

AGREEMENT AMENDMENT

City Manager's Office
701 Laurel St., Menlo Park, CA 94025
tel 650-330-6620



Amendment #: 2420.1

AGREEMENT FOR SERVICES BETWEEN THE CITY OF MENLO PARK AND ICF JONES & STOKES, INC.

THIS FIRST AMENDMENT is made and entered into this 5/14/2020, by and between the CITY OF MENLO PARK, a Municipal Corporation, hereinafter referred to as "CITY," and ICF JONES & STOKES, INC., hereinafter referred to as "FIRST PARTY."

1. Pursuant to Section 4 Compensation and Payment of Agreement No. 002420, ("Agreement"), Section 4A Compensation and Payment [amendment to section] to read as follows"

"CITY shall pay FIRST PARTY an all-inclusive fee that shall not exceed \$443,515 (an amendment of \$41,240) as described in Exhibit "A-1.1," Scope of Services. This compensation shall be based on the rates described in Exhibit "A." All payments, including fixed hourly rates, shall be inclusive of all indirect and direct charges to the Project incurred by FIRST PARTY. The CITY reserves the right to withhold payment if the City determines that the quantity or quality of the work performed is unacceptable"

2. Pursuant to Section 24 Term of Agreement of Agreement No. 002420, ("Agreement"), Section 24 Term of Agreement [amendment to section] to read as follows"

"This agreement shall remain in effect for the period of February 16, 2018 to June 30, 2021 unless extended, amended, or terminated in writing by CITY"

Except as modified by this Amendment, all other terms and conditions of Agreement No. 002420 remain the same.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

SIGNATURE PAGE TO FOLLOW

FOR FIRST PARTY:

DocuSigned by:
Trina Fisher
395F75A8FE472407

Signature

Trina Fisher

Printed name

94-1730361

Tax ID#

5/13/2020

Date

Contracts Administrator

Title

APPROVED AS TO FORM:

DocuSigned by:
Cara E. Silver
CD6C53C794F6491...

Cara E. Silver, Interim City Attorney

5/13/2020

Date

FOR CITY OF MENLO PARK:

DocuSigned by:
Starla Jerome-Robinson
6BD907BD261744C...

Starla Jerome-Robinson, City Manager

5/14/2020

Date

ATTEST:

DocuSigned by:
Judi A. Herren
39280A20D0BE491...

Judi A. Herren, City Clerk

5/14/2020

Date



February 13, 2020

Tom Smith
Senior Planner
City of Menlo Park Community Development
701 Laurel Street
Menlo Park, CA 94025

Subject: Budget Amendment 1 for the Commonwealth Building 3 Project CEQA Review

Dear Mr. Smith:

ICF Jones & Stokes, Inc. ("ICF") submitted a Scope of Work (scope) and budget for the Commonwealth Building 3 Project in February 2, 2018. Subsequent to the submittal of the original scope and work, ICF conducted the analysis for the Initial Study and it was determined, based on discussions with the City, that the scope of the Focused EIR will need to be expanded. In addition, the applicant has submitted updated site plans, which will need to be reflected throughout the document, and the schedule for the project has been expanded due to transportation-related issues. Attached is a detailed description of the proposed tasks and associated costs necessitating this revised amendment request.

The current approved budget for the CEQA analysis is \$402,275. As outlined in the budget attachment to this letter, ICF requests that \$41,240 be added to our contract, for a total budget of \$443,515. ICF proposes to invoice costs monthly, on a time and materials basis. If you agree to authorize the tasks and costs associated with these items, please indicate your acceptance. ICF shall provide services as outlined in the attachment, under the terms and conditions of its existing agreement number 002420 with the City dated September 17, 2018. If you have any questions, please contact Kirsten Chapman at 415-537-1702 or at kirsten.chapman@icf.com.

Sincerely,

A handwritten signature in blue ink that reads "Trina L. Fisher". The signature is written in a cursive, flowing style.

Trina L. Fisher
Contracts Administrator



During the process of completing the Initial Study document, ICF performed extra tasks that were not originally included in the scope of work. In addition, the scope of the Focused EIR will need to be expanded, based on the findings in the Initial Study. The additional tasks are described.

Additional Focused EIR Sections (Task 5-11). Due to new mitigation measures required to reduce the Project's impacts to less than significant, the Noise analysis and the Archeological/Tribal Resources analysis will be included in the Environmental Impact Report (EIR). It was originally assumed in the scope of work for this Project that the analysis for these sections would be conducted in the Initial Study and scoped out from further review. However, after discussions between the City and ICF, it was determined that the analysis for these topics must be disclosed in the EIR. While much of the work for these topics has already been conducted for the Initial Study, they will need an EIR-level analysis, which includes additional background information, consideration of notice of preparation (NOP) comments, more in-depth analysis, an alternatives analysis, and potential analysis in the Final EIR. In addition, the sections for the Initial Study were written in early 2019; therefore, the information will need to be updated accordingly.

In addition to the Noise and Archeological/Tribal Resources EIR sections, an Energy section will be added to the EIR. Energy is a new topic added to the CEQA checklist in 2019, after the scope of work for this Project was submitted. While ICF assumed that energy calculations would be included per Appendix F of the CEQA Guidelines, a separate EIR section was not anticipated. In order to comply with current CEQA requirements, a separate Energy EIR section will be included.

Changes to the Project Description (Tasks 2 and 5). It is ICF's understanding that the most recent site plans are from August 2019. ICF will update the Project Description, which was written for the Initial Study and will be included in the EIR, to reflect the changes in the site plan. Most notably, the applicant has added a partial underground garage. Since this was not analyzed in the Initial Study, a brief analysis will be included in the EIR chapter "Impacts Found to be Less Than Significant," explaining how all conclusions provided in the Initial Study would remain the same with the inclusion of a partial underground garage. In addition, the partial garage will be analyzed throughout the EIR, pending detailed construction data from the applicant. Additional iterations of the data needs list and review by the Air Quality and Noise specialists will be required.

Project Management/Schedule Delays (Tasks 3 and 13). Due to delays in the project, including revisions to the transportation scope of work, the schedule has been extended by several months. This has resulted in additional meetings/conference calls, prolonged subconsultant coordination, and additional budgeting, contracting, and invoicing. In addition, during this delayed time, the CEQA Checklist was revised in 2019, which required updates to the first draft of the Initial Study. For the Focused EIR, research and information gathered prior to the schedule delay will need to be updated. Therefore, ICF is requesting additional budget to reflect time expended on project management activities due to this extended schedule.

1. Cost Estimate for Commonwealth Building 3 Project Budget Amendment 1

Task	Consulting Staff										Subtotal	Labor Total	Total Price
	Employee Name	Efner	Chapman	Foley	Buehler	Elder	Arias	Wezerek	Matsui	Mathias			
	Project Role	Erin	Kirsten	Elizabeth	David	James	Lily	Elliott	Cory	John			
	Labor Classification	Proj Dir	Proj Manager	Noise	Sr Noise	Sr Archeo	Archeo	Energy/AQ	Energy/AQ	Editor			
	Proj Dir	Sr Consult II	Sr Consult I	Proj Dir	Mng Consult	Assoc Consult III	Assoc Consult I	Sr Consult I	Asst Consult				
Task 2. EIR Project Description	1.0	4.0									\$956	\$956	
Task 3. Initial Study		6.0							2.0		\$1,267	\$1,267	
Task 5. Administrative Draft EIR	6.0	16.0	44.0	4.0	2.0	24.0	40.0	4.0	8.0		\$19,132	\$19,132	
Task 6. Project Alternatives and Other CEQA	1.0	4.0	6.0	1.0	1.0	2.0	4.0	1.0	2.0		\$3,112	\$3,112	
Task 7. Screencheck Draft	1.0	6.0	8.0	1.0	1.0	4.0	8.0	1.0	1.0		\$4,172	\$4,172	
Task 8. Public Draft EIR		2.0	2.0			1.0	1.0				\$794	\$794	
Task 10. Draft RTCs and Admin Final EIR	4.0	6.0	6.0	1.0	1.0	4.0	6.0	1.0	4.0		\$4,924	\$4,924	
Task 11. Final EIR	1.0	2.0	2.0			1.0	2.0		1.0		\$1,280	\$1,280	
Task 13. Project Management	8.0	20.0									\$5,602	\$5,602	
Total hours	290.0	22.0	66.0	68.0	7.0	5.0	36.0	61.0	7.0	18.0			
Billing Rates		\$273.32	\$170.79	\$124.22	\$280.66	\$172.85	\$112.81	\$91.32	\$124.25	\$120.95			
Subtotal		\$6,013	\$11,272	\$8,447	\$1,965	\$864	\$4,061	\$5,571	\$870	\$2,177	\$41,240	\$41,240	
Total price													\$41,240.01