



# City of Santa Clara

1500 Warburton Avenue  
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## Agenda Report

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19-147

Agenda Date: 2/5/2019

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### REPORT TO COUNCIL

#### **SUBJECT**

Action on Amendment No. 1 to the Amended and Restated Agreement with Environmental Risk Services for Consulting Services Related to the CityPlace Santa Clara Development Project

#### **BACKGROUND**

In July 2018, the City entered into an Agreement with Environmental Risk Services to provide consulting services to assist the City in the evaluation of environmental risk related to the CityPlace Santa Clara project.

Environmental Risk Services (ERS) is a multidisciplinary environmental science, engineering, and land-use planning company. ERS provides expert technical and strategic services to assess, manage, reduce, and/or leverage environmental risks and liabilities with technical expertise in hydrogeology, geochemistry, geophysics, remediation engineering, and risk assessment.

#### **DISCUSSION**

ERS has been providing the City with highly specialized technical services related to the City's current and ongoing obligations associated with its ownership of the all-purpose landfill under the CityPlace project site (currently used as Santa Clara Golf & Tennis). ERS has also been assisting the Administration and the City Attorney's Office with strategic review and communication of documents between State of California regulatory agencies and with Related, the developer of the CityPlace project.

The work with the State regulatory agencies is not complete and ERS' technical expertise is anticipated to be necessary to secure approvals. In addition, work is ongoing with Related to document the City's and Related's shared environmental responsibilities and a corresponding risk management program. Approval of Amendment No. 1 would allow the City to continue to access ERS' services for this scope through January 31, 2020.

#### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of a California Environmental Quality Act ("CEQA") pursuant to the CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

#### **FISCAL IMPACT**

The current contract with Environmental Risk Services for environmental risk consulting services related to the CityPlace project has a total not to exceed amount of \$90,000. The proposed Agreement increases the contract amount by \$260,000, for a maximum amount not to exceed of \$350,000. This contract is funded by the CityPlace developer, Related, through advances provided

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to the City as required by the CityPlace Development Agreement.

**COORDINATION**

This report has been coordinated with the Finance Department and the City Attorney's Office.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) or at the public information desk at any City of Santa Clara public library.

**RECOMMENDATION**

Approve and authorize the City Manager to execute Amendment No. 1 to the Amended and Restated Agreement with Environmental Risk Services to expand the scope of services and increase compensation by \$260,000 for a revised not to exceed compensation amount of \$350,000 and extend the term of the agreement to January 31, 2020.

Reviewed by: Ruth Shikada, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Amendment No. 1 to Amended and Restated Agreement with Environmental Risk Services