



## Legislation Text

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**File #:** 2018-0482, **Version:** 1

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**DATE:** November 6, 2018

**SUBJECT:**

- A) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO THE AS-NEEDED AGREEMENTS WITH TUCKER SADLER ARCHITECTS, INC. AND SILLMAN WRIGHT ARCHITECTS FOR ARCHITECTURAL AND ADA CODE COMPLIANCE REVIEW SERVICES, INCREASING THE AGGREGATE TOTAL BY \$250,000 FROM \$500,000 TO \$750,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET.**
- B) RESOLUTION AUTHORIZING AMENDMENT NO.1 TO INCREASE THE COMBINED BASE AMOUNT OF THE AS-NEEDED AGREEMENTS BY \$300,000 WITH KTU+A AND SCHMIDT DESIGN GROUP, INC. FOR LANDSCAPE ARCHITECTURE SERVICES, INCREASING THE AGGREGATE TOTAL AMOUNT BY \$300,000 FROM \$500,000 TO \$800,000 WITH NO INCREASE REQUIRED TO THE FY2019 BUDGET.**

### **EXECUTIVE SUMMARY:**

On July 21, 2014, staff issued a Request for Qualifications (RFQ) for as-needed architectural and ADA code compliance services. Through the interview selection process, staff recommended authorizing agreements with the two highest-ranked firms, Tucker Sadler Architects, Inc. and Sillman Wright Architects.

On September 9, 2014, the Board authorized agreements with Tucker Sadler Architects, Inc. and Sillman Wright Architects for as-needed services for architectural and ADA code compliance review to support implementation of the District's program budgets.

The proposed action will increase the aggregate agreement capacity by \$250,000. Since costs incurred under these agreements are funded under approved project budgets, there is no fiscal impact associated with the proposed action.

On May 17, 2016, a RFQ was issued for as-needed Landscape Architecture services and staff recommended authorizing agreements with the two highest-ranked firms, KTU+A and Schmidt Design Group, Inc.

On December 13, 2016, the Board authorized two-year agreements with KTU+A and Schmidt Design Group, Inc., for as-needed Landscape Architecture Services, up to a combined base amount of \$200,000, necessary for implementation of the District's program budgets. These 2-year agreements also have the potential of three (3) one- year extensions of \$100,000 each, resulting in an aggregate not-to-exceed total of \$500,000

The proposed action will increase the combined base amount of \$200,000 by \$300,000 to \$500,000, resulting in a new aggregate not-to-exceed total of \$800,000 for Landscape Architecture Services. Since costs incurred under these agreements are funded under approved project budgets, there is no fiscal impact associated with the proposed action.

The agreement capacity increases will support the implementation of approved CIP and MM projects. Since costs incurred under these agreements are funded under approved project budgets within the CIP and MM Programs, there is no fiscal impact associated with the proposed action. Work performed under these agreements is administered in accordance with District policies and procedures.

Authorization of the proposed resolutions is recommended.

### **RECOMMENDATION:**

Adopt a Resolution authorizing Amendment No.1 the as-needed agreements with Tucker Sadler Architects, Inc. and Sillman Wright Architects for architectural and ADA code compliance review services, increasing the aggregate total of the agreements by \$250,000 from \$500,000 to \$750,000.

Adopt a Resolution authorizing Amendment No.1 to increase the aggregate capacity of the as-needed agreements with KTU+A and Schmidt Design Group, Inc., for landscape architecture services, increasing the aggregate total of the agreements by \$300,000 from \$500,000 to \$800,000.

### **FISCAL IMPACT:**

Funds for the current fiscal year are included in the FY2019-2023 Capital Improvement Program, the FY 18/19 Major Maintenance Program, and Equipment Outlay and Other Capital Projects budgets. There will be no increase to the District's budgets as a result of this resolution. Funds required for future fiscal years will be budgeted for in the appropriate fiscal year and will be submitted for Board approval.

### **COMPASS STRATEGIC GOALS:**

Consultants under the as-needed agreements will support the execution of Major Maintenance Projects, Capital Improvement Projects, and Equipment Outlay and other Capital Projects throughout Tidelands.

This agenda item supports the following Strategic Goal(s).

- A thriving and modern maritime seaport.
- A financially sustainable Port that drives job creation and regional economic vitality.

### **DISCUSSION:**

On July 21, 2014, staff issued a RFQ for architectural services. Seventeen firms responded to the solicitation. Five firms were shortlisted based on their Statements of Qualifications submitted and interviewed by a District staff evaluation review panel on September 17 and 18, 2014.

On September 9, 2014, Staff recommended and the Board authorized agreements with Tucker Sadler Architects, Inc. and Sillman Wright Architects for as-needed services for architectural and ADA code compliance review.

The aggregate capacity of the two agreements is a not-to-exceed amount of \$500,000 over a period of five years; they are due to expire in December 2019. The District has expended or obligated approximately \$499,000 on its current aggregate capacity of \$500,000 as of September 5, 2018. The necessity for additional architectural and ADA code compliance review services is due to the recent demand for the use of these services on projects such as the Comfort Station and Street End Improvements at Beach Avenue, Roof Replacement at TAMT Warehouse B, and Design of Storage Modifications at Harbor Police Headquarters Annex. An increase of \$250,000 to the aggregate agreement capacity is needed at this time to support implementation of the District's approved and budgeted projects.

Board authorization of this agenda will increase the Agreement capacity by \$250,000 for a new, not-to-exceed total of \$750,000 for architectural and ADA code compliance review services.

Staff recommends that the Board adopt a resolution authorizing Amendment No. 1 to increase the combined amount of the as-needed agreements by \$250,000 with Tucker Sadler Architects, Inc. and Sillman Wright Architects for architectural and ADA code compliance review services, increasing the aggregate total of the agreements from \$500,000 to \$750,000.

On May 17, 2016 an RFQ was issued for As-Needed Landscape Architecture services. During the advertisement period, the District received responsive proposals from twelve firms. Qualifications were reviewed by a cross-departmental panel of District staff. Four firms were shortlisted based on their Statements of Qualifications submitted. The District staff interviewed, selected and recommended authorizing agreements with the two highest-ranked firms, KTU+A and Schmidt Design Group, Inc.

On December 13, 2016, the Board authorized two-year agreements with KTU+A and Schmidt Design Group, Inc., for as-needed services for Landscape Architecture, up to a combined base amount of \$200,000, with the potential of three (3) one-year extensions of \$100,000 each, resulting in an aggregate agreement total of \$500,000, necessary for implementation of the District's Major Maintenance (MM) and Capital Improvement Program (CIP) projects.

The current combined base amount capacity with KTU+A and Schmidt Design Group, Inc., is a not-to-exceed amount of \$200,000 over a period of two years (due to expire in December 2018), with the potential of three (3) one-year extensions of \$100,000 each, resulting in an aggregate agreement total of \$500,000. The District will expend or obligate over \$100,000 on its current combined capacity by December 30, 2018. The reason for additional Landscape Architecture support services is due to the recent plan to use these services on projects such as the Urban Greening Grant for Chula Vista Bayfront project, Comfort Station and Street End Improvements at Beach Avenue and the future phased plan to replace landscaping and irrigation system with drought tolerant system along North

Harbor Drive, between north end of Spanish Landing park and West Ash Street. An increase of \$300,000 to the combined base amount is needed at this time to support implementation of the District's approved and budgeted projects.

Board authorization of this agenda will increase the combined base amount of \$200,000 by \$300,000 to \$500,000, resulting in a new aggregate not-to-exceed total of \$800,000 for Landscape Architecture Services.

Staff recommends that the Board adopt a resolution authorizing Amendment No. 1 to increase the combined base amount of the as-needed agreements by \$300,000 with KTU+A and Schmidt Design Group, Inc., for landscape architecture services, increasing the aggregate total of the agreements from \$500,000 to \$800,000.

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

The Office of the General Counsel has reviewed the amendments to the agreements with Tucker Sadler Architects, Inc., Sillman Wright Architects, KTU+A and Schmidt Design Group, Inc. and approves as to form and legality.

### **Environmental Review:**

The proposed Board direction or action, including without limitation, authorizing amendments to as-needed agreements for architectural, landscape architectural, and ADA code compliance review, does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because no direct or indirect changes to the physical environment would occur. CEQA requires that the District adequately assess the environmental impacts of projects and reasonably foreseeable activities that may result from projects prior to the approval of the same. Any project developed as a result of Board's action or direction that requires the District or the Board's discretionary approval resulting in a physical change to the environment will be analyzed in accordance with CEQA prior to such approval. 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 direction in no way limits the exercise of this discretion. Therefore, no further CEQA review is required.

In addition, the proposed Board action complies with Sections 21, 35, and 81 of the Port Act, which allow for the Board to pass ordinances and resolutions, to do all acts necessary and convenient for the exercise of its powers, and to use District funds for expenses of conducting the District. 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.

The proposed Board direction or 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 (CDP) Regulations because they will not result in, without limitation, a physical change, change in use or increase the intensity of uses. Therefore, issuance of a Coastal Development Permit or exclusion is not required. However, development within the District requires processing under the District's CDP Regulations. Future development, as defined in Section 30106 of

the Coastal Act, will remain subject to its own independent review pursuant to the District's certified CDP Regulations, PMP, and Chapters 3 and 8 of the Coastal Act. The Board's direction or action in no way limits the exercise of the District's discretion under the District's CDP Regulations. Therefore, issuance of a CDP or exclusion is not required at this time.

**Equal Opportunity Program:**

Due to limited known sub opportunities, no SBE goal was established for these agreements. Both amendments include SBE participation either as a prime or with sub consultants.

**PREPARED BY:**

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**Attachments:**

Attachment A: Amendment No. 1 to Tucker Sadler Architects, Inc.

Attachment B: Amendment No. 1 to Sillman Wright Architects

Attachment C: Amendment No. 1 to KTU+A.

Attachment D: Amendment No. 1 to Schmidt Design Group, Inc.