

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION AUTHORIZING: A) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT WITH CMG LANDSCAPE ARCHITECTURE TO EXPAND THE SCOPE OF SERVICES TO INCLUDE CONSTRUCTION ADMINISTRATION/OBSERVATION SERVICES, TO INCREASE THE AGREEMENT’S NOT-TO-EXCEED AMOUNT BY \$730,870 TO A NEW TOTAL NOT-TO-EXCEED AMOUNT OF \$2,623,580, AND TO EXTEND THE TERM OF THE AGREEMENT TO DECEMBER 31, 2024; AND B) THE PARKS DIRECTOR, OR THE PARKS DIRECTOR’S DESIGNEE, TO EXECUTE FURTHER AMENDMENTS TO THE AGREEMENT TO MODIFY THE COUNTY’S MAXIMUM FISCAL OBLIGATION BY NO MORE THAN \$25,000, AND/OR TO MODIFY THE AGREEMENT’S TERMS AND/OR SERVICES, SO LONG AS THE MODIFIED TERM(S) AND/OR SERVICES IS/ARE WITHIN THE CURRENT OR REVISED FISCAL PROVISIONS**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, in 2014, the County’s Parks Department (“Department”) assessed the condition of Flood County Park’s amenities, and determined that the park warranted a complete overhaul, leading to the creation of the Realize Flood Park Project (“Project”); and

**WHEREAS**, in January 2021, the Department released a Request for Proposals (“RFP”) seeking a qualified firm to design and permit the Project, and through that process, selected CMG Landscape Architecture and a team of subconsultants (“CMG”) as the preferred firm to perform these services; and

**WHEREAS**, as authorized by Board Resolution No. 078335, on or about July 20, 2021, the County of San Mateo and CMG Landscape Architecture entered into Agreement No. 39000-22-R078335, by which CMG agreed to provide design and permitting services as related to the Project, for the term of July 20, 2021 through July 31, 2023, in an amount not to exceed \$1,892,710; and

**WHEREAS**, pursuant to the Agreement, CMG is responsible for (1) reviewing all available information pertaining to Flood Park and the Project, (2) engaging with all applicable permitting agencies, and (3) conducting further site investigations as necessary before engaging with the public and preparing the Project design plans; and

**WHEREAS**, in February 2022, the Department hosted a public workshop to solicit community feedback regarding Project designs, and during this engagement, new perspectives regarding the protection of the oak woodland were shared causing the Department to direct CMG to participate in further community engagement activities, including a series of pop-up events and the circulation of an online and paper survey, and to redesign the previously approved landscape plan; and

**WHEREAS**, because the Agreement's initial budget was not structured to support the robust community engagement activities that occurred during this phase of the Project or a complete redesign of the landscape plan, the Department determined that the Agreement's not-to-exceed amount will need to be increased by \$230,770 in order to complete the design plans and specifications for Phase 1 of the Project, the baseball field/large multi-use field, and the new restrooms; and

**WHEREAS**, the Department would also like to expand the scope of services provided by CMG to include construction administration/observation, which includes attending construction progress meetings for the duration of construction, regularly visiting the Project site to ensure elements are being constructed in accordance with the intent of the design plans and specifications, assisting in preparing responses to Requests for Information from the contractor, and reviewing change orders; and

**WHEREAS**, for CMG to provide construction administration/observation services, the Agreement's not-to-exceed amount would need to be increased an additional \$500,100 and the term of the Agreement would need to be extended to December 31, 2024; and

**WHEREAS**, accordingly, the Department desires to amend the Agreement with CMG to expand the scope of services provided, increase the Agreement's not-to-exceed amount, and extend the term of the Agreement.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that:

- A) The President of the Board of Supervisors is authorized to execute a First Amendment to the Agreement with CMG Landscape Architecture to expand the scope of services to include construction administration/observation services, to increase the Agreement's not-to-exceed amount by \$730,870 to a new total not-to-exceed amount of \$2,623,580, and to extend the term of the Agreement to December 31, 2024; and

B) The Parks Director, or the Parks Director's designee, to execute further amendments to the Agreement to modify the County's maximum fiscal obligation by no more than \$25,000, and/or to modify the Agreement's terms and/or services, so long as the modified term(s) and/or services is/are within the current or revised fiscal provisions

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