



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** PARKS

**File #:** 23-317

Board Meeting Date: 5/9/2023

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors

**From:** Nicholas J. Calderon, Parks Director

**Subject:** First Amendment to the Agreement with CMG Landscape Architecture to provide additional professional design and permitting services for the Realize Flood Park Project, 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.

**RECOMMENDATION:**

Adopt a 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.

**BACKGROUND:**

Flood County Park ("Flood Park") is a 21-acre County-owned and operated park that is located in the City of Menlo Park. Founded in 1937, Flood Park has served the recreational needs of residents of southern San Mateo County for over 85 years. The park is a primary recreation resource for many residents of Menlo Park, North Fair Oaks, and East Palo Alto. In 2014, the County's Parks Department ("Department") assessed the condition of Flood Park's amenities and determined that the park warranted a complete overhaul. This led to the creation of the Realize Flood Park Project ("Project").

Through the Project's robust, multi-year public engagement process, the Department prepared the

2020 Landscape Plan; an Environmental Impact Report (“EIR”) was also prepared in accordance with the California Environmental Quality Act. On November 10, 2020, the Board of Supervisors approved the 2020 Landscape Plan and certified the EIR.

In January 2021, the Department released a Request for Proposals (“RFP”) seeking a qualified firm to design and permit the Project. After a comprehensive interview process, CMG Landscape Architecture and a team of subconsultants (“CMG”) were selected as the preferred firm. Pursuant to the agreement authorized by Board Resolution Number 078335 (“Agreement”) on July 20, 2021, 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. The Agreement’s not-to-exceed amount is \$1,892,710, and it has a term that expires July 31, 2023.

In February 2022, the Department hosted a public workshop to solicit further community feedback regarding Project designs. During this engagement, new perspectives regarding the protection of the oak woodland were shared. As a result, the Department directed CMG to participate in further community engagement activities, including a series of pop-up events and the circulation of an online and paper survey. This led to a complete redesign of the 2020 Landscape Plan. The redesigned landscape plan (“Revised Landscape Plan”) maintains all of the same features as the 2020 Landscape Plan but relocates them to reduce the Project’s impacts on native trees. The Revised Landscape Plan is attached as Exhibit 1.

On July 26, 2022, the Board of Supervisors approved the Revised Landscape Plan. Thereafter, on December 13, 2022, the Board of Supervisors authorized the Director of Public Works to finalize the plans and specifications for Phase 1 and advertise the bid for construction of Phase 1, which includes construction of the multi-use sport field, tennis/pickleball courts, sand volleyball courts, a basketball court, picnic and reservation areas, walking paths, utility infrastructure, renovation of a restroom, and improvements to the northern parking lot. The pump track is also included in Phase 1, but due to the specialized nature of that project will proceed through a separate design-build process initiated in Spring 2023.

#### **DISCUSSION:**

The Agreement’s initial budget was not structured to support either the robust community engagement activities that occurred during this phase of the Project or a complete redesign of the landscape plan. Thus, to complete the design plans and specifications for Phase 1, the baseball field/large multi-use field, and new restrooms, the Agreement’s not-to-exceed amount will need to be increased by \$230,770. Not included in the services received for these funds is the design of the playground, central gathering plaza/focal element, or adobe administration building renovation. These components of the Project will need to be designed at a later date.

The Department also desires to expand the scope of services provided by CMG pursuant to the Agreement to include construction administration/observation. By expanding CMG’s scope of services to include construction observation, CMG will be responsible for 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. For CMG to provide these 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.

Accounting for the increase in the not-to-exceed amount for the design services and the construction observation services, the Agreement's total amount would thus need to increase by \$730,870, for a new total amount not-to-exceed \$2,623,580.

County Attorney's Office has reviewed and approved the amendment and resolution as to form and content.

**FISCAL IMPACT:**

The amendment with CMG is for a not-to-exceed amount of \$730,870. There is sufficient funding in the Realize Flood Park Project budget for this amendment. Adequate funding is budgeted in the Parks Department's FY 2022-23 Adopted Budget and sufficient appropriations will be included in future budgets. Realize Flood Park is primarily funded by Non-Departmental Services and **Measure K**.