

**MONTEREY PENINSULA REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING**

DATE: October 9, 2019
TO: Board of Directors
FROM: Kelly McCullough, Finance Manager
REVIEWED BY: Rafael Payan, General Manager
SUBJECT: Approval of Amendment to Professional Services Agreement with CEQA Project Consultant Rincon Consultants, Inc. for Environmental Review/Initial Study of PCRP

RECOMMENDED ACTION

Staff respectfully recommends the Board approve the Rincon Consultants, Inc. proposed amendment, to prepare an Initial Study for the draft proposed Palo Corona Regional Park General Development Plan (**ATTACHMENT 1**).

FISCAL IMPACT:

\$62,052 – approved August 8, 2018 prior year budget
\$ 3,948 – staff approved within 10% allowance, prior year budget
\$19,970 – increase proposal before you tonight

FUNDING SOURCE:

6966 – Palo Corona Improvements

FUNDING BALANCE:

\$2,424,768

DISCUSSION:

The draft proposed Palo Corona Regional Park General Development Plan (GDP) was presented to the Board at the August 8, 2018 meeting. The Board approved a draft proposed GDP and authorized environmental review of the proposal, an Initial Study to determine the appropriate level of CEQA documentation necessary. The draft proposed GDP is considered the “project” for the purposes of the CEQA analysis.

Under County of Monterey policy, the selection of the Environmental Consultant may be through the prequalified and approved consultants list established by the Monterey County Board. Rincon Consultants, Inc., has been prequalified and approved for CEQA consulting by Monterey County for projects that ultimately must be approved by the County. If after environmental review a final GDP is ultimately approved by the District, it will then need to be approved by the County as a Coastal Development Permit application.

District policy also states, “Professional consultant services are of a technical and professional nature and, due to the nature of the services to be provided, do not readily fall within the “low bid” competitive bidding process. In addition, State law (GC 2254) requires that selection of professional consultants in the categories of architects, landscape

architects, engineers, surveyors, and environmental consulting be made on the basis of demonstrated competence and the professional qualifications necessary for the satisfactory performance of the required services. Professional consultants should be individually selected for a specific project or problem with the objective of selecting the most qualified consultant at a price that is fair and reasonable.”

Based on the consultant’s qualifications, relevant experiences, and match to this site’s CEQA project requirements, the Board approved a Professional Services Agreement with Rincon Consultants, Inc., in the amount of \$62,052 (**ATTACHMENT 3**). Rincon is currently preparing the Environmental Impact Report (EIR) for the Rio Ranch Marketplace Project on Rio Road, across from the Crossroads Shopping Center and recently prepared the EIR for the Carmel Rio Road Subdivision Project located on Val Verde Drive, which is less than 0.5 miles west of the Front Ranch Unit of Palo Corona Regional Park.

On February 1, 2019, Rincon presented a scope amendment request to staff in the amount of \$3,948 (**ATTACHMENT 4**), to revise the Second Administrative Draft IS-MND to incorporate the CEQA guidelines updates. The update to Appendix G included two new issue areas (Energy and Wildfire), and modifications to existing checklist questions in the areas of Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Hazards, Hydrology and Water Quality, Land Use and Planning, Noise, Population and Housing, Transportation, and Utilities and Service Systems. As part of the amended scope being requested Rincon would prepare new analyses for the Energy and Wildfire. They would also modify existing analyses in other sections as needed, to address the updated checklist questions. Staff approved the request for scope amendment in the amount of \$3,948, which fell within District contract allowances for 10% overages.

To date, Rincon has prepared an Administrative Draft IS-MND, Public Review Draft IS-MND, and the Draft IS-MND has been circulated for a 90-day public review period from April 29 to July 29, 2019.

Rincon is requesting additional time to respond to the 58 public comments received on the Draft IS-MND and to extend the contract term through the end of 2019.

Rincon’s original scope of work assumed up to ten comment letters, including two lengthy and/or substantive letters that could be addressed in a maximum of 40 professional staff hours. Due to the substantial interest in this project, MPRPD received 58 comments during the public review period, which include 6 public agency comments, 5 comments from organizations, and 47 comments from the public. The majority of the comments are in support of the proposed dog park; however, seven of the comment letters are lengthy and substantive letters. Therefore, given the level of public comment on the Draft IS-MND, additional budget is being requested to adequately respond to comments.

MPRPD staff is recommending that an amendment to the Professional Services Agreement with Rincon Consultants, Inc., as a prequalified environmental services firm with the County of Monterey, be approved to continue work on the IS-MND in the amount requested and to

retroactively extend the term to June 2020 to eliminate the need to return to the Board for a time extension request should any unforeseen circumstances arise.

Staff respectfully recommends that the Board approve the attached Amendment to the Professional Services Agreement (**ATTACHMENT 2**) in substantially the form attached.

ATTACHMENTS:

1. [Rincon Consultants, Inc., Scope Amendment Request 2](#)
2. [Amendment to the Professional Services Agreement with Rincon Consultants, Inc.](#)
3. [Professional Service Agreement for Environmental Review / Initial Study of Palo Corona Regional Park \(CEQA Project\)](#)
4. [Rincon Consultants, Inc., Scope Amendment Request 1](#)