

Meeting Date: 5/14/2013

Report Type: Consent

Report ID: 2013-00455



City Council Report

915 I Street, 1st Floor

www.CityofSacramento.org

Title: Supplemental Agreement: Entertainment and Sports Center Advisory Services

Location: Citywide

Issue: Barrett Sports Group (BSG) is currently under contract with the City to provide specialized advisory services related to development of a new downtown sports and entertainment center and to assist with associated due diligence required of this complex project. A supplemental agreement in the amount of \$25,000 is needed due to ongoing discussions, meetings, and travel related to the project.

Recommendation: Pass a motion: 1) Authorizing the City Manager or his designee to execute a Supplemental Agreement to Agreement No. 2013-0108 with Barrett Sports Group, Inc. to provide general advisory services related to development of an entertainment and sports center and ongoing discussions related to a possible transaction involving the Sacramento Kings basketball franchise for an amount of \$25,000, increasing the agreement not-to-exceed amount to \$180,000; and 2) resetting the City Manager's contracting authority.

Contact: John Dangberg, Assistant City Manager, (916) 808-5704, Office of the City Manager

Presenter: None

Department: City Manager

Division: Executive Office

Dept ID:

Attachments:

1-Description/Analysis

2-Supplemental Agreement

City Attorney Review

Approved as to Form

Matthew Ruyak

05/09/13 9:51 a.m. [Via Email]

Approvals/Acknowledgements

Department Director or Designee: John Dangberg 5/9/13/ 9:02 a.m.

James Sanchez, City Attorney

Shirley Concolino, City Clerk

Russell Fehr, City Treasurer

John F. Shirey, City Manager



Description/Analysis

Policy Considerations: BSG is an industry expert in the operation of sports franchises, entertainment and sports facilities, and league dynamics.

Economic Impact: Fostering economic development, preserving jobs, reinvigorating the City's downtown core, and providing for the economic reuse of the Natomas arena site are anticipated outcomes of these efforts.

Environmental Considerations: Not applicable.

Sustainability: Not applicable.

Commission/Committee Action: None.

Rationale for Recommendation: This recommendation is consistent with the February 19, 2013 City Council Resolution 2013-0048 in support of keeping the Sacramento Kings in the City of Sacramento.

Financial Considerations: The City Manager's Office budget resources are available to fund the supplemental agreement.

Emerging Small Business Development (ESBD): Not applicable.



SUPPLEMENTAL AGREEMENT

Project Title and Job Number: Arena/Entertainment Facility

Date: May 14, 2013

Purchase Order #:

Supplemental Agreement No. 3

The City of Sacramento ("City") and Barrett Sports Group, LLC ("Contractor"), as parties to that certain Professional Services Agreement designated as Agreement Number 2013-0108, 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:

Due to extended discussions with the National Basketball Association regarding the Sacramento Kings basketball franchise and development of a multi-purpose arena/entertainment facility, the Contractor shall continue to perform the services described in Exhibit A of the original Agreement.

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 25,000, and the Agreement's maximum not-to-exceed amount is amended as follows:

Agreement's original not-to-exceed amount:	40,000.00
Net change by previous supplemental agreements:	115,000.00
Not-to-exceed amount prior to this supplemental agreement:	155,000.00
Increase by this supplemental agreement:	25,000.00
New not-to exceed amount including all supplemental agreements:	180,000.00

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:

Approved As To Form By:

Mark T. Prestwich, Project Manager

Matthew Ruyak, Assistant City Attorney

Approved By:

Attested To By:

Daniel S. Barrett, Barrett Sports Group, LLC

Approved By:

City Clerk

John F. Shirey, City Manager