



County of San Mateo

Inter-Departmental Correspondence

Department: PARKS

File #: 24-053

Board Meeting Date: 1/23/2024

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors

From: Nicholas J. Calderon, Parks Director

Subject: Second Amendment to the Agreement with CMG Landscape Architecture to expand the scope of services to include additional project management, oversight, and design services; 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 to extend the term of the Agreement to December 31, 2025.

RECOMMENDATION:

Adopt a 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.
- 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").

In January 2021, the Department released a Request for Proposals ("RFP") seeking a qualified firm to provide design and permitting services for 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 was \$1,892,710, and it had a term that was set to expire on June 30, 2023.

On May 9, 2023, the Board of Supervisors adopted Resolution Number 079600 which authorized the First Amendment to the Agreement: (1) to revise the Agreement’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. Consequently, the Agreement did not require CMG to prepare design documents for facilities not included in Phase 1 of the Project.

In November 2023, the bid to construct Phase 1 of the Project was advertised. Phase 1 includes construction of the multi-use sports field, tennis/pickleball courts, sand volleyball courts, a basketball court, picnic and reservation areas, walking paths, utility infrastructure, renovation of one restroom, and improvements to the northern parking lot. The Department, in partnership with the County’s Department of Public Works, anticipates presenting a recommendation to this Board to award the contract to the selected firm in February 2024.

All other Project features, including the playground, will be designed and constructed as part of future phases.

DISCUSSION:

In October 2023, the Department determined that the current playground at Flood Park does not meet California playground safety standards. Because of the playground’s age, the manufacturer no longer produces replacement parts making the playground obsolete and unsafe to use. As a result, the playground has been closed to the public and will not be reopened. To ensure the public has access to a safe, enjoyable and accessible playground at Flood Park, the Department has prioritized designing and constructing the new playground—a much anticipated element of the Project.

To enable CMG to commence the public design process for the new playground, the Department desires to enter into this Second Amendment to the Agreement. The Second Amendment to the Agreement will expand the authorized scope of services to include a public engagement process to solicit feedback regarding desired themes and features for the playground and the preparation of 30% schematic, 60%, 90%, and 100% project designs. CMG will also be responsible for preparing the playground’s construction documents. Efforts to design the playground will commence in January 2024 and are anticipated to be completed by October 2024 with construction likely to occur in 2025. This extended timeline also requires the term of the Agreement to be extended to December 31, 2025.

The expanded scope of services and extended timeline also necessitate an increase in the Agreement’s not-to-exceed amount by \$766,000 to a new total not-to-exceed amount of \$3,389,580.

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

FISCAL IMPACT:

The Second Amendment to the Agreement with CMG is for a not-to-exceed amount of \$766,000. There is sufficient funding in the Realize Flood Park Project budget for this amendment. Adequate funding is budgeted in the Parks Department's FY 2023-24 Adopted Budget and sufficient appropriations will be included in future budgets. Realize Flood Park is primarily funded by Non-Departmental Services and Measure K.