



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** PARKS

**File #:** 20-490

Board Meeting Date: 6/30/2020

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

**To:** Honorable Board of Supervisors

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

**Subject:** Fourth Amendment to the Agreement with Rincon Consultants for the delivery of on-call professional services

**RECOMMENDATION:**

Adopt a resolution authorizing:

- A) The President of the Board of Supervisors to execute a Fourth Amendment to the Agreement with Rincon Consultants for the delivery of on-call professional services to extend the term of the Agreement through December 31, 2020; and
- B) The Parks Director, or his designee, to execute further amendments to the Agreement with Rincon Consultants to modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the agreement's terms and/or services, so long as any modified term(s) and/or services is/are within the current or revised fiscal provisions.

**BACKGROUND:**

On January 26, 2016, your Board adopted Resolution No. 074330, which authorized the execution of an agreement (the "Agreement") with Rincon Consultants ("Rincon") for the delivery of on-call professional services for the Parks Department. The Department utilized this Agreement as related to the County's efforts to overhaul Flood County Park, a County-owned and operated municipal park located within the City of Menlo Park. Rincon was tasked with evaluating the potential environmental impacts associated with the proposed Flood Park Landscape Plan in accordance with California Environmental Quality Act ("CEQA") requirements. Consistent therewith, the Flood Park Landscape Plan's original Environmental Impact Report ("EIR") was prepared between October 2017 and May 2018.

Due to concerns expressed by neighbors, the Department tasked Rincon with revising the EIR to evaluate: (1) a more conservative projection of growth in park usage resulting from the proposed Flood Park Landscape Plan, and (2) projected noise levels generated on-site from concurrent park events. Additionally, because of changes to the CEQA guidelines, new wildfire and energy chapters were also added. As the revisions took longer than expected, on January 29, 2019, the Department

and Rincon executed the First Amendment to the Agreement to extend the term of the Agreement an additional year to January 31, 2020. On April 17, 2019, the Department and Rincon executed the Second Amendment to the Agreement to increase the Agreement's not-to-exceed amount by \$25,000, for a total not-to-exceed amount of \$325,000.

The Final Revised EIR was presented to your Board on November 5, 2019 for consideration. During the meeting, the Board directed the Department to reassess the Flood Park Landscape Plan to determine if there is a feasible way to satisfy the project objectives while also accommodating certain concerns expressed during public testimony. In order to understand the impacts that may result from revising the Flood Park Landscape Plan, the Department and Rincon agreed to amend Rincon's scope of work by executing the Third Amendment to the Agreement on January 14, 2020. The Third Amendment to the Agreement also extended the term of the Agreement to June 30, 2020, and increased the Agreement's not-to-exceed amount by \$50,000 to a total of \$375,000.

The COVID-19 pandemic has delayed the above-contemplated revisions to the Flood Park Landscape Plan and EIR. The Department therefore requests a Fourth Amendment to the Agreement to extend the term of the Agreement an additional six months to December 31, 2020.

**DISCUSSION:**

Any revisions that may be proposed to the Flood Park Landscape Plan, will require Rincon to reanalyze the Revised EIR to determine if there are any new or significant environmental impacts associated with the changes. Because the existing Agreement as Amended terminates on June 30, 2020, and because it will not be possible to complete this analysis and redetermination, the Department needs to extend the term of the Agreement.

The Department proposes to extend the term of the agreement from June 30, 2020 to December 31, 2020.

County Counsel has reviewed and approved the resolution as to form.

**FISCAL IMPACT:**

There are no Fiscal Impacts associated with this Amendment. Sufficient appropriations for the Project are included in the Parks Department's FY 2019-20 Adopted Budget.