

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 SECOND AMENDMENT TO THE AGREEMENT WITH CMG LANDSCAPE ARCHITECTURE TO EXPAND THE SCOPE OF SERVICES TO INCLUDE ADDITIONAL PROJECT MANAGEMENT, OVERSIGHT, AND DESIGN SERVICES, EXTENDING THE TERM OF THE AGREEMENT TO DECEMBER 31, 2025, AND INCREASING THE AGREEMENT’S NOT-TO-EXCEED AMOUNT BY \$766,000 TO A NEW TOTAL NOT-TO-EXCEED AMOUNT OF \$3,389,580; 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

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, on or about July 20, 2021, the Board adopted Resolution Number 078335 authorizing an agreement, by which CMG agreed to provide design and permitting services as related to the Project, for the term of July 20, 2021 through June 30, 2023, in an amount not to exceed \$1,892,710 (the “Agreement”); 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, on March 9, 2023, the Board of Supervisors adopted Resolution Number 079600 which authorized a First Amendment to the Agreement: (1) to revise CMG’s scope of services to only require the preparation of design documents for Phase 1 of the Project and to include construction administration/observation services; (2) 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 (3) to extend the term of the Agreement to December 31, 2024; and

WHEREAS, consequently, the Agreement did not require CMG to prepare design documents for facilities not included in Phase 1 of the Project, including the playground; and

WHEREAS, in October 2023, the Department determined that the playground at Flood Park does not meet California playground safety standards, and that because

of the playground's age, the manufacturer no longer makes replacement parts such that the playground is obsolete and unsafe for use; and

WHEREAS, with the current playground closed to the public, the Department has prioritized designing and constructing the new playground—a much anticipated element of the Project; and

WHEREAS, the Department therefore desires to expand the Agreement's scope of services to include additional project management, oversight, and design services which are essential to delivering a safe, enjoyable, and accessible playground to Flood Park users; and

WHEREAS, so that CMG can provide these additional services, the Department desires to amend the Agreement to increase its not-to-exceed amount by \$766,000 to a new total not-to-exceed amount of \$3,389,580, and to extend the term of the Agreement to December 31, 2025.

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

- A) The President of the Board of Supervisors is authorized to execute the Second Amendment to the Agreement with CMG Landscape Architecture:
- (1) to expand the Agreement's scope of services to include additional project management, oversight, and design services; (2) to increase the Agreement's not-to-exceed amount by \$766,000 to a new total not-to-exceed amount of \$3,389,580; and (3) to extend the term of the Agreement to December 31, 2025; 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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