




Agenda Item No: 4.g
Meeting Date: February 20, 2024

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works
April Miller, Public Works Director

Prepared by: Theo Sanchez, Associate Civil Engineer **City Manager Approval:** 

TOPIC: PICKLEWEED PARK ENHANCEMENT PROJECT

SUBJECT: AUTHORIZE THE CITY MANAGER TO ENTER INTO THE FIRST AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT WITH GATES + ASSOCIATES FOR ADDITIONAL LANDSCAPE ARCHITECTURAL AND ENGINEERING DESIGN SERVICES ASSOCIATED WITH THE PICKLEWEED PARK ENHANCEMENT PROJECT, IN THE AMOUNT NOT TO EXCEED \$47,600, AND APPROPRIATE FUNDING FOR THE AMENDMENT, FOR A TOTAL NOT TO EXCEED CONTRACT AMOUNT OF \$546,344

RECOMMENDATION:
Staff recommends that the City Council:

- 1) Authorize the City Manager to execute a first amendment to the professional services agreement with Gates + Associates for additional landscape architectural and engineering design services associated with the Pickleweed Park Enhancement Project, in the amount not to exceed \$47,600, for a total not-to-exceed contract amount of \$546,344, and

- 2) Authorize a supplemental budget appropriation of \$47,600 from available General Fund balance set aside for priority capital projects.

BACKGROUND:
The Pickleweed Park Enhancement Project proposes to add several park amenities, including a synthetic turf field, basketball/sport court, playground structure for children under five, fitness equipment for adults, shaded seating, and a gazebo. To facilitate the design of this project, the City Council awarded a professional services agreement to Gates + Associates for landscape architectural and engineering design services in the amount not to exceed \$498,734 on [November 7, 2022](#).

ANALYSIS:

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

City staff have been working on coordinating the Pickleweed Park Enhancement Project and the Tiscornia Marsh Restoration Project, which is currently being designed under the direction of the Marin Audubon Society (MAS).

The two proposed projects are located adjacent to each other and are anticipated to have overlapping construction windows. The Tiscornia Marsh Restoration Project will take place over several years, while the Pickleweed Park Enhancement Project is estimated to last six months. Although these project duration estimates are dependent on the presence of protected nesting birds, the City's park enhancement project should be completed before the marsh restoration project. A design is needed for this interim condition when the City's park project is nearing completion and needs to tie into the partially completed marsh restoration project. City staff have requested a proposal from Gates + Associates to design this interim condition and help coordinate with MAS' design consultant.

FISCAL IMPACT:

The proposal from Gates + Associates to provide additional landscape architectural and engineering design services totals \$47,600. This would increase their total contract amount to \$546,344.

A supplemental budget appropriation in the amount of \$47,600 is required to cover this contract amendments, as described. Funding to support this budget augmentation is available through General Fund resources (fund balance) set-aside for high priority capital projects.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Authorize the City Manager to enter into the agreement and supplemental budget appropriations as recommended.
2. Do not authorize the City Manager to enter into the agreement nor supplemental budget appropriations and provide further direction to staff.

RECOMMENDED ACTION:

Staff recommends that the City Council:

- 1) Authorize the City Manager to execute a first amendment to the professional services agreement with Gates + Associates for additional landscape architectural and engineering design services associated with the Pickleweed Park Enhancement Project, in the amount not-to-exceed \$47,600, for a total not-to-exceed contract amount of \$546,344, and
- 2) Authorize a supplemental budget appropriation of \$47,600 from available General Fund balance set aside for priority capital projects.

ATTACHMENTS:

1. First Amendment to the Professional Services Agreement with David L. Gates & Associates, Inc. for Landscape Architectural and Engineering Design Services

**FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH
DAVID L. GATES & ASSOCIATES, INC. FOR LANDSCAPE ARCHITECTURAL AND
ENGINEERING DESIGN SERVICES**

THIS FIRST AMENDMENT to the Professional Services Agreement by and between the **CITY OF SAN RAFAEL** (hereinafter “**CITY**”), and **DAVID L. GATES & ASSOCIATES, INC.** (hereinafter “**CONSULTANT**”), is made and entered into as of

_____.

RECITALS

WHEREAS, the **CITY** and **CONSULTANT** entered into a Professional Services Agreement dated December 1, 2022, to perform professional services in connection with **CITY’S** Landscape Architectural and Engineering Design Services, for an amount not to exceed \$498,734 (the “Agreement”); and

WHEREAS, **CITY** requires additional professional services from the **CONSULTANT**, and the **CONSULTANT** is willing to provide such services.

AMENDMENT TO AGREEMENT

NOW, THEREFORE, the parties hereby agree to amend the Agreement as follows:

1. Article II of the Agreement, entitled “DUTIES OF CONSULTANT” is hereby amended to include the additional services set forth in **CONSULTANT’S** proposal dated September 5, 2023, attached to this Amendment as Exhibit A and incorporated herein by reference.
2. Article IV of the Agreement, entitled “COMPENSATION” is hereby amended to include additional compensation payable to **CONSULTANT** for the services described in Exhibit A to this Amendment, on a fixed fee basis in accordance with the Exhibit A, in a not-to-exceed amount of \$47,600, and to change the total not-to-exceed amount under the Agreement to \$546,344.
3. Except as specifically amended herein, all of the other provisions, terms and obligations of the Agreement between the parties shall remain valid and shall be in full force.

IN WITNESS WHEREOF, the parties have executed this First Amendment on the date first above written.

CITY OF SAN RAFAEL

CONSULTANT

CRISTINE ALILOVICH, City Manager

By:  _____
Casey Case [Feb 8, 2024 16:39 PST]

Name: Casey Case

Title: President

ATTEST:

[If Contractor is a corporation, add signature of second corporate officer]

LINDSAY LARA, City Clerk

By: _____

APPROVED AS TO FORM:

Name: _____

Title: _____

ROBERT F. EPSTEIN, City Attorney

ADDITIONAL WORK AUTHORIZATION #01

Project Number: P6114
Date: September 5, 2023
Project Title: Pickleweed Park Enhancements
To: Joanna Kwok
Company: City of San Rafael
Senior Civil Engineer
Department of Public Works

SCOPE OF WORK:

Coordination with Tiscornia Marsh Project team:

- BKF:** **\$8,250**
- Pickleweed Complex/Field Team and ESA Coordination meetings, phone calls, and correspondence.
 - Conceptually regraded site at conforms located at the north and east to accommodate ultimate levee build out, including new self-retaining drainage swale and prepared Tiscornia Marsh coordination exhibits. This included a total of four (4) exhibits used to assist field team/City coordinate with ESA.

Prepare 65% -100% PS&E for Interim and Final conditions (final drawings shall show all interim items as existing where appropriate):

- BKF:** **\$20,750**
- Additional Sheets will be added to 65% plan package to accommodate new phasing for Interim and final grading conditions.
 - File/drawing update to accommodate interim and final conditions.
 - Interim grading and drainage design. The work required includes modifications to the original sports field design based on new grading limits and site constraints.
 - Revised detailed grading for the final condition to accommodate new confirms with levee, including new surface drainage features at the northwest corner of the field, and extending the accessible path and parking conforms to the final levee improvements.
 - Revise estimate to accommodate phasing.
 - Revisions to stormwater control plan and H&H.

- Atium:** **\$7,500**
- Prepare interim and final electrical, lighting, and low voltage plans
 - Revise site plan, lighting calculations, panel schedules, light fixture schedule, and other items as required to show both interim and final conditions
 - Provide estimates for both interim and final conditions

RMA: **\$2,400**

- Revise the irrigation drawings to include interim and final conditions, including separate designs for each as required within the interim project area
- Provide estimates for both interim and final conditions

GATES: **\$8,700**

- Additional Sheets added to 65% plan package to accommodate new phasing for Interim and final conditions.
- Revise estimate to include interim and final conditions.
- Project management and coordination with sub-consultants and City staff.

FEES FOR WORK:

Fixed Rate:..... **\$47,600**

Please return one signed copy of this work authorization to Gates + Associates as soon as possible. If you have questions or comments regarding this matter, please contact us at your earliest convenience.

ISSUED:

AUTHORIZATION CONFIRMED:

BY:  DATE: 2023-09-05 BY: DATE:

MELONIE REYNOLDS, ASSOCIATE PRINCIPAL

PSA 1st Amendment for Landscape Architectural & Engineering Design Services

Final Audit Report

2024-02-09

Created:	2024-02-08
By:	Jonathan Schellin (jonathans@cityofsanrafael.org)
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"PSA 1st Amendment for Landscape Architectural & Engineering Design Services" History

-  Document created by Jonathan Schellin (jonathans@cityofsanrafael.org)
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