the County of Orange (including Flood Control), Orange County Sanitation District, the Federal Emergency Management Agency (FEMA), the California Regional Water Quality Control Board, Municipal Water District of Orange County, Caltrans, State Lands Commission, the Army Corps of Engineers, and related permitting agencies encountered especially during the CEQA and NEPA review process.



Subsequent to obtaining entitlement approvals, the work also includes assisting city engineering staff in the plan review of onsite and offsite improvements such as grading (mass, rough and precise), review of soils and geotechnical reports related to grading and non-Building Department purview of structures and surface improvements, storm drains/open channel and related hydrology and hydraulic reports and plans, NPDES documentation (including Water Quality Management Plans [WQMP] and Storm Water Pollution Prevention Plans [SWPPP]), water service improvements and related models and pressure/capacity reports, sewer improvements with related models and capacity reports, legal and survey documentation (including title reports, lot line adjustments, record, tract and parcel maps along with all related support documents), structural calculations not under Building

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Department purview, roadway geometrics and design, street improvement plans, traffic signal, signing and striping plans, traffic control and detour/staging plans, quantity estimates and engineer's cost estimates for bonding and permit purposes, coordination and consistency review with other improvements (existing and future) for conformance with the project Conditions of Approval, and all local, state and federal code requirements.



In addition, the city is requesting support to meet with developers, engineers, contractors, consultants and the general public to discuss, resolve and make recommendations for the resolution of development criteria issues, processing, field construction and related aspects, including researching archival resources in the city's files, by qualified temporary staffing who can serve as the city's representative to provide guidance to the public, monitor and coordinate with the contractors performing work being conducted under permits issued by the city, whether on private property or within the public right-of-way, and other duties as needed.

In concert with that need, the city has also requested On-Call Construction Inspection Services to be provided as part of the ongoing work to be performed on behalf of the Engineering Department. As part of that service, the inspector must be properly qualified and equipped observe how the construction demonstrate that it has met the intent of the plan documents and the project conditions of approval, but also how the contractor and his crews are observing and meeting local, state and federal regulatory requirements within the limits of the work, and in the workmanship of the final improvements as constructed. This means providing the daily and/or intermittent observation of the work, checking horizontal and vertical control and matchup, observing site safety for workers and the public, receiving, evaluating, resolving, and when necessary, obtaining input from key city resources to address complaints when they arise. The inspector must also maintain and process critical communications, logs of activities and communications, project inspection forms and records, and provide a critical communication link between the contractor and the City Engineer.

Lastly, both the plan checker and the inspector must perform all of their duties in a manner that reflects the same high standards of all city departments, most especially the Engineering Department, and be ready to employ cost effective strategies and techniques that minimize redundancy, duplication of effort and promote the best value possible for the city.

**PROPOSAL FOR ON-CALL CIVIL ENGINEERING PLAN CHECKING &
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There are very few firms who truly specialize in providing the kind of overall in-house On-Call Civil Engineering Plan Checking and On-Call Construction Inspection services covered by the City's Request for Proposal. This is primarily due to the fact that the work normally performed by City Engineering staff is not the same as the work performed by design consultants who typically produce the plans. The as-needed Professional Civil Engineering Plan Check and Land Development Review Services consultant must understand the complex regulatory requirements and constraints, as well as the ministerial needs and goals that the City must perform in its role of providing administrative review and approval of the final improvements. This requires not only a solid understanding of the design principles involved, but also experience and knowledge in the regulatory and ministerial issues, as well as a comprehensive understanding of the local community planning, operation/maintenance and monitoring/reporting requirements that serve to frame them. This requires an understanding of the infrastructure history and setting of the city, and the role of federal, state, county and city regulations and ordinances that provide the ministerial guidelines for land development, as well as the protection and observance of health, safety and welfare issues that necessitate the oversight and review role of the city.

ERSC has made this our primary practice. We also understand the importance of paying close attention to the Entitlement Conditions of Approval in the development review and plan check process and confirming how the developer has complied with the requirements placed on his development by the City's Planning Commission and City Council to mitigate the impacts of the project. It is vital that the intent of the Entitlement Conditions are accurately conveyed on the project drawings and contract documents for construction. And during that process, as well as following the issuance of permits for construction, it is vitally important that the City maintain a system of documenting and archiving how each development project was processed, permitted, completed at the project site and made ready for occupancy or use, not only for future maintenance purposes, but also for reference by the City and the public for future planning efforts as more development occurs.

That being said, we have made it our goal to employ and retain the kind of highly experienced people with the technical skills and experience that are inherent with providing the specialized services that the City requires. Accordingly, *ERSC* will maintain, commit and support through our local *Irvine and Hemet offices* the necessary staffing resources who are equipped with the experience and flexibility to handle both minor project submittals as well as those complex major submittals as required for any project as requested, just as we have in the past.

To accomplish the work assigned by the City of Garden Grove (City), *ERSC* offers well-grounded experienced people with the technical skills, personality, teamwork fit and public contact tools and expertise that are ideally suited to the challenges associated with municipal development public counter service as well as survey, engineering plan review and inspection services. We believe our firm offers a natural blending of civil engineers, land surveyors, planning/design and inspection

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technicians who understand not only “how”, but also “why” this work is performed by City staff, thus enhancing and building upon the City’s “service friendly” approach, ensuring continuity, organized coordination of the tasks and timely processing that responds to the City’s needs and the needs of the community that it serves.

Four of our proposed team members have already been performing these specific assignment needs for a number of years, and *ERSC* commits to dedicating these key staff members as needed to the City of Garden Grove should *ERSC* be selected as the city’s consultant for this work.

The following presentation briefly profiles what we offer the city, highlighting *ERSC*’s methodology, staffing, qualifications, organizational structure, technical capabilities and in-house resources. Our Fee Proposal (Schedule) has been submitted under separate cover with costs in relation to the city’s adopted schedule of fees.

APPROACH AND METHODOLOGY

We hereby accept the specified scope and requirements of the work for On-Call Civil Engineering Plan Checking and On-Call Construction Inspection Services as outlined in the RFP, and incorporate it into our proposal by reference. We have included the individual elements of the City’s scope into our own overall scope of work, with enhancement, as separate attachments at the end of this proposal for the city’s convenience to use as exhibits to a contract. Our scope is very similar in content to working scope that we have had previously with the city, and we will be using team members that know the city and the local regulatory environment well.

It is our intent to provide team members who can provide all of the individual duties requested by the city on a comprehensive level. But for special assignments, each Development Review/Plan Check Engineer/Land Surveyor/Inspector/Support Technician given a project assignment will possess the technical skills and experience needed to successfully complete the work. All reviews and plan checks will be summarized in written comments and will be organized for review by the city’s project manager prior to the processing of applications or return of the plans to any City department or participating agency, or directly to the design engineer when appropriate. All comments will be itemized on a list for use by the developer and/or his engineer for revisions as necessary. Additionally, this list of comments and a status report will be maintained in our own processing and plan check tracking system as well as the city’s internal tracking system for support documentation to the City and the public. Duplicate copies of the plan-checked submittals shall be maintained in the city’s office until the project is completed. In addition, our team members can work at city-provided work stations or in our offices of work, as needed.

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NPDES programs established by the Regional Water Quality Control Board, Orange County Flood Control District, Caltrans, the Air Quality Management District and related state agencies and regulations. Also, our team members have attended the “South Coast Air Quality Management Fugitive Dust Control Class” and are currently certified for implementation and monitoring of PM10 requirements of the South Coast Air Quality Monitoring District, and are currently in process to complete their Qualified SWPPP Practitioner (QSP) training and certification.

Some of the other issues to be addressed will include the following:

- Large, complicated public works projects may require careful and ongoing observation, and sometimes “around the clock” operations. We have provided backup team members who can supplement projects when necessary for projects that require extended hours and night time work.
- All excavation and trenching work needs to be done in a manner that does not result in failures during the work and later after compaction. The placement of shoring and protection and the installation of forms and cross bracings, both wooden and metal, will need to conform to Cal-OSHA Construction Safety Order requirements, Caltrans Safety Controls and the project specifications. Vibration techniques will be monitored to make sure the contractor eliminates voids and pockets in the concrete. All weight and materials tickets will be collected and checked daily for conformance with the plans and specifications and for final quantity measurement purposes.
- Traffic control and staging during construction is also a common construction planning issue to maintain ongoing use of the roadway by the public and access to the residential areas and businesses in the adjacent area. Bike trails, where they occur and are applicable, will also need to be accessible for hikers and cyclists during the daytime. Our Construction Managers and Inspectors are thoroughly versed in Caltrans Traffic Control requirements as well as the APWA Work Area Traffic Control Handbook (WATCH).
- Protection of existing utility lines will be critical because they provide primary services to the community around the project area. Damage to or interference with these utilities can impact a significant number of residents and businesses. *ERSC* typically strives to develop a close working relationship with the staff at all the local utilities and agencies, The Santa Ana Regional Water Quality Control Board, SAWPA, Caltrans, Garden Grove Water Division and other water districts in the county, Southern California Gas, Time-Warner and other related utilities and will work with them in a cooperative manner to make sure these facilities are protected in place.

The *ERSC* team will furnish each of our inspectors with a county compatible cell phone, a digital “smart level”, a digital camera with “date back” capability, a hand held digital weather monitoring

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device, Caltrans certified orange reflective vest, hard hat, 25-foot measuring tape, 6-foot folding engineer's rule, thermometer, string line as well as the materials, transportation, tools, and equipment necessary to perform all the work outlined below. *ERSC* will provide skilled and trained personnel fully equipped to complete every project assignment in a competent, professional and satisfactory manner in accordance with the City's requirements and the standards prevalent in the industry for such services.

On-Call Construction Inspection Services will be on an "as-needed" basis at the hourly rate established by our contract. Any project assignment we receive for inspection services will be as dictated by the needs of the project or projects assigned. We have provided a breakdown of our compliance with prevailing wage, overtime and other aspects in our Cost Proposal (Schedule), which has been submitted under separate cover.

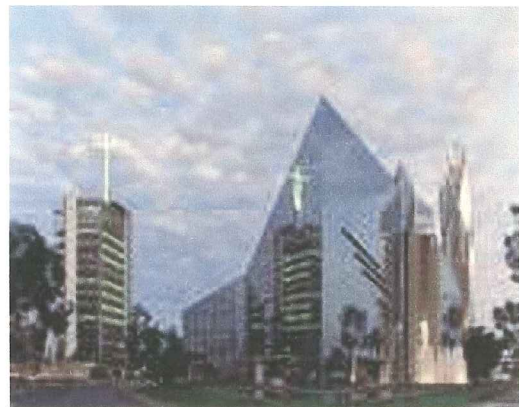
PERFORMANCE SCHEDULE

As discussed above, every project has elements or issues that can impact the development processing and plan review schedule of the submittals. In all cases, *ERSC* will review and return plans, studies and technical reports that are received as a package, or separately and independently of development or plan review sets when appropriate, within the city's agreed committed delivery time lines or sooner when possible. We will always make it our goal to meet the city's expectations of prompt and efficient service to the public. However, larger and more complicated project plan sets, studies and reports may require more than the anticipated working days to provide a complete review. These will have a mutually agreed upon return date determined prior to initiating any reviews by *ERSC*.

ERSC makes a firm commitment to excellence in providing the City of Garden Grove with comprehensive On-Call Civil Engineering Plan Check and On-Call Construction Inspection Services. We fully understand the goals of the anticipated work and:

...will promote the best welfare and quality of life of the City of Garden Grove through its regulatory, historical, environmental, aesthetic, social, economic, political and local cultural environs;

...maintain the kind of in-house technical expertise and experienced personnel specific to Civil Engineering Development Review, plan-check, map check, processing and Construction Inspection services;



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...offer to the City a fully developed, tested and effective work plan that we have improved through experience with our many other development review, plan check, map review and construction inspection contracts so that it embodies the *creativity, cost-consciousness, practicality and hard work* essential for success; and

...will deliberately minimize our work with private sector developers to avoid the potential or appearance of conflict of interest to keep our public service work above reproach or challenge.

STAFFING

As our designated Project Manager for the past 20 years for our Orange County clients, **Mr. Robert Righetti** will be the primary point of contact with City staff for issues related to the overall On-Call Civil Engineering Plan Checking and On-Call Construction Inspection Services contract. He will be the primary development review, processing and plan review team member to work with the city, and at the direction of the city, and will make sure that any needed additional manpower for improvement plan checking is made available at the city's request. In addition, he will be responsible for contract oversight and staff management. Mr. Righetti will be responsible for contract administration and have the authority to negotiate contract changes. His work will be overseen and administered by **Mr. Matt Brudin, P.E.**, as the Principal Engineer for our team.

Background: Over the past 40 years Mr. Righetti has been involved in municipal development services throughout southern California, including the Cities of Huntington Beach and Garden Grove, Tustin, Yorba Linda and several other cities in Orange County, requiring a high level of expertise in the areas of development and land planning law, the regulatory element, environmental review and processing, stakeholder and agency coordination, public outreach, subdivision engineering, civil site design, transportation planning and design, sanitation, water resources and flood control.

During this time he has worked closely and in a hands-on manner with city staff members and other related agency personnel in adjacent local cities, counties and districts to assist in the processing and management of projects and evolving workable solutions to meet the challenges that arise which may hinder or impact the objectives and goals of the local community.

Team Organization

ERSC recognizes that individuals with a wide variety of skills are required for the many types of plans and assignments to be processed through the design review and plan check process and then constructed in the field. Consequently, we will base our Project Team staffing on:

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- The best possible individual for each task or assignment, with no limit on their availability.
- Continued involvement and availability of the key personnel throughout the project process.
- A “seamless” organizational structure whereby our staff will support each other and city staff and minimize duplication of effort during design review, plan check and map check process.

ERSC understands the City’s commitment to be diligent in the development review, plan/map review, permit and inspection process. As such, *ERSC* will maintain the necessary staffing levels to meet the City’s goals and timelines without sacrificing quality of the work.

Assisting our designated Project Manager in responding to the specific requirements of the work for the City will be the *Plan Check Engineers / Land Surveyors / Engineering Review / Inspection Support Staff* referenced in our resume section who have the expertise and experience in the full range of engineering development review, processing, plan check and inspection services. Additionally, we have Registered Engineers and surveyors who can sign maps and survey documents and legal descriptions if requested. We have also provided resumes for backup inspectors and a resident engineer if they are needed.

RESUMES

As the City’s demand for services grows, additional resumes can be provided to fit the needs of the project assignments or manpower needs.

To illustrate the in-depth training and experience of our professional staff, resumes for the key personnel identified herein are included in the following section of this proposal. The experience and professional backgrounds of these individuals exemplify *ERSC*'s capabilities in providing On-Call Civil Engineering Plan Check and Development Review services.

MATT BRUDIN, P.E.
Principal Engineer/Plan Check/QSD/QSP/QA/QC

PROFESSIONAL EXPERIENCE: Over the past 30 years, Mr. Brudin has been involved in a large number of complex planning, design and construction projects for public agencies. His ability to effectively communicate with agency personnel and team members provides the vital link between client and consultant that will ensure that the goals of each development review and plan check project assignment are met. Mr. Brudin has a broad base of experience in various disciplines

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including site development, streets and roads, grading and drainage, water and sewer, and flood control facilities.

Ms. Brudin, a registered California Civil Engineer, has served as a District Engineer for the Lake Hemet Municipal Water District and as a Project Manager for “as-needed” professional engineering plan check services for several cities in the Orange, Riverside and San Bernardino County areas. Under these contracts, he has managed development review and plan check services for land development and capital projects, including grading, water, sewer, drainage and street improvement plans. Map checking was also provided under these contracts.

Over the past eight years, Mr. Brudin has also served as the Project Manager for the Civil Engineering Plan Check services contract with the City of Palm Springs. As a result, he has developed a unique understanding of the development process within the City, and he has established key relevant relationships with the utilities, public agencies, design engineers and developers within the Palm Springs area.

Mr. Brudin possesses a B.S. in Civil Engineering from Loyola Marymount University, Los Angeles . Additionally, he has maintained a steady routine of post graduate course work in Water Resources Engineering, the Map Act, and other relevant courses. He is a member of the APWA, ASCE, AWWA, FMA, and CASQA (Storm Water Quality). Mr. Brudin is also certified QSP/QSD for the review of WQMP and SWPPP documentation.

ROBERT RIGHETTI
Development & Map Plan Check and
Environmental Review/WQMP Review/QA/QC

PROFESSIONAL EXPERIENCE: Over the past 40 years, Mr. Righetti has provided municipal engineering and survey plan check and development review services to a number of cities in Southern California. During that time, he spent 13 years as a Development Services Engineer for the Department of Pubic Works and Engineering for the City of Huntington Beach, as well as personally working on a contract basis with the cities of Garden Grove, Tustin, Yorba Linda, Newport Beach, Temecula, Moreno Valley, San Bernardino, Palm Desert, Palm Springs, Indio and Eastern Municipal Water District. He is a member of APWA and CASQA. Typical duties include, but were not limited to, the following:

- Directed project teams and participated in providing review and impact mitigation conditioning for land development cases.
- Handled capital project administration and project management.
- Conducted traffic study review and approval.

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- Prepared staff reports to the Planning Commission and City Council.
- Prepared departmental budget projections, development agreements, MOU's and contract bid packages.
- Handled public agency liaison, citizen complaints and community coordination and community meetings.
- Directed teams for plan check processing and construction field review.
- Prepared department policy documents, practice manuals, design standards and handouts for the public counter of the departments
- Has provided on-call development review and plan check for engineering documents, including WQMP's and SWPPP's for all of the company's municipal clients.

Education: California State University, San Bernardino, California
Mt. San Jacinto Community College, San Jacinto, California

PHILLIP R. LAOS
Senior Construction Inspector

One of our key team inspectors for subdivision and capital project inspection is *Mr. Phillip R. Laos*. For the past six months, Mr. Laos has served the City of Garden Grove as a field inspector for the Engineering Department for the past two years. Mr. Laos has nearly 21 years of active construction inspection experience on large and small public works and private development projects. He has inspected both large and small subdivisions for all public works infrastructure improvements, and he has also inspected public works capital projects and maintained all project elements required. His work has included conformance with various state, federal and local specifications, standards and guidelines, including Caltrans, MUTCD California Supplement, Greenbook, California Building Codes, FHA/VA, ACI, AWWA, and other relevant agency specifications. This work has included heavy earthwork and related construction which required an understanding of safety plans, contract documentation, submittal approval, NPDES requirements, erosion control, dust control, environmental mitigation measuring and monitoring, special permit requirements, and related jurisdictional requirements.

These projects have included coordination with all major utilities. In addition, due to his previous work with major cities and special districts, he is fully familiar and informed about the city's requirements in the field, especially in relation to traffic control, coordination with key departments such as police and fire, and understands the importance of establishing rapport with key individuals in the city who are responsible for important project elements such as traffic signal operations, landscaping and irrigation, water services, etc. He understands the critical important of construction and contract communications with field reports and daily inspection reports, field orders, stop work

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orders, non-compliance reports, recognizing and identifying critical or potential field conflicts and maintain a photographic log to complement his reporting.

He has an established working system for joint team efforts including the client, contractor, property owners, other consultants, and jurisdictional agencies with an interest in the work. His has experienced practice in construction methods, with a specialty associated with underground systems for water and wastewater facilities. With this acquired familiarity, he can serve the City of Garden Grove with the kind of careful and responsible presence that is provided by its own staff.

CERTIFICATIONS: ACI Concrete Inspection
SWPPP/Erosion Control
Hazardous Waste Operations and Emergency Response Training
Confined Space, Fall Protection, and Fork Lift Operation Training
Scaffold Awareness and Scaffold Erection Training
Carpenter's Training Program

JOSEPH AXTELL
Senior Construction Inspector

PROFESSIONAL EXPERIENCE: One of our key team inspectors for subdivision and capital project inspection is *Mr. Joseph Axtell*. Mr. Axtell has nearly 25 years of active construction inspection experience on large and small public works and private development projects. He has inspected both large and small subdivisions for all public works infrastructure improvements, and he has also inspected public works capital projects and maintained all project elements required. His work has included conformance with various state, federal and local specifications, standards and guidelines, including Caltrans, MUTCD California Supplement, Greenbook, California Building Codes, FHA/VA, ACI, AWWA, and other relevant agency specifications. This work has included heavy earthwork and related construction which required an understanding of safety plans, contract documentation, submittal approval, NPDES requirements, erosion control, dust control, environmental mitigation measuring and monitoring, special permit requirements, and related jurisdictional requirements.

All projects have included coordination with all major utilities. In addition, due to his previous work with the County of Riverside within county jurisdiction and the jurisdiction of major cities and special districts, he is fully familiar and informed about the county's and Caltran's requirements in the field, especially in relation to traffic control, coordination with key departments such as police and fire, and understands the importance of establishing rapport with key individuals in the city who are responsible for important project elements such as traffic signal operations, landscaping and irrigation, water services, etc. He understands the critical important of construction and contract

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communications with field reports and daily inspection reports, field orders, stop work orders, non-compliance reports, recognizing and identifying critical or potential field conflicts and maintain a photographic log to complement his reporting.

He has an established working system for joint team efforts including the client, contractor, property owners, other consultants, and jurisdictional agencies with an interest in the work. He has experienced practice in construction methods, with a specialty associated with underground systems for water and wastewater facilities. With this acquired familiarity, he can serve any public agency with the kind of careful and responsible presence that is provided by its own staff.

CERTIFICATIONS: ACI Concrete Inspection
SWPPP/NPDES Erosion Control Certified
Hazardous Waste Operations and Emergency Response Training
Confined Space, Fall Protection, and Fork Lift Operation Training
Caltrans Traffic Control Certified
Nuclear Gauge Certified
First Aid Certified
R & E School Certification
Tensor Training for Unstable Soils
Bridge Safety Certified

BRIAN THOMAS, P.E.
Engineering Plan/Structural Review

PROFESSIONAL EXPERIENCE: Over the past 25 years, Mr. Thomas, a registered California civil engineer, has provided municipal engineering and survey plan check and development review services to a number of cities in Southern California. He also provided construction management for various projects for the City of Huntington Beach. He has also been actively involved in the preparation and administration of funding applications for a variety of county, state and federal programs. Typical duties have included, but were not limited to, the following:

- Directed project teams and participated in providing review and impact mitigation conditioning for land development cases.
- Handled capital project administration and project management.
- Managed Capital Project development and design teams.
- Prepared staff reports to the Planning Commission and City Council.
- Prepared departmental budget projections, development agreements, MOU's and contract bid packages.

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- Handled public agency liaison, citizen complaints and community coordination and community meetings.
- Directed teams for plan check processing and construction field review.
- Prepared department grant applications, policy documents, practice manuals, design standards and handouts for the public counter of the departments.
- Performed claims analysis and value engineering for public improvement projects.

Mr. Thomas received his Bachelor of Science Civil Engineering degree (with a structural engineering emphasis) from California State University of Fullerton, Fullerton, CA.

MOE AHMADI, P.E.

Engineering Plan/Hydrology/Storm Drain Review/NPDES

PROFESSIONAL EXPERIENCE: Over the past 21 years, Mr. Ahmadi, a registered California Civil Engineer, has provided municipal engineering, hydrology/hydraulic review, modeling and report review, and design peer review to a number of cities in Southern California. Typical duties have included, but were not limited to, the following:

- Directed project teams and participated in the planning and design of storm water facilities, large and small.
- Handled capital project administration and project management.
- Managed Capital Project development and design teams.
- Prepared staff reports to the Planning Commission and City Council.
- Prepared departmental budget projections, development agreements, MOU's and contract bid packages.
- Handled public agency liaison, citizen complaints and community coordination and community meetings.
- Performed constructability review and value engineering for public improvement projects.
- Mr. Ahmadi is also a certified QSD/QSP water quality engineer.

Mr. Ahmadi received his Bachelor of Science and Master of Science in Civil Engineering from Texas A & M University of College Station, Texas.

KRIS WINCHAK, L.S.

Survey, Map and Plan Review

PROFESSIONAL EXPERIENCE: Mr. Winchak is a California Registered Land Surveyor and has provided municipal survey, legal, map and engineering design plan check and development review services to a number of cities in Southern California. For the past 18 years, Mr. Winchak has

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been, and is on an ongoing basis, the primary on-call plan checker for development projects at the City of Huntington Beach. He therefore possesses all of the necessary knowledge, experience and background needed to perform the required services that the city is requesting. He has extensive experience in the review and maps, legal descriptions, general engineering design plans for streets, sewer, water, drainage, grading and structures related to these facilities. Typical duties included, but were not limited to, the following:

- Legal descriptions and plats for right-of-way acquisition for public agencies and the review of this documentation.
- Complete mapping and closure calculation review.
- General plan review for water, sewer, drainage, streets and grading improvements.
- Prepared staff reports to the Planning Commission and City Council.
- Review of Hydrology Studies.
- Handled public agency liaison, citizen complaints and community coordination and community meetings.
- EIR technical study review.

And should the city require the services of additional public works inspectors, we can provide resumes for a number of on-call inspectors, such as the following:

**WAYNE ALAN NAPIER
Senior Construction Inspector**

Mr. Wayne Alan Napier has over 20 years of active construction management and inspection experience on large and small public works and private development projects, and served as a contract development inspector for the City of Garden Grove. He has performed work for various cities on subdivisions and capital projects. He is well versed in both types of construction. His work has included conformance with various state, federal and local specifications, standards and guidelines, including Caltrans, MUTCD California Supplement, Greenbook, California Building Codes, FHA/VA, ACI, AWWA, AQMD (PM10) and other relevant agency requirements and specifications. In addition, he has had extensive experience with traffic signal construction and maintenance, major landscaping projects, underground utilities, street improvement construction and maintenance operations. He has also served as a city crew leader for maintenance of public works infrastructure and landscaping districts. He recently completed full inspection services for the City of Indio on the Jackson Street at Interstate 10 Widening and Ramp Project.

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STEVE ALLEN
Senior Construction Inspector

Serving as a primary inspector for the City of Buena Park and for the County of Riverside for capital projects and subdivision inspection, we have reserved *Mr. Steve Allen* as a backup for our team should his services be needed. Mr. Allen possesses over twenty-two years of engineering construction inspection experience involving a combination of public works projects for various municipalities, including numerous projects for the County of Riverside, City of San Jacinto and other local municipalities. His experience and certifications include PM10 for Coachella Valley, confined spaces, full-depth reclamation training, excavation safety, Competent Person, NPDES/SWPPP and related training. He has inspected all kinds of public improvement infrastructure, including sewer, water and storm drain construction, traffic signal installation, project estimating, roadway reconstruction and rehabilitation, landscaping, grading/excavation, constructability review and related work. His most recent work was Rubidoux Boulevard Phase 2 Street Improvements for the County of Riverside.

REZA RAY TOORZANI, P.E.
Engineer V/Resident Engineer/Senior Inspector

PROFESSIONAL EXPERIENCE: With more than 28 years of rich and extensive experience, Mr. Toorzani, a registered California civil engineer, has gained particular skill in design, and a distinguished reputation for the overall supervision of large and complicated projects, insuring that the contracted works meets the required specifications. He has managed several site supervision teams and played a major role in completing projects according to program and within budget. In addition, Mr. Toorzani has practiced as an analyst, designer and site superintendent in the implementation of major civil infrastructure projects mainly in the United States and Iran.

As one of our key backup resident Engineer/Senior inspection team members for this assignment, Mr. Toorzani can serve at the City's request for projects that require a Construction Manager, Resident Engineer, Soils Review or Senior Inspector. Mr. Toorzani is a California Registered Civil Engineer who has more than 30 years of active construction management, resident engineering, construction administration and inspection experience on large and small public works and private development projects. He offers the County a demonstrated specialty in structural peer review, and he is well versed in conformance with various state, federal and local specifications, standards and guidelines, including Caltrans Construction Manual, Manual of Test and Policy Directives, the Supplement for Local Agency Resident Engineers, Local Agency Structure Representative Guidelines, MUTCD California Supplement, Greenbook, California Building Codes, FHA/VA, ACI, AWWA, Riverside County's Quality Assurance Program, the Source Inspection Quality

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ERSC maintains four primary offices in the cities of Irvine, Indio, Hemet (Corporate) and San Bernardino, with nearly 40 full time employees in all. The services to be provided to the City of Garden Grove will be performed through and by our Hemet and San Bernardino office staff.

Technical Services. Since 1996, we have specialized in development processing, land use planning, and the planning and design of transportation, drainage, water resources, water quality, sanitary and public works infrastructure engineering: *ERSC* typically offers a myriad of services encompassing planning, design, plan/map checking, survey, right-of-way engineering, construction management, inspection, estimating, field review, constructability review and related city staff assistance for the construction of diverse public works and private onsite facilities. The following presents an overview of the services and professional capabilities of *ERSC* in these specialized engineering disciplines that are specifically responsive to the City's RFP requirements.

Development Review, Plan Review and Inspection. The team members of *ERSC* have provided comprehensive development review, plan/map review and field inspection services to municipalities and special districts throughout Southern California. The services that we can provide the City of Garden Grove include, but are no means limited to, the following:

- Reviewing development applications, tentative maps, specific plans, Environmental Impact Reports and Studies, land divisions, support documentation and proposed development submittals prepared by others for compliance with the City of Garden Grove General Plan, Local Coastal Plans, and the infrastructure master plans of development (and with it's coordination with the County of Orange General Plan and that of adjacent communities), Subdivision Ordinance, the Subdivision Map Act, The Land Surveyor's Act, Mitigation Requirements, the adopted Conditions of Approval, current County, State and Federal policies and guidelines, regulations and standards, the requirements of the City's Water District and the Orange County Sanitation District, and the requirements of Title 24 ADA and Caltrans, as well as any other City Departments whose comments may apply to the project.
- Perform all services with the health safety and welfare of the community at the forefront.
- Make sure that all conditions of approval for the project entitlements have been complied with.
- Checking and recommending approval of various subdivision and record maps, as well as lot line adjustments, right-of-way and easement acquisition, quitclaim and vacation documentation.
- Verification that the project is in compliance with NPDES, Regional Water Quality Control Board regulations, the City of Garden Grove Local Implementation Plan (LIP), the County of Orange Drainage Area Management Plan (DAMP), and local and Storm Water permit requirements and other water quality ordinances as they relate to development construction

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Storm Water Pollution Prevention Plans (SWPPP), post construction Water Quality Management Plans (WQMP), maintenance and monitoring.

- Verify compliance with Air Quality Management District (AQMD) requirements.
- Checking and recommending approval of improvement plans and technical specifications for private on-site work and public right-of-way facilities under the jurisdiction of the City.
- Reviewing and ensuring that improvement plans are consistent with City and County standards and other general technical standards (Greenbook, Caltrans, MUTCD & MUTCD California Supplement, FHWA, APWA, Title 24 ADA, Title 48, CFR 31 etc.).
- Establishing *Faithful Performance and Labor and Material Bond* amounts when required for developments, including the review of engineer's estimates, monitoring the posting of appropriate securities and payment of development fees at appropriate times during the development review.
- Maintain an accurate plan check tracking system, along with compiled comments from the city and other agencies and departments to keep engineers, developers, and other interested parties informed as to the progress and status of any given project.
- Meet with, assist and coordination with developers and their agents or engineers as necessary to process all improvement plan review and entitlement requirements.
- Support and attend meetings with City staff or the public when requested to monitor efficiency, discuss project status, evaluate performance levels and service and maintain ongoing coordination efforts.
- Provide field engineering reviews that addresses the concerns of local residents, maintains safe corridors of travel for pedestrians and vehicles, coordinates with local utilities and verifies compliance with design standards, issues weekly reports and maintains a personal diary on daily activities on the site, as well as reviews and monitors the contractor's safety plans.
- Provide field inspection and review and monitoring of SWPPP submittals and follow through with the field review and inspection of the implementation of them in the field, review and approve shop drawings, review and monitor contractors construction schedules, coordinate and inspect construction staking and the installation of permanent monument, coordinates and obtain corner record and benchmark information from surveyors, and coordinates and review testing results with geotechnical consultants in the field.

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- Inspect sites for public safety and reports deficiencies to the contractors and city staff, monitors Cal OSHA and motor vehicle code compliance within the construction zone, implements protective actions, such as shut-down of the work, when necessary.
- Maintain as-constructed and other records for archival purposes for filing at the city, maintain project files for pay quantities, measured quantities as installed, testing reports and other documentation.
- Reviews claims for recommendation of action to the development engineer for factual and conforming information and coordinates closeout of the projects.

Our full scope of work can be found in the separate attachments at the end of this proposal.

Insurance Coverage. *ERSC* maintains insurance policies for Professional Liability, General Liability, and Automobile, in addition to other insurance as required by California Law. Certificates meeting the City's requirements will be issued upon request. We currently maintain Professional Liability and General Liability insurance at \$1.0 million per occurrence, and \$2.0 million aggregate; Automobile Insurance \$1.0 million combined single limit; and Worker's Compensation Insurance levels as required by state law.

SIMILAR PROJECTS (COMPARABLE WORK)

ERSC is extremely familiar with the demands, expectations and accountability of public agency plan-check and map check services. The expertise of our individual team members in municipal engineering and land development is well known by the local agencies and the City of Garden Grove, as evident by the number of Municipal and Water District clients who have continued to utilize our services year after year since our first year of business. Summaries of seven current/recent assignments specific to these services are presented below for the City's review and evaluation.

MUNICIPAL ENGINEERING & SURVEY PLAN CHECK/INSPECTION/CONSTRUCTION SERVICES

Huntington Beach, California

Since 1996 and currently ongoing, the City of Huntington Beach has retained ***Engineering Resources of Southern California, Inc.***, to provide assistance with the processing and approval of an extensive number of development applications. Our current workload includes plan check of all of the City's development projects. In addition, our services include development review for major projects and the review of Environmental Impact Reports and related technical studies, preparation

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of development conditions of approval and mitigation measures, the planning, development, plan check and management of capital projects, management of capital project's design consultants and resident engineering and inspection for capital projects. Specific tasks included the review of environmental documents and supporting engineering studies, entitlement conditioning and mitigation recommendations, evaluation of maps and plans prepared by design consultants and private developers for accuracy, completeness and conformance to local codes and ordinances. We also review survey and legal mapping for projects, easements, rights-of-way, metes and bounds descriptions, lot line adjustments and other related survey documentation. Other services have included plan review and inspection of landscaping and public infrastructure projects, design of streets and storm drain improvements, transportation engineering and review, project administration and management. Additionally, ERSC worked closely with city staff in developing their Water System Model using H2Onet, the city's Local Implementation Plan (LIP) in conformance with the County of Orange Drainage Area Management Plan (DAMP), and performed reviews of the Storm Water Pollution Prevention Plans (SWPPP) and Water Quality Management Plans (WQMP) that were associated with development and capital projects. We also assisted in the remapping of FEMA's Flood Plain Mapping for the entire city. Robert Righetti has served as our Project Manager and primary Development Review team member since 1996. Kris Winchak has been our primary Plan Check team member since 1996. All other listed team members in this proposal have performed work for the city since 1996.

Travis Hopkins, P.E., Public Works Director of the City of Huntington Beach – (714) 536-5431

Email: thopkins@surfcity-hb.org

DEVELOPMENT REVIEW and PLAN-CHECK SERVICES

Tustin, California

Under contract to the City of Tustin, *Engineering Resources of Southern California, Inc.*, is currently providing overflow and expedited plan review for developer and City-funded projects throughout the City. Services include the peer review of grading, water and sewer, street and storm drain plans and supporting documents for development projects in the City. Specific tasks include the review of improvement plans prepared by private developers for accuracy and completeness; conformance to local codes, ordinances and design standards. We also have reviewed Water Quality Management Plans (WQMP) and Storm Water Pollution Prevention Plans (SWPPP) for compliance with the city's Local Implementation Plan (LIP) and the Orange County Drainage Area Management Plan (DAMP) in conformance with NPDES requirements. Matt Brudin has served as Project Manager of this assignment since 2006 and is currently ongoing. Robert Righetti and Moe Ahmadi are currently providing on-call work for the city.

Doug Stack, P.E., Public Works Director of the City of Tustin – (714) 573-3150

Email: dstack@tustinca.org

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PLAN-CHECK SERVICES

La Quinta, California

Under contract to the City of La Quinta, **Engineering Resources of Southern California, Inc.**, has provided overflow and expedited plan review for developer and City-funded projects throughout the City. Services included the peer review of grading, water and sewer, street and storm drain plans and supporting documents for development projects in the City. Specific tasks include the review of improvement plans prepared by private developers for accuracy and completeness; conformance to local codes, ordinances and design standards. Matt Brudin has served as Project Manager for this assignment from 2006 until 2009. Robert Righetti performed Development Plan Check Services for the this assignment.

Ed Wimmer, P.E., Development Services for the City of La Quinta – (760) 777-7088

Email: ewimmer@la-quinta.org

MUNICIPAL ENGINEERING PLAN CHECK AND CONSTRUCTION SERVICES

Garden Grove, California

ERSC provided development review and all engineering and mapping plan-check services for the City. Additionally, we reviewed all Storm Water Pollution Prevention Plans (SWPPP), Water Quality Management Plans WQMP, erosion control plans and any related technical studies and calculations. We have also provided construction management and inspection for the completion of several high-profile developer funded improvement projects, including a number of high profile hotel and tourist destination projects, along with associated street and utility improvements, along Harbor Boulevard for the City's Redevelopment Agency. We also managed and inspected several large capital projects for the City's Recreation Department. **ERSC** has also provided project management, peer review and inspection services for various public works capital projects for the city's Public Works Department. Our services included preparation of Requests for Proposals, consultant selection and all project management of street, water, sewer and storm drain construction and rehabilitation; review of environmental documentation and construction drawings for development projects and inspection of capitol projects and developer funded improvements. Robert Righetti served as Project Manager, and Development Review and Plan Check team member for this assignment from 2000 to 2005.

William Murray, P.E., Public Works Director of the City of Garden Grove – (714) 741-5000

Email: wem@garden-grove.org

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PLAN CHECKING AND PROJECT MANAGEMENT SERVICES

Palm Desert, California

Under an “as-needed” professional services agreement with the City of Palm Desert **Engineering Resources of Southern California, Inc.**, has provided plan checking services for Capitol Improvements and Land Development Projects throughout the City including grading, water and sewer, drainage and road improvement plans. Specific tasks include the review of improvement plans and maps prepared by design consultants and private developers for accuracy and completeness; conformance to local codes, ordinances and design standards. Robert Righetti has served as the Project Manager and Plan Check team member for this assignment since 2004.

Mark Greenwood, P.E. Director of Public Works of the City of Palm Desert – (760) 346-0611

Email: mgreenwood@cityofpalmdesert.org

PLAN CHECKING AND PROJECT MANAGEMENT SERVICES

Palm Springs, California

Under an “as-needed” professional services agreement with the City of Palm Springs, **Engineering Resources of Southern California, Inc.** has provided plan and map checking for most of the city’s development projects and construction management and inspection for some of the Capitol Improvement projects throughout the City, including their pavement rehabilitation program, drainage and road improvement plans. Specific tasks include the review of improvement plans and contract specification packages as prepared by design consultants for accuracy and completeness; conformance to local codes, ordinances and design standards. Matt Brudin has served as the Project Manager and primary Plan Check team member since 2001 and is currently ongoing.

Marcus Fuller, P.E. City Engineer of the City of Palm Springs – (760) 323-8253 ext 8744

Email: marcus.fuller@palmsprings-ca.gov

CIVIL ENGINEERING PLAN-CHECK SERVICES

Rancho Mirage, California

Under contract to the City of Rancho Mirage, **Engineering Resources of Southern California, Inc.**, has been providing on an on-call basis overflow and expedited plan review for developer projects throughout the City. Services included the peer review of grading, water and sewer, street and storm drain plans and supporting documents for development projects in the City. Specific tasks include the review of improvement plans prepared by private developers for accuracy and completeness;

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conformance to local codes, ordinances and design standards. Robert Righetti has served as Project Manager and Plan Check team member for this assignment since 2005.

Bruce Harry, Director of Public Works of the City of Rancho Mirage – (760) 324-4511

Email: bharry@ranchomirageca.gov

In addition to the clients listed above, we are currently providing, or have provided, development review and plan check services to the Cities of Yorba Linda, Moreno Valley, San Bernardino, Highland, Redlands, Indio, Hemet, San Jacinto, Temecula, Colton, Big Bear Lake and Highland, and have been serving as District Engineer to a number of Southern California Water Districts. References for these clients can also be provided upon request.

To confirm our experience and qualifications for the work of performing plan checking and map checking services, along with other municipal functions for our clients, we invite the City of Garden Grove to contact any or all of the above clients for our references.

ATTACHMENT "A"

SCOPE OF WORK FOR LAND DEVELOPMENT PLAN CHECK

The Consultant shall provide qualified individuals to perform land development review, entitlement preparation, plan review, development processing, field review and any other services which will perform, promote or enhance the City's Development Services goals and needs as requested. All work shall be performed at the Consultant's offices. The City may, as deemed necessary, provide a furnished work area (including telephone, etc.) at City Hall. The general scope of work to be performed shall include, but not be limited to, the following:

- Read, understand and evaluate engineering related geotechnical, grading, hydrologic, water quality, hydraulic, air quality, traffic, drainage, legal survey, environmental and other related reports, studies and calculations that pertain to the planning, design, review and construction of private and public infrastructure improvements. All work shall be performed to assure compliance with City of Garden Grove standards, specifications, procedures and standard drawings.
- Read, understand and evaluate street, sewer, traffic street lighting, striping, erosion control and drainage plans. Hydrology and hydraulic calculations will be checked for sufficiency to verify that the drainage plans are adequate to provide for design runoff, or retention, as required. Drainage plans and hydrology calculations will also be coordinated with the Orange County Flood Control District where necessary. Plans will be checked against soil and geotechnical reports, as well as SCAQMD dust control plans, storm water pollution prevention plans and special traffic reports. Sewer, water, and other utility plans prepared for other agencies will be reviewed for conflict/consistency with City street and drainage plans.
- Read, understand and evaluate subdivision maps, including parcel and final tract maps, and check them to assure compliance with applicable provisions of the Subdivision Map Act, the City's Conditions of Approval, Land Surveyor's Act and any other applicable ordinances. Detailed checks will be made of such maps, including, but not limited to, review of survey documentation and title reports, lot and boundary closures, dedications and easement provisions, legal descriptions, completeness, and accuracy of data notation, and necessary certifications of City staff.
- Read, understand and evaluate rough, mass and precise grading plans to assure conformance with City codes, written policies and standard specifications, and to assure conformance with the recommendations and details of soils reports. The review will also assure conformance with the approved Tentative Map and Conditions of Approval for the project. Hydrology and hydraulic calculations will be reviewed for conformance with the Orange County Flood Control District methodology for any proposed storm drain systems and detention basins. Quantity calculations will be reviewed to assure accuracy and completeness. Plans will be

checked to verify positive drainage to an approved outlet. Deepened footing designs will be reviewed and evaluated where required, and the extent and depth of the deepened footing will be noted on each footprint on the plans.

- Read, understand, implement and/or prepare written comments and responses for the review and acceptance of all water quality and storm water runoff regulatory requirements, including, but not limited to, Regional Water Quality Control Board requirements and Local Implementation Plan requirements. Also, evaluate erosion control plans to assure erosion and sedimentation measures comply with the Best Management Practices listed in the Storm Water Pollution Prevention Plans, in compliance with NPDES and WQMP requirements. .
- Read, understand and evaluate private parking lot plans for all grading and site improvement items, and verify compliance with Title 24 accessibility requirements of the State Building Code, as well as the requirements of the Regional Drainage Area Management Plan. Review and evaluate all quantity calculations for onsite improvements to assure accuracy and completeness to verify appropriate bonding amounts.
- Read, understand, implement and/or prepare "Conditions of Approval" or entitlement documents, EIR's and other reports as related to the planning, design, review and construction of private and public infrastructure improvements.
- Perform plan checking, peer review, clerical and other duties as needed or requested.
- Understand, prepare and review title reports, legal descriptions, survey and easement documents or maps as needed and requested.
- Coordinate plan checking and development processing between various City sections and departments as requested. Tabulate comments and prepare City response letters to applicants, the public and with all utility agencies as required.
- Calculate and check quantity estimates, fees, bonding amounts, shop drawings and design calculations as submitted with plans and applications.
- Maintain all necessary documentations for funding agencies, monitoring agencies and compliance information as required, including final closeout documentation.
- Meet with developers, engineers, contractors, consultants, the general public and others as required to discuss, resolve or make recommendations concerning development, public right-of-way improvements, reports, processing requirements, entitlement issues, construction and related issues.
- Provide additional backup services as needed or requested which will promote the expeditious and efficient plan processing and service goals of the City of Garden Grove.

- Read, understand and evaluate Landscape Architectural plans, Arborist reports and recommendations, the City of Garden Grove Zoning and Subdivision Ordinance, the City of Garden Grove Municipal Code, Water Ordinance, irrigation plans, construction plans and planting plans as they relate to Conditions of Approval for private developments, and high quality construction techniques acceptable in the City of Garden Grove.
- Perform onsite reviews to determine design restrictions, parameters, provide entitlement reviews and provide Conditions of Approval for all projects related to the impact of all land development projects on adjacent sites and public infrastructure. Must have the knowledge, background and practical experience to be able to analyze and enforce CEQA requirements.
- Inspect and enforce City Codes and the implementation of the City approved landscape plans to guarantee proper installation meeting the requirements of the approvals.

ATTACHMENT "B"

SCOPE OF WORK FOR ON-CALL CONSTRUCTION INSPECTOR

The On-Call Construction inspector shall be able to perform comprehensive inspection and field peer review that may include but not be limited to the following tasks for capital projects and those pertinent tasks related to private subdivision improvement inspection as requested:

- Serve as the City's representative and liaison to the contractor and his staff during construction of the project;
- Ensure that the project improvements have fully complied with the development permit conditions, the approved construction plans, specifications and contract requirements, as well as compliance with applicable City, State and Federal standards, codes and regulations;
- Provide daily and possibly intermittent inspection services of the work covered in the construction permit documents, and as directed by the City Engineer;
- Conduct field inspections of road construction, utility infrastructure and onsite grading and flatwork improvements, including erosion and sediment control, rough grading, fine grading, clearing and grubbing, demolition work, drainage improvements, landscaping and other city infrastructure;
- Respond to concerns of the residents living along the construction sites and those who travel through it and the community at large. This would also include individuals and groups with concerns related to ADA access issues;
- Evaluate complaints, conduct inspections to investigate complaints and assist in the resolution and documentation of the issues and mitigation of the complaint;
- Firmly, confidently and professionally confront the contractor, when necessary, for unacceptable work, construction practices and unsafe work area conditions;
- Effectively and expeditiously communicate with City staff, design consultants and the Contractor to identify conflicts, construction problems, coordinate resolution alternatives and issues and obtain needed action;
- Coordinate with utility companies and the contractor, in order for utility companies to move their conflicting facilities and minimize impact on the construction schedule;
- Confirm in writing that work being inspected conforms to the construction permit and/or contract requirements and promptly report unacceptable work to the Contractor and the City Engineer;

- Measure and prepare monthly spreadsheets of the quantity of work completed for progress payment and confirm all measurements and quantities with the Contractor;
- Inspect utility relocations to verify that the utility companies are constructing their facilities according to the City permit and applicable standards;
- Issue weekly reports of work to be submitted to the land development engineer and kept in the project file;
- Review change requests and refer to land development engineer for approval prior to work being done;
- Review Contractor's safety program and recommend amendments or acceptance;
- Review Contractor's traffic control plan and recommend amendments or acceptance;
- Review contractor's submittals of materials and shop drawings for conformance with the contract specifications and recommend amendments or acceptance to the land development engineer;
- Review contractors' Storm Water Pollution Prevention Plan and dust control plan submittals and recommend amendments or approval; inspect SWPPP during rainy season and comply with reports as required by the Orange County DAMP;
- Review the pedestrian and ADA paths of travel through the project periodically to monitor access and safety concerns, and recommend alternatives and/or adjustments;
- Review the Contractor's schedule and advise the Contractor to take action on schedule slippages;
- When required by the City Engineer, coordinate and arrange with the developer's surveyor to provide construction staking required for the work;
- Inspect asphalt pavement operations. Thorough knowledge and experience with asphalt concrete mix design and proper paving procedures is required by the inspector;
- When required by the City Engineer, coordinate and arrange with the developer's geotechnical engineer, material laboratories and special inspections to test material, review tests results for compliance with the specifications, and inform the Contractor that corrective measures are necessary to achieve compliance;
- Inspect contractors' construction activities in compliance with the City of Garden Grove and other regulatory agency's permit requirements;
- Inspect safety practices of contractors in compliance with CAL OSHA, motor vehicle code and other safety requirements;

- Inspect construction site for public safety, and report the discovered deficiencies to the contractor for immediate correction and notify in writing;
- Inspector shall shut down contractor activities when that operation poses a "danger to the public or workmen";
- Analyze and review claims and, when requested by the City Engineer, make recommendations to the land development engineer;
- Maintain all files during construction including pay quantities, daily and weekly reports, change order documentation, photographs, testing results and other documentation;
- Maintain a marked up set of plans for as-built drawings to be filed with the land development engineer;
- Maintain a detailed weekly diary of construction progress documenting site conditions, visitors, conversations, weather conditions, labor, equipment, and materials used, quantity of work performed, and major incidences occurring;
- Meet with the contractors daily to review proposed work plans, including specific details that may affect progress;
- Recommend and schedule with the City and applicable agencies for final inspection;
- Prepare punch list at substantial completion and follow up;
- Upon project completion, review the finished set of project as-builts for accuracy;
- And, perform all duties in a manner that promotes the cost-effective execution and progress or the work.