

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A THREE-PARTY AGREEMENT BETWEEN THE CITY OF CHULA VISTA, DELORENZO INTERNATIONAL AND BALDWIN AND SONS FOR PARK DESIGN SERVICES FOR OTAY RANCH VILLAGE 2, PARK P-3, (MONTECITO PARK).

WHEREAS, Baldwin and Sons (Applicant) and the City entered into a certain park development agreement, "The Otay Ranch Village 2 Parks Agreement," dated November 11, 2014 (Parks Agreement); and

WHEREAS, the Parks Agreement requires the Applicant to satisfy its Village 2 neighborhood park obligations, codified in Chula Vista Municipal Code section 17.10, through the provision of turnkey parks; and

WHEREAS, one of the conditions of the Parks Agreement was that the Applicant in conjunction with the City would solicit the landscape architecture and design work necessary for the construction of neighborhood parks through the same Request for Proposal process that would otherwise be used by the City to engage similar services; and

WHEREAS, in accordance with the Parks Agreement, once a consultant is selected for a particular neighborhood park, the Applicant, Consultant, and the City must execute a 3-Party Agreement in which the Applicant agrees to pay for and manage the services of the consultant, while the City would participate in the design process and review and approve plans; and

WHEREAS, Park P-3 is a Neighborhood Park within Village 2 and covered by the Park Agreement; and

WHEREAS, the Park P-3 Park Master Plan was approved at City Council on January 27, 2015; and

WHEREAS, in accordance with the Park Agreement, Baldwin and Sons, in conjunction with City staff, issued a Request for Proposals (RFP) for landscape architectural consultants and subsequently interviewed the four design teams who best met the criteria listed in the RFP. The consultant selected was DeLorenzo International; and

WHEREAS, having selected DeLorenzo International, the City of Chula Vista and Baldwin and Sons would like to enter into the required three-party agreement with DeLorenzo International; and

WHEREAS Baldwin and Sons and DeLorenzo International will also enter into a separate agreement with each other that includes details of design fees and payments for the design work.

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NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it approves the Three-Party Agreement between the City of Chula Vista, DeLorenzo International and Baldwin and Sons, in the form presented, with such minor modifications as may be required or approved by the City Attorney, a copy of which shall be kept on file in the Office of the City Clerk and authorizes and directs the Mayor to execute same.

Presented by

Approved as to form by

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**Kelly Broughton**  
**Development Services Director**

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Glen R. Googins  
City Attorney