



# CITY COUNCIL AGENDA STATEMENT



December 10, 2019

File ID: 19-0557

## **TITLE**

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND DAVY ARCHITECTURE, INC. FOR DESIGN AND CONSTRUCTION ADMINISTRATION FOR THE DECK IN FRIENDSHIP PARK

## **RECOMMENDED ACTION**

Council adopt the resolution.

## **SUMMARY**

On September 25, 2018, the City Council adopted Resolution 2018-202 accepting and appropriating Housing-Related Parks (HRP) grant funds in the amount of \$629,450 to construct an outdoor deck addition to the Civic Center Library (CIP No. GGV0244). Subsequently, the City entered into an agreement with Davy Architecture, Inc (Davy) for the provision of design and construction administration services for the outdoor deck project (the "Agreement"). On May 7, 2019, City Council approved the First Amendment to the Agreement to include construction management services and allow for reimbursable expenses for printing and materials delivery and amended the CIP budget. On June 11, 2019, Council approved additional PFDIF funds to ensure funding for the completion of the project. The City and Davy now desire to amend the agreement a second time to provide for additional architectural services for design modification of the deck footings due to unforeseen conditions during construction, as well as additional construction management services with the contractor's revised schedule of completion at January 10, 2020.

## **ENVIRONMENTAL REVIEW**

The Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities), Section 15303 class 3 (New Construction or Conversion of Small Structures), and Section 15061(b)(3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Thus, no further environmental review is required.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Not applicable.

## **DISCUSSION**

On February 7, 2017, the City Council approved submission of a Housing-Related Parks (HRP) Grant application to the California Department of Housing Community Development Department (Resolution No. 2017-023).

The HRP program was funded through the passage of Proposition 1C, which creates incentives and rewards local governments for building affordable housing by providing grant funds for needed parks in those communities. The grant funds may be used for the creation, development, or rehabilitation of park and/or recreation facilities. The City was awarded a grant in the amount of \$629,450. On September 25, 2018, the City Council approved Resolution 2018-202 accepting the HRP grant funds and amended the operating and capital improvement program budgets to appropriate the grant funds to CIP No. GGV0244 (Civic Center Library Outdoor Deck Addition).

On October 2, 2018, Council adopted Resolution No. 2018-209 approving the Agreement with Davy for Design and Construction Administration for Deck at Friendship Park (Attachment 1), in the amount of \$98,000. On May 7, 2019, Council approved amending the Agreement to include construction management services and reimbursable expenses for printing and materials delivery, increasing the Davy contract by \$69,600, for a not to exceed contract amount of \$167,600 (Attachment 2). On June 11, Council authorized an additional appropriation of up to \$966,357 from the Major Recreation Component of the Public Facilities Development Impact Fund. With additional architectural services required for design modification of the deck footings due to unforeseen conditions during the construction of the deck, as well as additional construction management services required with the contractor's revised schedule of completion at January 10, 2020, the City and Davy desires to enter into a Second Amendment of the Agreement (Attachment 3). This amendment would increase the contract by \$47,800, bringing the total of the contract amount to \$215,400. If consultant services continue beyond 1/10/2020, Davy will invoice the City on an hourly basis at the contract rates for Davy Architecture and OCMI, as noted in the agreement. Hours will not exceed 4 hour per week for Davy Architecture and 8 hours per week for OCMI. This second amended agreement is funded in full by the previously appropriated PFDIF funds.

## **DECISION-MAKER CONFLICT**

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(7) or (8), for purposes of the Political Reform Act (Cal. Gov't Code §87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

### **CURRENT-YEAR FISCAL IMPACT**

The funds necessary to design and construct this project to completion were approved by City Council on June 11, 2019. The additional funds necessary for this amendment are within the total approved funding for this project. There is no general fund impact as a result of this action.

### **ONGOING FISCAL IMPACT**

Upon completion of the project, the improvements will require routine City maintenance.

### **ATTACHMENTS**

1. Original Agreement - Davy Architecture Inc.
2. First Amendment to Agreement – Davy Architecture Inc.
3. Second Amendment to Agreement – Davy Architecture Inc.

*Staff Contact: Tim Farmer, Parks and Recreation Administrator*