

**Meeting Date:** 10/1/2013

**Report Type:** Consent

**Report ID:** 2013-00736

**Title: Supplemental Agreement: Consultant Services for 2035 General Plan Update Project**

**Location:** Citywide

**Issue:** Additional scope of work for the current consultant services is needed to support the completion of the 2035 General Plan Update, preparation of the Housing Element, and associated Master Environmental Impact Report (MEIR).

**Recommendation:** Pass a Motion authorizing the City Manager or his designee to execute a supplemental professional services agreement with Mintier Harnish Planning Consultants for \$126,000 to assist staff with completion of a five-year update to the 2030 General Plan and Master Environmental Impact Report.

**Contact:** Jim McDonald, Senior Planner, 916-808-5723; Desmond Parrington, Entertainment & Sports Center Project Manager, 916-808-5044

**Presenter:** None

**Department:** Community Development Dept

**Division:** Long Range Planning

**Dept ID:** 21001222

**Attachments:**

1-Description/Analysis

2-Background

3-Supplemental Agreement (Mintier Harnish)

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**City Attorney Review**

Approved as to Form

Jeffrey Heeren

9/25/2013 5:14:04 PM

**Approvals/Acknowledgements**

Department Director or Designee: Max Fernandez - 9/25/2013 3:49:00 PM

## Description/Analysis

**Issue Detail:** Council approval is required for a supplemental agreement to the existing professional services agreement with Mintier and Associates to provide consultant services needed to support the completion of the 2035 General Plan Update, preparation of the Housing Element, and associated Master Environmental Impact Report (MEIR).

The proposed supplemental agreement will: 1) appropriate \$126,000 from the Entertainment and Sports Center (ESC) Project Fund/Budget for professional consultant services; and 2) authorize the City Manager or his designee to execute an additional supplemental professional services agreement with Mintier Harnish Planning Consultants (Contract #2012-0865) for \$126,000 to assist staff with completion of a five-year update to the 2030 General Plan and Master Environmental Impact Report (EIR). This supplemental agreement will result in a cumulative total contract amount of \$1,046,950. The need for the supplemental agreement is due to the new ESC project and to ensure that the General Plan MEIR includes information from the ESC EIR.

**Policy Considerations:** The General Plan Implementation Program calls for an update of the General Plan every five years. This ensures that the General Plan policies, standards and strategic implementation program continue to be aligned with the City's vision and goals for growth and development, and are responsive to current economic, social, and technological trends. On April 26, 2012, City Council passed Resolution No. 2012-104 which directed staff to initiate a five-year-update of the 2030 General Plan and Housing Element.

**Economic Impacts:** Not applicable.

**Environmental Considerations:** None at this time. The scope of work includes preparation of an Environmental Impact Report for the General Plan Update and Housing Element.

**Sustainability:** The vision and key themes woven throughout the 2030 General Plan help further the City's long-standing goal of moving our community towards sustainability. Recent 2030 General Plan implementation efforts such as the City's Climate Action Plan (adopted in February 2012), Parking Ordinance (in progress), Planning and Development Code (in progress), and other initiatives have resulted in new programs and policies since the adoption of the Sustainability Master Plan in 2007. Updating the General Plan to incorporate these efforts will ensure that the current relevant goals, policies, and programs are in place so that we can continue to reduce the

City's carbon footprint, adjust to a changing climate, and improve quality of life moving forward into the future.

**Commission/Committee Action:** Not applicable.

**Rationale for Recommendation:** Consultant services are needed to complete the preparation of the 2035 General Plan Update, and Master Environmental Impact Report. State law requires that the City maintain a legally adequate General Plan. The original schedule, scope of work and budget were approved in April of 2012. Since then, the Entertainment and Sports Complex project has been proposed. The proposed budget augmentation is required to ensure consistency between the General Plan Update and Entertainment and Sports Center projects and to cover project coordination costs.

**Financial Considerations:** A total of \$126,000 is needed for the supplemental consultant agreement with Mintier Harnish Planning Consultants. Because the required work is needed to ensure that the General Plan Update Master EIR is consistent with the forthcoming EIR for the Entertainment and Sports Center (ESC) Project, funding for this work will come from the ESC Project Budget (I02000500).

**Emerging Small Business Development (ESBD):** The 2035 General Plan Update Consultant, Mintier Harnish, is certified by the City as an emerging business enterprise.

## **Attachment 1 – Background**

In 2009, Sacramento adopted the new 2030 General Plan. State law requires that the City maintain a legally adequate General Plan. On April 26, 2012, City Council passed Resolution No. 2012-104, which directed staff to initiate a five-year update of the 2030 General Plan and Housing Element.

Following a public RFP process in 2012, a contract was awarded to Mintier and Associates (Contract # 2012-0865). On October 9, 2012, the City Council approved the consultant services contract to prepare the 2035 update. The consultant services contract was further amended on June 11, 2013 to provide for additional assistance in the preparation of the Housing Element. On June 24, 2103, the City approved a supplemental agreement with Mintier and Associates (#2012-0865-1) to provide staff assistance to complete the Housing Element.

This undertaking requires the services of a consultant team with technical expertise, a thorough and current understanding of Sacramento planning policies, and the ability to work with regional and state agencies such as the Sacramento Area Council of Governments (SACOG), Sacramento Metropolitan Air Quality Management District (SMAQMD), Sacramento County, Central Valley Flood Protection Board (CVFPB), and the Department of Housing and Community Development (HCD).

Staff is seeking Council approval of a supplement to the original Professional Services Agreement with Mintier Harnish for completion of the 2035 General Plan Update and update of the MEIR. The consultant scope of work, budget, and preliminary schedule are set forth in Exhibit B of the supplemental agreement.

## SUPPLEMENTAL AGREEMENT

**Project Title and Job Number:** P13211222001 **Date:** 09/27/2013  
**Purchase Order #:** 19473 **Supplemental Agreement No.:** 2

The City of Sacramento ("City") and Mintier Harnish ("Contractor"), as parties to that certain Professional Services Agreement designated as Agreement Number C2012-0865, 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:

The additional services provided shall be as set forth in Attachment 1 to this supplemental agreement, attached hereto and incorporated herein. The project timeline shall be extended to December 2014 as set forth in Attachment 2 to this supplemental agreement, attached hereto and incorporated herein.

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 \$ 126,000, and the Agreement's maximum not-to-exceed amount is amended as follows:

Agreement's original not-to-exceed amount:	\$ 899,950
Net change by previous supplemental agreements:	\$ 23,000
Not-to-exceed amount prior to this supplemental agreement:	\$ 922,950
Increase by this supplemental agreement:	\$ 126,000
New not-to exceed amount including all supplemental agreements:	\$1,046,950

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:**

\_\_\_\_\_  
Project Manager

\_\_\_\_\_  
City Attorney

**Approved By:**

\_\_\_\_\_  
Contractor

**Attested To By:**

**Approved By:**

\_\_\_\_\_  
City of Sacramento

\_\_\_\_\_  
City Clerk

## Attachment 1

### City of Sacramento 2035 General Plan Update Contract Amendment/Budget Amendment

This supplemental work and budget amends the Mintier Harnish consultant team Master Agreement for the 2035 General Plan Update dated October 16, 2012. The existing contract will be extended for the time period through December 31, 2014. The purpose of this request is to cover additional costs associated with the decision to extend the 2035 General Plan Update and MEIR process in order to appropriately include the recently proposed Downtown Entertainment and Sports Complex (ESC), as well as the proposed McKinley Village project, in the planning assumptions and the MEIR's environmental impact analysis.

We assume that the City will approve this contract amendment by November 20, 2013, in order to restart the Update process with enough time to release the General Plan (i.e., Background Report and Policy Document) and the Draft MEIR no later than May 1, 2014. We assume that further delays in the schedule that extend the release date of the 2035 General Plan or MEIR beyond May 1, 2014, may result in additional project costs including, but not limited to project management and administration, background report updates, and policy updates. We have included an additional optional workbudget to cover other unknown changes or issues that may arise during the remainder of the project.

#### **Task 2.1 Background Report Updates**

The Consultants will update the Background Report to address specific topics that continue to evolve (e.g., flooding, demographic projections) as a result of the additional time required to incorporate any new information identified in the ESC and McKinley Village EIRs. Prior to publication of the Background Report, the Consultants will conduct a general review and update of the Background Report to ensure it is current with information from 2014, the same year as the public draft of the GPU and MEIR.

This amends Subtask 2.1 of Attachment 1 to Exhibit A of the Master Agreement.

#### **Tasks 3.2, 3.3, and 3.4 Policy Updates/GHG Analysis**

The Consultants will undertake additional edits and address additional changes to the policies and programs resulting from City staff direction or new information derived from the ESC or traffic modeling and other evolving regional programs or guidance (e.g., OPR General Plan Guidelines updates with climate change recommendations) as a result of the extended time frame associated with the ESC. The Consultants will conduct necessary analysis to quantify GHG emissions as a result of future policy modifications.

This amends Subtasks 3.2, 3.3, and 3.4 of Attachment 1 to Exhibit A of the Master Agreement.

#### **Task 1.4 Management and Administration**

The Consultants will continue to manage the Update program (e.g., client and subconsultant communications, invoicing, etc.) for five additional months, and will attend five additional project coordination meetings.

This amends Subtask 1.4 of Attachment 1 to Exhibit A of the Master Agreement.

#### **Additional Optional Work**

The Master Contract is amended to include an \$80,000 additional optional work budget to cover unanticipated work as a result of the extended timeframe required for the coordination between the ESC and the 2035 General Plan Update (e.g., additional project delays, additional coordination meetings, new policy issues, new State regulations or guidelines, traffic model updates). The Consultants will not charge work to this budget without prior written authorization by City staff.

Budget Amendment

<b>Tasks</b>	<b>Budget</b>
Background Report Updates (Subtask 2.1)	\$12,000
Policy Updates /GHG Analysis (Subtasks 3.2, 3.3, and 3.4)	\$10,000
Management and Administration (Subtask 1.4) <sup>1,2,3</sup>	\$24,000
<b>Subtotal</b>	<b>\$46,000</b>
<b>Additional Optional Work</b>	
Unanticipated Scope Changes	\$80,000
<b>Subtotal</b>	<b>\$80,000</b>
<b>TOTAL</b>	<b>\$126,000</b>

1) Assumes five additional meetings at approximately \$1,600 per meeting. Additional meetings beyond the five meetings will be charged to the additional optional work budget.

2) Assumes five additional months at approximately \$2,500 per month. Additional delays beyond the five months will be charged to the additional optional work budget.

3) Additional project management for past requested work to address the delay (e.g., attend meetings and prepare schedule iterations, budget amendments, and contract amendments).

Attachment 2

Sacramento General Plan/MEIR Schedule															
	2013			2014											
	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
<b>TASK 1: PROJECT INITIATION/MANAGEMENT</b>															
1.1 Kick-Off/Project Orientation Meeting	Complete														
1.2 Technical Advisory Committee Assistance															
1.3 Public Outreach Assistance															
1.4 Ongoing Coordination (see Project Management)															
<b>TASK 2: Existing Conditions Update</b>															
2.1 Existing Conditions Updates															
<b>TASK 3: General Plan Review and Revision</b>															
3.1 Policy and Implementation Program Review	Complete														
3.2 Focused General Plan Policy Analysis															
3.3 Administrative Draft General Plan Revisions															
3.4 Public Review Draft General Plan Revisions															
<b>TASK 4: Master EIR Update</b>															
4.1 Notice of Preparation/Scoping Meeting	Complete														
4.2 Administrative Draft MEIR Update															
4.3 Screencheck and Public Draft MEIR Update															
4.4 Draft and Final MEIR Update															
4.5 MMP, Findings, and SOC															
<b>TASK 5: Technical Studies and Analysis</b>															
5.1 Historic Resources Intensive Surveys	Complete														
5.2 Infrastructure Assessment and Financing Plan															
5.3 Parkland Dedication Ordinance/Fees	Complete														
5.4 Housing Element Neg.Dec.															
<b>Project Management</b>															
Project Management/Task 1.4															