

## City Council Report

915 I Street, 1<sup>st</sup> Floor

Sacramento, CA 95814

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**File ID:** 2019-00812

July 23, 2019

**Consent Item 07**

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**Title: Supplemental Agreement: West Broadway Specific Plan Professional Services Agreement**

**Location:** District 4

**Recommendation:** Pass a Motion authorizing the City Manager or the City Manager's designee to execute supplemental agreement No. 2 to the professional services agreement with Ascent Environmental, Inc in that amount of \$43,115 for a new not-to-exceed amount of \$618,679 for the West Broadway Specific Plan.

**Contact:** Susanne Tam, Administrative Analyst, (916) 808-5375; Helen Selph, Associate Planner, (916) 808-7852; Greg Sandlund, Principal Planner, (916) 808-8931, Community Development Department

**Presenter:** None

**Attachments:**

1-Description/Analysis

2-Supplemental Agreement 2

## Description/Analysis

**Issue Detail:** On April 3, 2018, City Council passed a resolution authorizing a professional agreement with Ascent Environmental, Inc. in an amount not-to-exceed \$558,064 pertaining to the preparation of the West Broadway Specific Plan. Supplemental agreement No. 1 was approved in February 2019 in the amount of \$17,500 to add the following tasks: A) Prepare Marina/Miller Park Annual Operations and Maintenance Cash Flow Analysis B) Prepare Marina/Miller Park Capital Facilities Analysis C) Expand Task 1.3, the Transportation and Traffic Analysis. The supplemental agreement increased the total agreement amount to \$575,564.

A second supplemental agreement is needed to supplement the Preparation of the Specific Plan (Task 2) and Project Management and Meetings (Task 4), and add additional subtasks to Task 3, the Preparation of the Environmental Impact Report primarily because the original scope of work did not anticipate changes to the Sacramento Marina or in-water improvements that are associated with the proposed vision for Miller Regional Park. The proposed Supplemental Agreement will increase the agreement amount by \$43,115 for a total not-to-exceed amount of \$618,679.

**Policy Considerations:** The recommendations in this report are consistent with Administrative Policy-4101, Procurement of Professional Services and Title 3 of the Sacramento City Code.

**Economic Impacts:** None.

**Environmental Considerations:** This report concerns administrative activities and government fiscal activities that do not constitute a “project” as defined by the CEQA Guidelines Sections 15378(b)(2) and 15378(b)(4) and are not subject to the provisions of CEQA (CEQA Guidelines 15060(c)(3)).

**Sustainability:** The preparation of a specific plan for the project area will facilitate infill development, reuse, and reinvestment in an existing urbanized area. Increased housing opportunities near the urban core will reduce long commutes and dependence on the use of the private automobile, reduce per capita greenhouse gas emissions, and help meet air quality standards.

**Commission/Committee Action:** None.

**Rationale for Recommendation:** The vision that was presented in the first round of public workshops was well received by the community but is very ambitious and has added complexity and unanticipated challenges to the project. In addition, changes to the context of

the planning area, such as incorporating consideration of The Mill Phase 5 have increased the level of effort beyond that which was anticipated when the original consultant budget was prepared. The unanticipated increase in the level of effort needed has delayed the project schedule by approximately 7 months and will require a budget augmentation to complete the project.

**Financial Considerations:** There is sufficient funding in the Northwest Land Park Specific Plan (I21005500) to fund the supplemental increase of \$43,115 to contract #2018-0459 with Ascent Environmental, Inc.

**Local Business Enterprise (LBE):** Ascent Environmental, Inc is an LBE.

# CONTRACT ROUTING SHEET

*Contract Cover/Routing Form: Must Accompany ALL Contracts; however, it is NOT part of the contract.*

**General Information (Required)**

Original Contract # (supplements only): 2018-0459 Supplement/Addendum #: 2  
 Assessor's Parcel Number(s): \_\_\_\_\_  
 Contract Effective Date: \_\_\_\_\_ Contract Expiration Date (if applicable): \_\_\_\_\_  
 \$ Amount (Not to Exceed): \$ 618,679.00 Adjusted \$ Amount (+/-): \_\_\_\_\_  
 Other Party: Ascent Environmental, Inc.  
 Project Title: West Broadway Specific Plan  
 Project #: \_\_\_\_\_ Bid/RFQ/RFP #: \_\_\_\_\_  
 City Council Approval: YES if YES, Council File ID#: \_\_\_\_\_

**Contract Processing Contacts**

Department: Community Development Project Manager: Helen Selph  
 Contract Coordinator: Susanne Cook Phone Ext. 5375

**Department Review and Routing**

<b>Accounting:</b>	_____	_____
	(Signature)	(Date)
<b>Supervisor:</b>	_____	_____
	(Signature)	(Date)
<b>Division Manager:</b>	_____	_____
	(Signature)	(Date)
<b>Other:</b>	_____	_____
	(Signature)	(Date)

**Special Instruction/Comments (i.e. recording requested, other agency signatures required, etc.)**

**Recording Requested**       **Other Party Signature Required**

-----**FOR CLERK & IT DEPARTMENTS ONLY – DO NOT WRITE BELOW THIS LINE**-----

**SUPPLEMENTAL AGREEMENT**

**Project Title and Job Number:** West Broadway Specific Plan  
**Purchase Order #:**

**Date:** 6/04/19  
**Supplemental Agreement No.:** 2

The City of Sacramento ("City") and Ascent Environmental, Inc. ("Contractor"), as parties to that certain Professional Services Agreement designated as Agreement Number 2018-0459, including any and all prior supplemental agreements modifying the agreement (the agreement and supplemental agreements are hereafter collectively referred to as the "Agreement"), hereby supplement and modify the Agreement as follows:

1. The scope of Services specified in Exhibit A of the Agreement is amended as follows:

The additional services provided shall be as set forth in Attachment 1 to this supplemental agreement, attached hereto and incorporated herein. The time of performance specified in Section 5 of Exhibit A (the scope of services) shall be extended to May 30, 2020.

2. In consideration of the additional and/or revised services described in section 1, above, the maximum not-to-exceed amount that is specified in Exhibit B of the Agreement for payment of Contractor's fees and expenses, is increased by \$43,115.00, and the Agreement's maximum not-to-exceed amount is amended as follows:

Agreement's original not-to-exceed amount:	<u>\$558,064.00</u>
Net change by previous supplemental agreements:	<u>\$17,500.00</u>
Not-to-exceed amount prior to this supplemental agreement:	<u>\$575,564.00</u>
Increase by this supplemental agreement:	<u>\$43,115.00</u>
New not-to exceed amount including all supplemental agreements:	<u>\$618,679.00</u>

3. Contractor agrees that the amount of increase or decrease in the not-to-exceed amount specified in section 2, above, shall constitute full compensation for the additional and/or revised services specified in section 1, above, and shall fully compensate Contractor for any and all direct and indirect costs that may be incurred by Contractor in connection with such additional and/or revised services, including costs associated with any changes and/or delays in work schedules or in the performance of other services or work by Contractor.

4. Contractor warrants and represents that the person or persons executing this supplemental agreement on behalf of Contractor has or have been duly authorized by Contractor to sign this supplemental agreement and bind Contractor to the terms hereof.

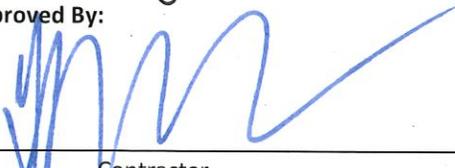
5. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect, and Contractor shall perform all of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by this supplemental agreement.

**Approval Recommended By:**



Project Manager

**Approved By:**



Contractor

**Approved By:**

**Approved As To Form By:**



City Attorney

**Attested To By:**

City of Sacramento

City Clerk

## Scope of Work for Supplemental Agreement:

The City would like to expand CONTRACTOR'S scope of work to include significant changes to the parties original agreement as to the plans for the Marina and Miller regional park as well as incorporate the proposed private development the Mill Phase 5. The specific tasks associated with these items are laid out below. The proposed Supplemental Agreement will increase the project budget by \$43,115 for a total project budget to \$618,679.

### Task 2: Prepare Specific Plan

Additional tasks include the preparation of a more precise park plan concept with analysis of potential park program facilities for use in estimating general improvement costs to develop Miller Regional Park. This includes coordination with City Parks staff and Finance and Infrastructure consultants on park programming, cost estimates for park facilities, and potential park impact fees to support the financial analysis for Scenario A. Additional tasks also include revisions to plan concepts and the circulation plan to support the technical analysis, including the addition of the Mill Phase 5.

Factoring in the budgets originally allocated to these tasks, the amount of the budget increase for Task 2 is \$17,510, as indicated in Table 1 below.

### Task 3: Prepare Environmental Impact Report

The budget for Task 3, Preparation of the Environmental Impact Report needs to be augmented because the original scope of work did not anticipate a vision for Miller Regional Park which included changes to the Sacramento Marina or in-water improvements. The additional sections and associated analysis will be added to cover the following topics in the EIR as follows:

- Geology and Soils; and
- Hydrology and Water Quality.

In addition, the analysis will need to be expanded to evaluate the potential environmental impacts of the proposed plan. Ascent's initial scope of work assumed that "any improvements at Miller Regional Park would not affect the waterfront (e.g., impacts to fisheries)". The proposed plan will require additional analysis of Biological Resources, Recreation, and Transportation (watercraft transportation hazards). The proposed land use plan for Scenario A in the Marina/Miller Regional Park Special Study Area involves modifying the marina and waterfront and includes potential for pedestrian/bike bridges across the marina and Sacramento River. As a result, additional labor related to the programmatic analysis of fisheries will be necessary. The addition of bridge(s) across the Sacramento River will also require additional analysis related Parks and Recreation and Transportation due to need for discussion of potential impacts to watercraft.

This EIR scope also includes costs for services for Ascent’s historic and cultural resources subconsultant, Natural Investigations Company, Inc. (NIC), to prepare a non-confidential cultural resources report that can be publicly shared and appended to the environmental document. This was requested by the city staff due to the sensitive historic resources in the vicinity of the Specific Plan Area and only a confidential report was scoped as part of the original contract.

**Task 4: Meetings, Management, and Coordination**

Changes to Task 2 and 3 require additional coordination, meetings, and project management, resulting in the need for a budget augmentation of \$6,540, as indicated in Table 1, below. Additional meeting time with public agencies associated with the additional work scope identified in the EIR is also included.

**Table 1: Requested Ascent Budget Augmentation for West Broadway Specific Plan**

Task	Staff Title	Task Hours	Additional Task Budget	Original Contract Budget	Proposed Budget with Augmentation
2: Prepare Specific Plan	Ascent Project Director	8	\$1,920		
	Ascent Specific Plan Task Manager	25	\$4,000		
	Ascent Senior Planner/ Urban Designer	50	\$6,750		
	Ascent Urban Designer	44	\$4,840		
	Subtotal	127	\$17,510		
3: Prepare EIR	Ascent EIR Task Manager	12	\$2,040		
	Ascent Biologist	32	\$3,840		
	Ascent Environmental Planner	88	\$10,560		
	Ascent GIS Specialist	4	\$440		
	NIC Principal PM	1	\$120		
	NIC Principal Investigator	18	\$1,980		
	NIC GIS Specialist	1	\$85		
Ascent Subtotal	136	\$16,880	\$136,810	\$153,690	

	NIC Subtotal	20	\$2,185	\$7,275	\$9,460
4: Meetings, Management, Coordination	Ascent Project Director	6	\$1,440		
	Ascent Specific Plan Task Manager	9	\$1,440		
	Ascent CEQA Task Manager	12	\$2,040		
	Ascent Senior Planner/ Urban Designer	12	\$1,620		
	Subtotal	39	\$6,540		
Total All Tasks			\$43,115	\$312,840 (Ascent); \$7,275 (NIC)	\$353,770 (Ascent); \$9,460 (NIC)