



Staff Report

November 12, 2019

TO: Honorable Mayor and Members of the Town Council
FROM: Sean Rabé, Town Manager
DATE: November 12, 2019
RE: Contract Amendment with Hauge Brueck Associates LLC for Costco Project Processing

Recommendation

Staff recommends the Town Council approve resolution and authorize the Town Manager to enter into a third contract amendment with Hauge Brueck Associates for Project Staff Processing associated with the Costco Retail Warehouse project. This contract amendment will bring Hauge Brueck's total allowable compensation under the contract to \$140,000.

Issue Statement and Discussion

The Town of Loomis entered into a professional services agreement with Hauge Brueck Associates in June 2018, for Project Staff Processing for the Costco Retail Warehouse project in the amount not to exceed \$39,940. A first contract amendment was approved by Council in September, bringing the allowable compensation under the contract to \$74,700; a second contract amendment approved in March 2019 brought the total amount of the contract to \$114,000.

Since March, additional work has been required to process the project. The Draft Environmental Impact Report for the project is currently being revised and will be recirculated later this month. During the review period the Town and Costco identified changes to the proposed project. These changes continue to require additional services from Hauge Brueck Associates.

This third contract amendment will bring the total amount of the contract to \$140,000. Staff recommends the Town Council approve the amendment.

Staff is prepared to answer any questions you may have.

CEQA Requirements

There are no CEQA implications associated with the recommended action.

Financial and/or Policy Implications

The additional contract amount will be fully borne by the project applicant.

Attachments

- A. Resolution
- B. Hauge Brueck Associates Contract Amendment 3
- C. Hauge Brueck Associates Task Order Amendment 3

TOWN OF LOOMIS

RESOLUTION NO. 19 - __

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS AMENDING THE JUNE 8, 2018 CONTRACT FOR SERVICES BETWEEN THE TOWN OF LOOMIS AND HAUGE BRUECK ASSOCIATES LLC

WHEREAS, the Town and Hauge Brueck Associates entered into the June 8, 2018 Contract for Services ("Contract"), to retain Hauge Brueck Associates to provide Project Staff Processing Services for the Costco Retail Warehouse project; and

WHEREAS, on September 11, 2018, the Town Council approved a first contract amendment for Hauge Brueck Associates for additional services required to complete the project processing, bringing the total allowable compensation under the contract to \$74,700; and

WHEREAS, on March 12, 2019, the Town Council approved a second contract amendment for Hauge Brueck Associates for additional services required to complete the project processing, bringing the total allowable compensation under the contract to \$114,000; and

WHEREAS, the Town and Hauge Brueck Associates have identified additional services required to complete the project processing; and

WHEREAS, the Town and Hauge Brueck Associates now desire to approve a Third Contract Amendment to the Contract to increase the total allowable compensation under the Contract to \$140,000.

NOW, THEREFORE, IT IS MUTUALLY AGREED by parties hereto to amend said Contract as follows:

- I. Amendment. Section 3.A of the Contract is hereby amended by replacing the figure \$114,000 with \$140,000.
- II. Remaining Terms Unaffected:
Except as expressly provided herein, nothing in this Amendment shall be deemed to waive or modify any of the other provisions of the Contract. In the event of any conflict between this Amendment and the Contract, the terms of this Amendment shall control.

PASSED AND ADOPTED by the Town Council of the Town of Loomis this 12th day of November, 2019 by the following vote:

AYES:
NOES:
ABSTAINED:
ABSENT:

Mayor

ATTEST:

Town Clerk

**AMENDMENT NO. 3
TO THE CONTRACT FOR SERVICES
BETWEEN THE TOWN OF LOOMIS AND
HAUGE BRUECK ASSOCIATES DATED JUNE 8, 2018**

This Amendment No. 3 to the Contract for Services between the **Town of Loomis** ("Town") and Hauge Brueck Associates which was entered into on June 8, 2018, is made and entered into this 12 day of November 2019 (the "Effective Date").

RECITALS

WHEREAS, the Town and Hauge Brueck Associates entered into the June 8, 2018 Contract for Services ("Contract"), to retain Hauge Brueck Associates to provide project staff processing services for Costco Retail Warehouse project; and

WHEREAS, on September 11, 2018, the Town Council approved a first contract amendment for Hauge Brueck Associates for additional services required to complete the project processing, bringing the total allowable compensation under the contract to \$74,700; and

WHEREAS, on March 12, 2019, the Town Council approved a second contract amendment for Hauge Brueck Associates for additional services required to complete the project processing, bringing the total allowable compensation under the contract to \$114,00; and

WHEREAS, the Town and Hauge Brueck Associates have identified additional services required to complete the project processing; and

WHEREAS, the Town and Hauge Brueck Associates now desire to approve a Second Contract Amendment to the Contract to increase the total allowable compensation under the Contract to \$140,000.

NOW, THEREFORE, IT IS MUTUALLY AGREED by parties hereto to amend said Contract as follows:

- I. Amendment. Section 3.A of the Contract is hereby amended by replacing the figure \$114,000 with \$140,000.
- II. Remaining Terms Unaffected:

Except as expressly provided herein, nothing in this Amendment shall be deemed to waive or modify any of the other provisions of the Contract. In the event of any conflict between this Amendment and the Contract, the terms of this Amendment shall control.

IN WITNESS WHEREOF the parties hereto have executed this Amendment as of the Effective Date.

Town of Loomis

Hauge Brueck Associates

By: _____
Sean Rabe, Town Manager

By: _____

Approved as to form:

Attest:

By: _____
Jeffrey Mitchell, Town Attorney

By: _____
Charleen Strock

Hauge Brueck Associates, LLC And Town of Loomis
Task Order Amendment 3
Costco Project Staff Processing Services

September 2019

Task 1. Project Coordination/Management

This task includes time for management coordination with the TOWN and the Applicant, and preparation of up to ~~20~~ 24 monthly progress reports and invoices. The progress reports will provide a description of the work completed during the invoice period, an estimate of the percent work completed to date, a description of out-of-scope work conducted (such work will be conducted only with authorization from the TOWN), status of contracted schedule, and a description of potential problems, including recommendations for resolution of each identified problem.

This task also includes schedule maintenance to track responsible parties and deadlines. Schedule maintenance will utilize a Gantt chart to track status. This will aid in meeting the firm project deadlines.

All deliverables will be electronic for the TOWN's use and distribution.

Task 2. Document Review

HBA will review the DEIR, application materials, staff presentation material, records of previous workshops and meetings, and other relevant material provided by the TOWN. HBA will peer review project documentation for accuracy and completeness.

The Task includes review of the initial Revised Draft EIR, the Revised DEIR with options and Draft Final EIR, as well as new plan sets, optional plan sets, application materials, and new and revised studies (HRA, traffic study, etc.).

Task 3. Meetings and Outreach

This task assumes up to ~~70~~ 100 ~~two-one & 1half-hour~~ meetings with the Project Team during the Project Review and DEIR preparation, circulation, and processing to coordinate the project approach agency outreach, and public outreach.

It is assumed the TOWN will provide templates of TOWN staff reports, ordinances, and resolutions so that deliverables can be appropriately formatted.

This task includes up to 30 one-hour meetings and up to ~~30~~ 50 ~~one~~ half-hour communications with agencies, stakeholders or individuals engaged in the process. This Task will be coordinated with AECOM as part of AECOM's EIR scope.

This Task includes up to 4 half-hour of preparation time for each meeting.

Task 4. General Plan and Zoning Code Amendments

HBA will prepare the proposed General Plan/Land Use Diagram and Zoning Code/Zoning Map Amendments, with changes shown in legislative mode. This task includes General Plan Consistency Findings documentation. The Findings will address how the amendment is consistent with the remainder of the General Plan. An ordinance will be prepared for the Zoning Code amendment. HBA will coordinate with the Town GIS staff to make the Land Use Diagram and Zoning Map changes.

This Task includes revisions to the previously prepared amendments and General Plan Consistency Findings document, and alteration of the previously prepared ordinance for the Zoning Code amendment.

Task 5. CEQA Findings and Statement of Overriding Considerations

Based on the Final EIR, HBA review the AECOM CEQA Findings of Fact. If there are significant and unavoidable impacts, a Statement of Overriding Considerations will be prepared by HBA. The Statement of Overriding Considerations will identify the significant and unavoidable impacts, describe why the project benefits outweigh unavoidable impacts, and discuss each benefit.

Task 6. Staff Report with Findings and Conditions

This Task includes the preparation of a staff report to be presented to the Planning Commission and Town Council. The staff report will include discussion of design review, general plan amendments, zoning code amendments, lot line adjustment, and a warehouse conditional use permit. HBA will prepare a list of conditions of approval based on the EIR mitigation program and input from TOWN staff.

The Staff report will include:

- Project Background and Environmental Review History
- General Plan and Zoning Code Amendments
- Design Review, General Plan, and Zoning Code Consistency Findings
- CEQA Findings and Overriding Considerations
- Recommendations
- Attachments
 - Conditions of Approval
 - Resolution

The staff report will be updated up to 3 times, as appropriate for each Planning Commission and Town Council meeting.

HBA will draft the staff reports for TOWN Manager review. This effort assumes up to two revisions of each staff report. The staff reports will be provided electronically for TOWN use and distribution.

This Task includes preparation of the Staff Report to address the General Plan and Zoning Amendment process kick-off, and the additional Staff Report associated with the added Planning Commission Workshop.

~~Task 7. Deleted~~

Task 8. Resolutions and Ordinances

HBA will prepare resolutions for the Planning Commission and Town Council. Resolutions will be prepared for:

- Certification of the EIR (findings, Statement of Overriding Conditions, Mitigation Monitoring and reporting Program)
- Adoption of General Plan amendment
- Adoption of the Zoning Code amendments
- Approval of the Conditional Use Permit

This Task includes modifications to previously prepared resolutions and ordinances based on new design changes and recent modifications to the General Plan and Zoning Code.

Task 9. Initial Draft Staff Report (complete)

HBA will prepare an initial draft staff reports for Project Team review during the circulation of the original Draft EIR-The Staff Report will include the following:

- Project Background and Environmental Review History
- General Plan and Zoning Code Amendments and Consistency Findings
- CEQA Findings and Overriding Considerations
- Recommendations
- Attachments
 - Conditions of Approval
 - Resolution

See Task 6 for the preparation of the staff report for the Planning Commission and Town Council.

Task 10. Hearing Noticing

HBA will prepare four (4) draft hearing notices for publishing and distribution by the TOWN. One draft notice will be prepared for the TOWN Council General Plan Decision Hearing, two for the Planning Commission meetings and one draft notice will be prepared for the TOWN Council hearings. The TOWN will provide HBA with the time and location of the meetings to include on the notices.

Task 11. Hearing Attendance

HBA will attend the public meeting on July 24th, two (2) Planning Commission meetings and three (3) TOWN Council hearings. Up to two (2) presentations will be prepared for the hearings. The Presentations will highlight the elements of the staff report, particularly the recommendations or actions of the Planning Commission and TOWN Council. It is assumed the Applicant will prepare a separate presentation detailing the actual project.

Schedule

HBA will follow the schedule of deliverables provided by the TOWN. HBA will maintain the Schedule on a Gantt chart, with TOWN input should dates change. The Schedule currently is estimated to require 24 months.

Town Of Loomis/HBA
Costco Project Task Order Amendment 3

Task	Amendment 3 Revised Budget								
	Associate XI	Associate VIII	Associate VI	Associate IV	Total Hours	Total Labor	ODC	Fee Estimate	
	Hauge Brueck	Consolini	DeMartino	Johnstone					
Staff Processing Services	362	450	0	24	836	\$137,320	\$2,680	\$140,000	
1 Project Coordination/Management	40	24	0	24	88	\$13,280	\$0	\$13,280	
2 Document Review	80	140	0	0	220	#REF!	\$0	#REF!	
3 Meetings and Outreach	200	130	0	0	330	#REF!	\$2,180	#REF!	
4 General Plan/Zoning Code Amend.	4	40	0	0	44	\$6,400	\$0	\$6,400	
5 Findings/Overriding Considerations	4	40	0	0	44	\$6,400	\$0	\$6,400	
6 Staff Report with Conditions	8	30	0	0	38	\$5,800	\$0	\$5,800	
7 Deleted			0	0	0	\$0	\$0	\$0	
8 Resolutions/Ordinances	4	24	0	0	28	\$4,160	\$0	\$4,160	
9 Initial Draft Staff Report (Complete)	2	8	0	0	10	\$1,520	\$0	\$1,520	
10 Hearing Notices	0	4	0	0	4	\$560	\$0	\$560	
11 Hearing Attendance	20	10	0	0	30	\$5,400	\$500	\$5,900	
Labor Rate	\$200	\$140	\$110	\$80					
Hours	362.0	450.0	0.0	24.0	836.0				
Total	\$72,400	\$63,000	\$0	\$1,920	836	\$ 137,320	\$ 2,680	\$ 140,000	

ODCs assume deliverables provided electronically only

Contract Amendments	Date	Change in amount	Budget
Original	6/8/18	\$ -	\$ 39,940
Amendment #1	9/11/18	\$ 34,760	\$ 74,700
Amendment #2	3/19/19	\$ 79,240	\$ 114,000
Amendment #3	10/31/19	\$ 26,000	\$ 140,000