



**TO THE HONORABLE MAYOR AND COUNCIL
SITTING AS THE LOCAL REUSE AUTHORITY:**

DATE: November 3, 2015

SUBJECT: APPROVAL OF AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR TECHNICAL, STRATEGIC AND TACTICAL ADVICE ON THE BASE REUSE PROJECT WITH THE WRIGHT GROUP (MICHAEL WRIGHT) NOT TO EXCEED \$76,000. TOTAL FUNDING SINCE 2015 INCLUDING THIS AGREEMENT IS \$126,000. (FUNDING FROM AN EXISTING LOAN TO THE LOCAL REUSE AUTHORITY FROM THE GENERAL FUND)

Report in Brief

Staff is recommending that the Local Reuse Authority (LRA) approve an amendment to the Agreement for Professional Services with The Wright Group (Michael Wright) to authorize the additional expenditure of up to \$76,000. The term of the agreement, September 4, 2015 to May 31, 2016, is not changing under this amendment.

Michael Wright's scope of work includes, but is not limited to, advice and support activities related to the selection of a Master Developer; land value negotiations with the U.S. Navy; environmental mitigation negotiations; site remediation negotiations; and the negotiation of a Disposition and Development Agreement with the City's selected Master Developer.

Funding will be provided through a loan to the LRA from the General Fund that was approved and appropriated as part of the adoption of the FY 2015/2016 budget. The loan will be repaid, with interest, from land sales or leases within the former Concord Naval Weapons Station (CNWS). Total funding, since 2015, including this agreement is \$126,000.

Background

The City Manager approved the Agreement for Professional Services with The Wright Group (Michael Wright) on September 4, 2015 to assist with the completion of the Master Developer selection process and maintain project momentum during the transition to the new Director of Community Reuse Planning. The agreement authorized the expenditure of up to \$50,000 for the term of September 4, 2015 to May 31, 2016.

**APPROVAL OF AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR
TECHNICAL, STRATEGIC AND TACTICAL ADVICE ON THE BASE REUSE
PROJECT WITH THE WRIGHT GROUP (MICHAEL WRIGHT) NOT TO
EXCEED \$76,000. TOTAL FUNDING SINCE 2015 INCLUDING THIS
AGREEMENT IS \$126,000. (FUNDING FROM AN EXISTING LOAN TO THE
LOCAL REUSE AUTHORITY FROM THE GENERAL FUND)**

November 3, 2013

Page 2

After reviewing the status of the numerous elements of the Base Reuse Project, staff has determined that this recommended amendment to the agreement better reflects the services required from Michael Wright during the term of this agreement. Michael Wright is the recently retired Executive Director of the Local Reuse Authority.

Discussion

The Wright Group (Michael Wright) is providing technical, strategic and tactical advice to the City Manager, Director of Community Reuse Planning and as needed, the City Council, on matters pertaining to:

- a) Land value negotiations with the U.S. Navy regarding the disposal of real property under the Base Realignment and Closure Act.
- b) Section 7 consultation with the U.S. Fish and Wildlife Service under the Endangered Species Act and Section 404 permitting with the U.S. Army Corps of Engineers under the Clean Water Act.
- c) Section 106 consultation with recognized Native American tribes and the U.S. Navy under the Historic Preservation Act.
- d) Negotiations with the U.S. Environmental Protection Agency, California Department of Toxic Substance Control and California Regional Water Quality Control Board and the U.S. Navy on property transfer under CERCLA and RCRA.
- e) A Disposition and Development Agreement with the City's selected Master Developer.
- f) Other matters as requested by the City Manager or Director of Community Reuse Planning.

Fiscal Impact

Funding will be provided through a loan to the LRA from the General Fund that was approved and appropriated as part of the adoption of the FY 2015/2016 budget. The loan will be repaid, with interest, from land sales or leases within the former Concord Naval Weapons Station (CNWS). Total funding since 2015, including this agreement is \$126,000.

Public Contact

Agenda has been posted in accordance with legal requirements.

**APPROVAL OF AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT FOR
TECHNICAL, STRATEGIC AND TACTICAL ADVICE ON THE BASE REUSE
PROJECT WITH THE WRIGHT GROUP (MICHAEL WRIGHT) NOT TO
EXCEED \$76,000. TOTAL FUNDING SINCE 2015 INCLUDING THIS
AGREEMENT IS \$126,000. (FUNDING FROM AN EXISTING LOAN TO THE
LOCAL REUSE AUTHORITY FROM THE GENERAL FUND)**

November 3, 2013

Page 3

Recommendation for Action

Staff recommends the Local Reuse Authority approve the amendment to the Agreement for Professional Services with The Wright Group (Michael Wright) for a total amount of \$76,000; and authorize the Executive Director of the LRA to execute the agreement.



Valerie J. Barone
City Manager

Valerie.barone@cityofconcord.org

Prepared by: Guy S. Bjerke
Executive Director, Local Reuse Authority
guy.bjerke@cityofconcord.org

Attachment 1: Amendment with The Wright Group

**AMENDMENT TO
MASTER AGREEMENT FOR PROFESSIONAL SERVICES**

This Amendment to Agreement is entered into on November 1, 2015 (“EFFECTIVE DATE”) by and between the CITY OF CONCORD, a municipal corporation, (“CITY”) and The Wright Group (“CONSULTANT”) and is an amendment to a Master Agreement dated September 4, 2015 referenced as the City’s document No. AA-2619.

WHEREAS, the CITY and CONSULTANT entered into an agreement dated September 4, 2015 for services to provide technical, strategic and tactical advice; and

WHEREAS, the parties hereto desire to amend the agreement to provide additional professional services therefore.

NOW, THEREFORE, in consideration of the promises and conditions set forth herein, the parties mutually agree as follows:

Section 1. Section 3, PAYMENT, is amended to read as follows:

SECTION 3 - PAYMENT

3. **PAYMENT**

With this amendment to the original agreement of September 4, 2015 the CONSULTANT shall be compensated in the additional amount of \$76,000 for a total amount not to exceed **\$126,000** for basic services rendered, as more particularly described in Section 2. Scope of Services of the original agreement, in accordance with the terms and conditions included therein.

CONSULTANT may submit monthly statements for services rendered. It is intended that payments to CONSULTANT will be made by CITY within thirty (30) days of receipt of invoice.

Except as expressly amended herein all terms and conditions of the Agreement dated September 4, 2015 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment to Agreement the day and year written above.

CONSULTANT

Dated

By: _____
Michael W. Wright
The Wright Group

CITY OF CONCORD

Dated

By: _____
Guy S. Bjerke
Executive Director
Local Reuse Authority

APPROVED AS TO FORM:

ATTEST:

City Attorney

City Clerk

This signature page is part of an amendment to the Master Agreement for Professional Services entered into on November 1, 2015 by and between the City of Concord, a municipal corporation, (hereinafter "City") and The Wright Group (the "Consultant").