



REPORT TO COUNCIL

City of Sacramento

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915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

Consent
January 4, 2007

Honorable Mayor and
Members of the City Council

Title: Second Supplemental Agreement: Wood Rodgers Consulting for the
Fulton Avenue Development Project (CB37)

Location/Council District: 3701 Fulton Avenue/Council District 2

Recommendation: Adopt a **Resolution** authorizing the City Manager to execute
Supplemental Agreement No. 2 with Wood Rodgers for planning, engineering and
surveying services in the amount of \$131,500.

Contacts: Dean Peckham, Economic Development Senior Project Manager, 808-7063
James R. Rinehart, Citywide Economic Development Manager, 808-5054

Presenters: Not applicable

Department: Economic Development

Division: Citywide

Organization No: 4453

Description/Analysis

Issue: As a result of the increased cost of the proposed site engineering at the
Fulton Avenue Development project, the scope of services for Wood Rodgers
has expanded. The project has now moved into the final engineering design
phase. The cost for Wood Rodgers' additional planning, engineering and
surveying services is \$131,500.

Policy Considerations: The Fulton Avenue Development project is consistent
with the City of Sacramento Strategic Plan goals to expand economic
development throughout the City and achieve sustainability and livability.

Environmental Considerations: In and of itself, this update does not have any
environmental considerations. Clearly, the findings of the EIR will result in
environmental considerations and actions at some future date.

Rationale for Recommendation: In order for the Fulton Avenue Development project to achieve its highest and best use, it is necessary to have Wood Rodgers perform additional consulting services.

Financial Considerations: This agreement shall be funded by the Trapshoot Clean-Up Project, CIP #CB37, in an amount not to exceed \$ 131,500.

Emerging Small Business Development (ESBD): The Economic Development Department plans on entering into supplemental agreements with Wood Rodgers because they are already involved in, and familiar with, the Fulton Avenue Development project. Wood Rodgers is not a registered small business.

Respectfully Submitted by: James R. Rinehart ^{DJR}
James R. Rinehart
Citywide Economic Development Manager

Recommendation Approved:

Cassandra B. Jennys
for Ray Kerridge
City Manager

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Attachment 1**Background**

The City had leased 21± acres of Del Paso Park to the Sacramento Trapshooting Club (STC) site since approximately 1915. On September 30, 2004, the STC lease expired and the STC was given written notification that its lease was being converted to a month-to-month status. By authorization of the Sacramento City Council, the STC was given a 60-day notification that its lease was terminated effective June 30, 2006.

In 2002, the City Council directed staff to examine potential alternatives for the “highest and best” uses for the site that would offer a compatible and productive use of the property. In 2004, Mel Rapton Honda, currently located on Fulton Avenue, submitted a written request to the City to lease a portion of the existing property that was leased by the Trapshooting Club. An Exclusive Rights to Negotiate (ERN) was executed on June 1, 2004, between the City and Rapton. It has been renewed by Council three times.

In February 2006, the City entered into a professional services agreement with Wood Rodgers for planning, engineering and surveying services. The original contract amount was \$98,000.

Financing for this project (CB37) has been provided by a “pre-development funding” in the amount of \$500,000 and by a “bridge loan in the amount of \$6.4 million, approved by the Council on May 23, 2006.

In August 2006 the City entered into the first supplemental agreement with Wood Rodgers for planning, engineering and surveying services. The first supplemental agreement was for \$44,860.

On December 12, 2006 the City Council approved the Conditions Precedent Agreement (CPA) between the City of Sacramento and Rapton Honda that memorializes the parties’ progress in negotiating a lease and commits the parties to perform specified tasks.

Attachment 2

Project Title and Job Number: Del Paso Park
Date: 12-15-06
Purchase Order #: 6CB33A2423
Supplemental Agreement No.: 2

The City of Sacramento ("City") and Wood Rodgers ("Consultant"), as parties to that certain Consultant and Professional Services Agreement designated as Agreement Number 2006-0177, including any and all prior supplemental agreements modifying said agreement (said 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:
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 Consultant's fees and expenses, is **increased** by \$131,500.00 (One hundred thirty-one thousand, five hundred dollars), and said maximum not-to-exceed amount is amended as follows:

Agreement's original not-to-exceed amount:	<u>\$98,000.00</u>
Net change by previous supplemental agreements:	<u>\$44,860.00</u>
Not-to-exceed amount prior to this supplemental agreement:	<u>\$142,860.00</u>
Increase by this supplemental agreement:	<u>\$131,500.00</u>
New not-to exceed amount including all supplemental agreements:	<u>\$274,360.00</u>

3. Consultant 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 Consultant for any and all direct and indirect costs that may be incurred by Consultant 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 Consultant.
4. Consultant warrants and represents that the person or persons executing this supplemental agreement on behalf of Consultant has or have been duly authorized by Consultant to sign this supplemental agreement and bind Consultant 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 Consultant shall perform all of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by this supplemental agreement.

CITY OF SACRAMENTO
A Municipal Corporation

Consultant

By: _____

By: _____

Printed Name: John Dangberg
Title: Assistant City Manager

Print Name: _____

For: Ray Kerridge, City Manager

ATTEST:

APPROVED AS TO FORM:

City Clerk

Deputy City Attorney

RESOLUTION NO. 2006- _____

Adopted by the Sacramento City Council

**SECOND SUPPLEMENTAL AGREEMENT WITH WOOD RODGERS, INC.
FOR THE FULTON AVENUE DEVELOPMENT PROJECT (CB37)**

BACKGROUND

- A. The City had leased 21± acres of Del Paso Park to the Sacramento Trapshooting Club since approximately 1915. The lease expired on September 30, 2004 and the Trapshooting Club operated on the premises under a month to month agreement until the lease was terminated on June 30, 2006.
- B. In 2002, the City Council directed staff to examine potential alternatives for the "highest and best" uses for the site that would offer a compatible and productive use of the property.
- C. In February 2006, the City entered into a professional services agreement with Wood Rodgers for planning, engineering and surveying services. The original contract amount was \$98,000.
- D. In August 2006, the City entered into the first supplemental professional services agreement with Wood Rodgers for planning, engineering and surveying services. This agreement was for the amount of \$44,860.
- E. As a result of attracting an increased quality and revenue-generating tenant, the scope of the contract with Wood Rodgers has increased to accommodate additional planning, engineering and surveying services.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The City Manager is authorized to execute Supplemental Agreement No. 2 to Agreement No. 2006-0177 with Wood Rodgers, Inc. for additional planning, engineering and surveying services. This agreement shall be funded from the Fulton Avenue Development Project (CB37) in an amount not to exceed \$131,500.