



CITY COUNCIL STAFF REPORT



February 13, 2024

ITEM TITLE

Agreement: Approve the First Amendment to the Two-Party Agreement with KTUA for Design, Pre-Construction, and Construction Administration for Eucalyptus Park Renovations

Report Number: 24-0043

Location: 436 C Street

Department: Development Services

G.C. § 84308: Yes

Environmental Notice: The activity is not a “Project” as defined under Section 15378 of the California Environmental Quality Act (“CEQA”) State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

Recommended Action

Adopt a resolution approving the First Amendment to the Two-Party Agreement with KTUA for design, pre-construction, and construction administration services for Eucalyptus Park renovations.

SUMMARY

Eucalyptus Park is an existing 19.69-acre community park which serves the northwestern area of Chula Vista. Eucalyptus Park stretches along C Street, between 5th Avenue and 4th Avenue (Attachment 1). The City and KTUA desire to amend the Original Two-party Agreement to update the Scope of Work to include the Park Design as approved by City Council on June 6, 2023, and December 12, 2023.

ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the activity for compliance with CEQA and has determined that the activity is not a “Project” under Section 15378; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

BOARD/COMMISSION/COMMITTEE RECOMMENDATION

Not applicable.

DISCUSSION

Background

Through a Call for Projects by Statewide Parks Program Round 4, the City of Chula Vista (“City”) applied for and was successful in its application to receive state funding for the design and construction of the Eucalyptus Park renovations. On February 2, 2022, the City entered into a Grant Contract SW-37-015 for a total not to exceed of \$7,140,000 for the Eucalyptus Park improvements, including \$1,190,000 for design and pre-construction services, \$750,000 for the adjacent Casa Casillas renovations, and \$5,200,000 for the construction of a portion of Eucalyptus Park (Attachment 2).

On August 26, 2022, the City issued a Request for Proposals (“RFP”) from qualified design teams to develop the master plan, park design, 100% construction documents, specifications and construction administration based on the conceptual plan included within the awarded grant application for Eucalyptus Park. On October 25, 2022, the City entered into a Two-Party Agreement with KTUA (“Consultant”) to provide design, pre-construction, and construction administration services for the Eucalyptus Park renovations in a contract amount, not to exceed \$516,433 (Attachment 3).

During the Park Master Plan phase, a preliminary cost estimate to construct the park improvements for the grant was estimated to be \$6,548,703 which exceeded the estimated cost of construction of \$5,200,000. On June 6, 2023, City Council approved the Park Master Plan along with a reallocation of \$3,522,588 in American Rescue Plan Act (“ARPA”) funds to augment previously appropriated grant funds. The park construction budget was increased to \$8,722,588 with the approval of additional ARPA funds.

On December 12, 2023, Council approved the reallocation of \$4,287,725 in previously appropriated ARPA funds from the Telegraph Canyon Culvert Repair (DRN0208) to the Eucalyptus Park Capital Improvement Project (PRK0340) per Resolution No. 2023-211 (Attachment 4). The purpose for the request of additional ARPA funds is to cover improvements to existing park amenities which were not included in the original Grant scope of work. With these additional funds, the City will be able to provide comprehensive park upgrades to existing amenities simultaneously with the installation of new park amenities funded by the California State Grant with the park having only one closure schedule for all park improvements, reducing impacts to the community during construction.

The First Amendment to the Two-Party Agreement for the Additional Services necessary for the Park Master Plan includes a description of the entire scope of work and costs associated with these services (Attachment 5). Additional Service #1 includes fees for the Park Master Plan update as presented to Council on June 6, 2023, a redesign of the existing playground area, additional structural engineering required for accessible ramp, modifications to the pathway connection to Casa Casillas, and additional splash pad scope items to meet the City’s operational needs. Additional Service #2 includes fees based on improvements to existing park facilities as shown on Park Master Plan presented to City Council on December 12, 2023. The improvements include upgrades to existing park lighting, basketball and tennis courts, picnic shelters, restroom and storage buildings, trash enclosure, perimeter fencing, and concrete drainage channel. The Additional Service #1 amount of \$159,910 will be funded through the State Grant and the Additional Service #2 amount of \$372,765 will be covered by ARPA funds approved on December 12, 2023. In the event that unforeseen changes are required to the scope of work or amounts contained in the amended agreement, City staff is requesting that the City Council grant authority to the City Manager to administratively increase the Two-Party agreement for a not to exceed additional amount of \$100,000.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council members and has found that, Mayor John McCann, has real property holdings within 500 feet of the boundaries of the property which is the subject of this action. Consequently, pursuant to California Code of Regulations Title 2, sections 18700 and 18702.2(a)(7), this item presents a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.) for the above-identified member.

Staff is not independently aware and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

There are no current year fiscal impacts to the General Fund or Development Services Fund as a result of this action. Funding for this contract is included in capital improvement project PRK0340. Sufficient funds were previously appropriated and are available to complete the work associated with this contract and to cover related staff costs. The project is funded by American Rescue Plan Act 2021 and the State Grants fund.

Item	Amount	Funding Source
Additional Service #1	\$159,910	State Grants Fund
Additional Service #2	\$372,765	American Rescue Plan Act of 2021 Fund
Total	\$532,675	

ONGOING FISCAL IMPACT

There are no on-going fiscal impacts to the General Fund or the Development Services Fund as a result of this action. The project is funded by American Rescue Plan Act 2021 and the State Grants fund within capital improvement project PRK0340.

ATTACHMENTS

1. Project Location Map
2. Statewide Parks Grant Contact SW-37-015
3. Original Two-Party Agreement
4. Resolution No. 2023-211
5. First Amendment to Two-Party Agreement

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