



## Legislation Text

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**File #:** 2017-0645, **Version:** 1

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**DATE:** April 10, 2018

**SUBJECT:**

**RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE AGREEMENT WITH KTU+A FOR CHULA VISTA PARKS DESIGN SERVICES TO INCREASE THE AGREEMENT AMOUNT BY \$300,000 INCREASING THE AGGREGATE TOTAL OF THE AGREEMENT FROM \$100,000 TO \$400,000, WITHIN THE EXISTING APPROVED PROJECT BUDGET**

**EXECUTIVE SUMMARY:**

On July 27, 2016, the Board selected and authorized an agreement with KTU+A for design services for two parks, Sweetwater Signature Park and Harbor Park, in the Chula Vista Bayfront. The original contract amount was \$100,000 for initial conceptual design services. KTU+A was selected through a formal selection process, and staff anticipated requesting Board authorization of future amendments to include further design services, and as needed, bid and construction phase services.

This action will authorize an amendment to increase the agreement amount by \$300,000 to a total of \$400,000, and to extend the contract period to June 30, 2019. The additional funds will be used to initiate public outreach and advance the design of the parks. The proposed increase is within the existing Capital Improvement Program (CIP) project budget for Site Preparation at Chula Vista Bayfront.

**RECOMMENDATION:**

Adopt a Resolution authorizing Amendment No. 2 to the agreement with KTU+A for Chula Vista Bayfront Parks Design Services to increase the agreement amount by \$300,000 increasing the aggregate total of the agreement from \$100,000 to \$400,000, within the existing approved project budget.

**FISCAL IMPACT:**

There will be no increase to the District's approved FY 2018 CIP budget as a result of this resolution. Funds are included in the FY 2014-2018 CIP and the project budget for Site Preparation at Chula Vista Bayfront.

**COMPASS STRATEGIC GOALS:**

This agenda item supports the following Strategic Goals.

- A vibrant waterfront destination where residents and visitors converge.
- A Port with a healthy and sustainable bay and its environment.

## **DISCUSSION:**

The Board authorized selection of KTU+A and authorized an agreement for design services for the Sweetwater Signature Park and Harbor Park in the Chula Vista Bayfront on July 27, 2016. KTU+A, in association with Peterson Studio, was selected from thirteen firms that responded to our advertised solicitation of written responses in accordance with BPC Policy No. 110. Staff anticipated requesting Board authorization of amendments in the future to include additional design services, and as needed, bid and construction phase services.

The two parks are planned to be built in the first phase of the development of the Bayfront. Sweetwater Signature Park improvements are required by the Chula Vista Bayfront Development Policies, certified by the Coastal Commission, and to be completed prior to the issuance of a Certificate of Occupancy for the Resort Hotel and Convention Center. Harbor Park includes the existing Bayside Park and is located between the proposed Resort Hotel and Convention Center and San Diego Bay.

The Sweetwater Signature Park includes most of the Sweetwater Bicycle and Pedestrian Promenade (Sweetwater Path), which was recently selected by the California Department of Natural Resources for a \$4.8 million Urban Greening Grant. The schedule to accommodate that grant requires that design of the Sweetwater Path proceed expeditiously.

The initial authorized amount of \$100,000 has been used to perform framework studies to assist with project budgeting, to identify opportunities to integrate park improvements into related projects, to provide design support for the Urban Greening Grant application, and to initiate project studies for the Sweetwater Path. The additional \$300,000 in funding will be used to design the Sweetwater Path, to prepare a public outreach program for the parks, and to advance the conceptual design of the parks and related wayfinding and streetscape.

Board approval of this item will increase the agreement capacity by \$300,000 for a new, not-to-exceed total of \$400,000, and will extend the contract period to June 30, 2019 for Chula Vista Bayfront Parks Design Services.

## **General Counsel's Comments:**

The Office of the General Counsel has reviewed Amendment No. 2 to the agreement with KTU+A for Chula Vista Bayfront Parks Design Services and approves as to form and legality.

## **Environmental Review:**

The proposed Board action does not constitute an "approval" of a project under the California Environmental Quality Act (CEQA) because the Board's approval does not constitute a binding commitment to approve, adopt, or fund any of the projects that may result from the proposed agreements. If projects do result from the proposed agreement, the appropriate CEQA review will be conducted before the District approval of the projects. Any CEQA review may result in the District, in its sole and absolute discretion, requiring implementation of mitigation measures, adopting an alternative, including without limitation, a "no project alternative" or adopting a Statement of Overriding Consideration, if required. The current Board action in no way limits the exercise of this

discretion. Furthermore, if a project were to result from the proposed agreement, the services outlined under the proposed agreement would allow for further development of technical information and a project description for the purposes of CEQA analysis. No further action under CEQA is required at this time.

In addition, the proposed Board action allows for the District to implement its obligation under Section 87(a)(5) of the Port Act because it allows for design services for parks in the Chula Vista Bayfront Master Plan area. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action is consistent with the Public Trust Doctrine.

Finally, the proposed Board action does not allow for “development,” as defined in Section 30106 of the California Coastal Act, or “new development,” pursuant to Section 1.a. of the District’s Coastal Development Permit Regulations. Therefore, issuance of a Coastal Development Permit or exclusion is not required. If development does result from the proposed agreements, the appropriate processing under the District’s Coastal Development Permit Regulations will be conducted before the District approval of the developments.

#### **Equal Opportunity Program:**

Due to limited known subconsulting opportunities, no Small Business Enterprise (SBE) participation goal was established for this agreement. KTU+A has identified SBE’s as part of their team.

#### **PREPARED BY:**

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Attachment:

Attachment A: Amendment No. 2 to Agreement No. 119-2016CH with KTU+A