



CITY OF DUNWOODY

41 Perimeter Center East, Suite 250
Phone: 678.382.6700 • Fax: 678.396.4828
www.dunwoodyga.gov

MEMORANDUM

To: Honorable Mayor and City Council

From: Warren Hutmacher, City Manager

Date: July 20, 2009

Subject: **Contract Discussion – Service Delivery Vendors**

Lowe Engineers (Public Works), Clark Patterson Lee (Community Development) and Calvin, Giordano and Associates (Finance and Administration)

Concurrent with the execution of the service delivery agreements signed with the three vendors working on behalf of the City of Dunwoody in November, 2008 I committed to meeting with all three vendors at the approximate half-way mark of Fiscal Year 2009. The purpose of those meetings was to formally review progress and to determine if the contracts needed any revisions after nearly 8 months of operation.

As promised, I convened three meetings with our vendors and spent approximately 3 to 4 hours with each vendor. Our agenda included a review of progress over the past 8 months, a preview of activities in the next 5 months of this Fiscal Year and a review of contract issues.

It is my recommendation that all three contracts with our vendors could use modification. It is not surprising to me that we will need to make certain changes. Given the compressed time schedule that we bid out services, evaluated vendors and negotiated contracts I am not surprised that we are considering making minor changes to our contracts at this point in time.

I will detail the changes in additional memorandums to review the changes for each vendor. Also, each vendor has submitted a preliminary proposal to the City for a change order. They are attached to this series of memorandums.



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MEMORANDUM

To: Honorable Mayor and City Council

From: Warren Hutmacher, City Manager

Date: July 20, 2009

Subject: **Contract Discussion – Lowe Engineers (Public Works)**

Earlier this year, the City of Dunwoody created and funded a Storm Water Utility. The Storm Water utility is funded by user fees to residential and commercial property owners. The total revenue expected to be generated from the Storm Water Utility is \$1,187,918.

The approved FY 2009 Storm Water budget includes \$153,333 in planned expenditures for the management and support of the Storm Water Utility. Lowe Engineers is proposing assigning Chuck Davis to serve as the Project Manager for Storm Water. He already serves on a part time basis as the Deputy Director of Public Works. He is a Professional Engineer (PE) and would do a good job for us in this new role.

Attached to this memorandum is a proposal from Lowe Engineers to manage the storm water program. Total cost for FY 2009 would not exceed \$125,000 and fees would be billed on an hourly basis for professional services. They are proposing a fee of \$250,000 for FY 2010 and \$250,000 for FY 2011. Lowe Engineers will be responsible for managing the remaining funds the City has under its control for storm water programs. These funds would belong to the City and be spent solely on storm water expenses.

Over the next few weeks I will be working with Lowe Engineers to draft a contract amendment for your approval at the first meeting in August (August 10th). I recommend we move forward with this concept.

July 14, 2009

Warren Hutmacher
City Manager
City of Dunwoody
P.O. Box 888074
Dunwoody, GA 30356

**RE: Contract Modification for Stormwater Utility Management
Public Works - Dunwoody, Georgia**

Dear Mr. Hutmacher:

As requested, it is our pleasure to submit this proposed modification to our current contract to provide additional services in Public Works. Following is a scope of work and invoicing/payment proposed terms.

Summary Scope of Work: Our scope of work will address the management of the Stormwater Utility. It will address the staffing of the management section and the responsibilities. Our proposal is that the Stormwater Utility Management staff will work for the Public Works Director and will be a section within Public Works. However, due to the different funding source available with the Stormwater Utility, we will be careful to break out all labor and expenses for the Stormwater Utility Management.

Scope of Work: We will provide engineering management and direction of the Dunwoody Stormwater Utility to provide the following services:

- Management and Oversight of the maintenance of the drainage infrastructure, including routine clean-out and repair.
- Response to drainage complaints.
- Management, Design, and Oversight of the repair of new failures of drainage structures, including collapse of corroded metal pipes.
- NPDES/MS4 permit requirements, to include permit reporting and required activities.
- Management and quality control of any stormwater inventory activities. This will include preparation of an RFP for this work.
- Development of Capital Improvement Program (CIP) to address chronic drainage and flood problems that have been neglected due to inadequate funding.
- Capital projects for watershed protection and channel restoration.
- Annual reassessment of the stormwater utility fee structure.

Staffing: A Stormwater Utility Manager will be provided. He will report directly to Richard Meehan, our Public Works Director. We are proposing Mr. Chuck Davis, PE, as the Stormwater Utility Manager. This will be his primary duty, with a limited role in the other Public

Works functions under our basic contract. The Manager will be assisted as needed to perform the tasks outlined above, with additional Lowe engineers and technicians experienced in stormwater systems. Additional support will be needed in construction inspection, NPDES/MS4 permit activities, and project scoping/design.

Invoicing/Payment Terms: We would like to propose the following invoicing/payment terms:

1. Stormwater Utility Management for 2009: For 2009, we propose invoicing on an hourly basis, with a not-to-exceed modification amount for calendar year 2009. The not-to-exceed amount will be \$125,000. Invoices will be submitted just after the end of each month and we request payment by the 15th of the following month.
2. Stormwater Utility Management for 2010 and 2011: For 2010 and 2011, we propose invoicing on an hourly basis, with a not-to-exceed modification amount for calendar year 2009. The not-to-exceed annual amount will be \$250,000. Invoices will be submitted just after the end of each month and we request payment by the 15th of the following month.
3. Reimbursable expenses will be invoiced with backup at a zero markup. We don't expect this to be substantial.

Schedule: We propose initiating work on or before August 1, 2009.

Stormwater Emergency Response: We will provide emergency response capability 24/7/365 for public works areas of responsibility. Details and on-call staff information will be provided to the City Manager.

We sincerely appreciate this opportunity to expand our support to the new City of Dunwoody in this important effort. Please contact me at 404-312-1843 or email at drysdale@loweengineers.com if you have any questions. Thanks.

Sincerely,
Lowe Engineers, LLC

Jon Drysdale, PE
Partner



**Fee Schedule
For
City of Dunwoody Stormwater Utility
2009**

STAFF CATEGORY	HOURLY BILLING RATES
Stormwater Manager	\$125
Senior Stormwater Engineer	\$130
Stormwater Engineer	\$85
Utility Coordinator	\$85
Stormwater Construction Inspector	\$70
Senior Technician	\$85
Technician	\$65
Senior GIS Technician	\$85
GIS Technician	\$65
Registered Land Surveyor	\$160
Survey Supervisor	\$100
Field Supervisor	\$75
Survey Crew	\$150
Clerical	\$50
Reimbursable Expenses	Cost



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MEMORANDUM

To: Honorable Mayor and City Council

From: Warren Hutmacher, City Manager

Date: July 20, 2009

Subject: **Contract Discussion – Calvin, Giordano & Associates (Finance and Administration)**

Attached to this memorandum you will find a proposal from Calvin, Giordano and Associates (CGA) to modify their contract with the City of Dunwoody for Finance and Administration services.

As a part of my discussion with CGA we discussed the possibility of increasing staffing in the Municipal Court from 1 Deputy Court Clerk to 2 Deputy Court Clerks. There is a broader issue to discuss related to this personnel request. I will provide you with some background and analysis in addition to my recommendation to add one staff person to the Court.

Background:

Dunwoody PD began operations on April 1, 2009. The PD is issuing an average of over 800 citations per month. The volume of PD citations, combined with citations issued by Community Development (Code Compliance) and left over citations issued by the DeKalb County PD have created a backlog of citations that needed to be entered into our Municipal Court software (CourtWare). Additionally, Court meets once a week to conduct arraignments and probation revocation hearings. Trials are held four times a year. The docket is limited to approximately 80 cases per week due to the size of our courtroom, our staffing model and the time it takes to move through a docket larger than 80 people.

Having only a Court Clerk and one Deputy Court Clerk has caused problems for us. There is a lot of administrative work that has to occur from the time we receive a citation from the PD to the time the case is resolved and reported to the State of Georgia. I will not go into the details of all the steps involved in this memorandum.

In the short term, we have temporarily resolved the backlog of citations by hiring a temporary court employee, using existing Finance and Administration staff as well as the night time Police Services Representatives to enter citations into CourtWare. My concern with this strategy is that when we use these personnel for Court it detracts from their other duties. Resolving this backlog is a temporary solution. The backlog will reappear if any of the full time staff go on vacation, attend training or are out sick. We simply don't have the personnel to keep up with all of the duties of the Court.

Analysis:

I directed our staff to research other municipalities with similar citation volume in the Metro area. The results of the study show that most municipalities average about 223 citations per court employee and most courts have on average 7 sessions per month. Compare that to Dunwoody and you can easily see that our court staff is averaging 458 citations per person. Adding one more employee still won't get us to the average, but will be a vast improvement over our current staffing level.

City	Number of Municipal Court Staff	Citation Volume per Month	Number of Court Dates per Month	Average citations per employee
Alpharetta	7	1650	10	236
Doraville	5	1450	6	290
Douglasville	6	900	6	150
Marietta	8	1,410	14	176
Milton	2	425	5	213
Norcross	5	1,250	7	250
Snellville	4	600	8	150
Suwanee	3	950	5	317
Average	5	1079	7	223
Dunwoody	2	915	4	458

An ancillary issue that also will need to be dealt with that is outside of the contract but will have financial ramifications as well as staffing impacts is the frequency of our court dates. We currently hold Court on Wednesdays, with arraignments and probation revocations each week and trials held four times a year. Currently, a ticket issued in July would not be heard until December. That is poor customer service and has the ability to impact the efficiency of our court. This is especially true for code compliance issues where a quick court date may help to resolve a code issue that is not able to be resolved by cooperation or persuasion. I will be recommending additional court dates in a subsequent recommendation. There is a fiscal impact to this due to the fact that you are adding salary for the Judges (they are paid per session) and salary for the Solicitors (they are paid per hour) as well as funds for interpreters and public defenders (when necessary). The cost to add one additional court employee for the balance of FY 2009 will be approximately \$40,000.

Over the next few weeks I will be working with CGA to draft a contract amendment for your review and approval at the first meeting in August (August 10th). I recommend we move forward with this one staffing change at this time.



Calvin, Giordano & Associates, Inc.
EXCEPTIONAL SOLUTIONS

July 20, 2009

Warren Hutmacher
City Manager
City of Dunwoody
P.O. Box 888074
Dunwoody, GA 30356

RE: Calvin, Giordano & Associates, Inc. – Finance and Administration

Dear Mr. Hutmacher:

Per your request, we are pleased to submit this proposed modification to our current contract in order to provide the adequate level of support services to the Municipal Court Operations. We are hereby recommending one (1) additional court staff at an annual salary of \$40,000. The following information is provided to address the recommended modifications to our current agreement as per our June 25, 2009 meeting.

• **Staffing**

Deputy Court Clerk – We are requesting the creation of a position to provide additional clerical and administrative support to the Dunwoody Municipal Court. This position would assist court operations by providing staffing to manage various routine activities related to the handling traffic citations such as:

1. Intake: Alphabetizing citations, mailing hearing and reset notices and attaching legal motions
2. Docket Preparation: Confirming citation paperwork and printing dockets
3. Dispositions: Recording the judge or solicitor's decision after court; downsizing paperwork and preparing citations for archives, closing citations, adjudicating probation, processing solicitor pretrial defendants

We greatly appreciate the opportunity to support the City of Dunwoody. As always, please let us know if you have any questions or would like any additional information.

Sincerely,

CALVIN, GIORDANO & ASSOCIATES, INC.

Tanya S. Jackson, MBA
Project Management Officer

Cc: Dennis J. Giordano, President
George Keller Jr., Contract Administrator

Engineering
Construction Engineering
& Inspection
Municipal Engineering
Transportation Planning
& Traffic Engineering
Surveying & Mapping
Planning
Landscape Architecture
& Environmental Services
Construction Services
Indoor Air Quality
Data Technologies
& Development
Emergency Management
Services
Building Code Services

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MEMORANDUM

To: Honorable Mayor and City Council

From: Warren Hutmacher, City Manager

Date: July 20, 2009

Subject: **Contract Discussion – Clark Patterson Lee (Community Development)**

Attached to this memorandum you will find a proposal from Clark Patterson Lee to modify their contract with the City of Dunwoody for Community Development Department services.

As a part of our discussion with Clark Patterson Lee we discussed the possibility of making two staffing adjustments to our contract.

1. Clark Patterson Lee hired Kimberly Greer in January, 2009 as a Special Projects Planner to handle primarily transfer permits from DeKalb County and staffing of the Sustainability Committee. She is also working on special projects such as the Census count, the development of the Convention and Visitors Bureau and the special event permit process. She is very sharp and has performed exceptionally for the City of Dunwoody. However, this position was not included in the contract we signed in November. Clark Patterson Lee is not seeking reimbursement of costs for her services, but is requesting a contract amendment to continue her involvement in the project. The cost for FY 2009 is proposed to be \$42,000 for adding the Special Projects planner.
2. I spent considerable time during my meetings with Clark Patterson Lee reviewing the operational methodology and staffing regarding zoning applications (both rezoning and variances) and text amendments. It is apparent to me that the staffing model the City and Clark Patterson Lee agreed to in November is deficient in the area of administrative coordination. The crux of the issue is that the Senior Planner (Howard Koontz) is spending a majority of his time coordinating administrative functions (notices, advertisements, minutes and agenda preparation) at the expense of time he could be spending conducting analysis and review of applications and text amendments as well as work on planning efforts. The solution to this problem is to dedicate an administrative position to the process that could effectively handle the administrative functions mentioned above and allow the senior staff to focus on more substantive issues. The cost for FY 2009 for this additional staff person is proposed to be \$37,000.

Additionally, I discussed with Clark Patterson Lee the possibility of removing miscellaneous expenses from their contract and moving that expense into the City's operating budget. They are in agreement with this proposed change. This would give the city additional flexibility in regards to expense control.

Over the next few weeks I will be working with Clark Patterson Lee to draft a contract amendment for your review and approval at the first meeting in August (August 10th). I recommend we move forward with these changes.



July 16, 2009

Mr. Warren Hutmacher
City Manager
City of Dunwoody
41 Perimeter Center East
Dunwoody, GA 30346

RE: Community Development Department - Mid-Year Review

Dear Mr. Hutmacher,

In our role as your Community Development Department (CDD), we appreciate your meeting with us on June 26th as part of our mid-year evaluation. While we have mutually found the experience to be closely in-line with our expectations, we have found a few areas that we are recommending modifications to our current agreement. The following information is provided to address these suggested changes and as a response to what you have requested for the proposed 2010 budget.

1. Staff Adjustments:

- A. Special Projects Planner - Kimberly (Larson) Greer was added to the team as a full-time employee in January of this year. She was initially utilized to support a surge of transfer permit issues that demanded additional customer service and has resulted in over \$250,000 of transfer permits being processed in the department. She has also been very actively involved with the Sustainability Committee, which is a group that was not initially anticipated. Her willingness to assist the team with all types of demanding administrative needs has also been needed and appreciated. We are not seeking reimbursement for the first 6 months of service provided by Kimberly. We are requesting to have our agreement adjusted by \$42,000 to reflect her continued involvement with the City for the balance of 2009, as the need has been clear and she is a key member of the team.
- B. Planning Coordinator - We are requesting the creation of a position to support a combination of planning and administrative needs in the department. This person would work closely with Howard Koontz, our City Planner, who has been tasked beyond a reasonable workload. We have found that Howard spends much of his time working on issues that could be completed by a subordinate, freeing him to focus on more meaningful details and pro-active efforts. In addition, our administrative workload has been significantly greater than expected. While we believe a role may be necessary for a full-time administrative person, we agree that a responsible first step is to address these needs with a person that is capable of fulfilling both planning and administrative roles. We are requesting \$37,000 of fee for this role, covering the balance of 2009.



2. Proposed 2010 Budget Adjustments:

- A. Staff Adjustments – The staff adjustments identified in item 1 would initially increase the CDD budget by \$158,000 for 2010. As the 2009 budget included 13 months of services, the net impact actually reduces the 2010 CDD budget by \$10,000 for professional services being provided by Clark Patterson Lee.
- B. Miscellaneous Expenses – We are in agreement that there are numerous miscellaneous expenses that we are willing to remove from our scope of work and include in the proposed 2010 CDD budget as separate line items, such as printing, education & training, postage, etc. This modification is not likely to generate a significant cost savings, but will provide the City with more control over these expenditures. We are currently working with our accounting staff to clearly identify what portion of the costs can be transferred to the City. We are planning to keep the costs of vehicles, insurance, gas and maintenance in our agreement. As a response to the inspections demand, we added a third vehicle and another inspector during the past 6 months, but it should not have an impact on the proposed budget under our current agreement.

We are hopeful that this letter addresses the additional information you requested. As always, please let us know if you have any questions or require any additional information.

Sincerely,

CLARK PATTERSON LEE

Kevin J. McOmber, P.E.
Vice President