



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: December 1, 2020

TO: Christine Daniel, City Manager

FROM: Charles S. Bryant, Community Development Director

SUBJECT: Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Execute A First Amendment To The Professional Services Contract With Fehr And Peers Increasing The Total By \$19,115 From \$44,990 To \$64,105 For Additional Transportation Related Analysis For The Proposed Emeryville Center Of Innovation Project By Biomed Realty, And Authorizing The City Manager To Execute Additional Amendments To The Contract So Long As The Cumulative Amounts Of The Amendments Do Not Exceed \$5,000, For A Total Contract Amount Not To Exceed \$69,105

RECOMMENDATION

Staff recommends that the City Council approve the above-entitled resolution authorizing the City Manager to execute the attached First Amendment to the Fehr and Peers Professional Services Contract for transportation related analysis for the Emeryville Center for Innovation in the amount of \$19,115 for a total contract amount not to exceed \$64,105, and authorize the City Manager to execute additional amendments to the contract so long as the cumulative amounts of the amendments do not exceed \$5,000, for a total contract amount not to exceed \$69,105.

BACKGROUND

On October 8, 2020 the City Manager executed a Professional Services Contract with Fehr and Peers for an amount not to exceed \$44,990 to prepare a peer review analysis of the transportation assessment prepared by Kimley Horn and submitted by the applicant, BioMed Realty, and to provide additional transportation analysis, for the Final Development Plan (FDP) to construct four new buildings and a parking structure as part of the Chiron Planned Unit Development (PUD) approved by the Emeryville City Council on August 15, 1995. (See Attachment 1.)

DISCUSSION

Upon further review, staff believes that a transportation analysis based on vehicle miles of travel (VMT) and an analysis of the project's consistency with the General Plan is necessary, as the General Plan has been updated since the PUD was approved, and the

City now uses VMT to study vehicular traffic instead of level of service (LOS). Fehr and Peers has outlined its scope of work in the attached letter dated November 10, 2020. In order to accommodate flexibility for additional consultant services that may be required to facilitate the City's review and analysis of the Project, the attached resolution includes a provision authorizing the City Manager to execute additional amendments to the contract with Fehr and Peers so long as the cumulative amounts of the amendments do not exceed \$5,000, for a total contract amount not to exceed \$69,105, and such amendments are approved as to form by the City Attorney.

FISCAL IMPACT

The additional contract amount will be offset by planning fees charged to the applicant. The contract expenditures will be charged to "Planning Reimbursables", Division 1725, Account 80500 and reimbursed by the project applicant through the City's Cost Recovery program. Therefore, there is no impact on the Community Development Department's budget.

STAFF COMMUNICATION WITH THE PUBLIC

The proposed FDP was reviewed by the Planning Commission at study sessions on December 12, 2019, April 23, 2020, and August 27, 2020. Staff has had no communication with the public on the proposed contract amendment.

CONCLUSION

Staff requests that the City Council adopt the attached resolution authorizing the City Manager to execute the attached First Amendment to the Fehr and Peers Professional Services Contract for transportation related analysis for the Emeryville Center for Innovation in the amount of \$19,115 for a total contract amount not to exceed \$64,105 and authorizing the City Manager to execute additional amendments to the contract so long as the cumulative amounts of the amendments do not exceed \$5,000, for a total contract amount not to exceed \$69,105.

REPORT SUBMITTED BY: Miroo Desai, Senior Planner

**APPROVED AND FORWARDED TO THE
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



Christine Daniel, City Manager

ATTACHMENT:

- Attachment 1 – Professional Services Contract dated October 8, 2020
- Draft Resolution including Exhibit A, First Amendment