

HAYWARD CITY COUNCIL

RESOLUTION NO. 24-_____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 10 TO THE PROFESSIONAL SERVICES AGREEMENT WITH CSG CONSULTANTS, INC., IN AN AMOUNT OF \$192,000 FOR A TOTAL NOT-TO-EXCEED AMOUNT OF \$2,604,000 FOR TEMPORARY DEVELOPMENT REVIEW SERVICES AND EXTENDING THE DATE OF THE AGREEMENT TO JUNE 30, 2025

WHEREAS, the aforesaid parties have entered into that certain Agreement dated the November 18, 2016, entitled "Agreement for Professional Services between the City of Hayward and CSG Consultants, Inc.", for temporary Development Review Services; and

WHEREAS, on October 19, 2017, the City and Consultant amended that certain Agreement to \$500,000 and extended it to June 30, 2018, through Amendment No. 1; and

WHEREAS, on June 4, 2018, the City and Consultant amended that certain Agreement to \$680,000 and extended it to December 31, 2018, through Amendment No. 2; and

WHEREAS, on January 8, 2019, the City and Consultant amended that certain Agreement to extend to June 30, 2019, through Amendment No. 3; and

WHEREAS, on June 28, 2019, the City and Consultant amended that certain Agreement to \$880,000 and extended it to June 30, 2020, through Amendment No. 4; and

WHEREAS, on September 22, 2020, the City and Consultant amended that certain Agreement to \$1,200,000 and extended it to June 30, 2021, through Amendment No. 5; and

WHEREAS, on September 2, 2021 the City and Consultant amended that certain Agreement to \$1,570,000 and extended it to June 30, 2022, through Amendment No. 6; and

WHEREAS, on February 7, 2022, the City and Consultant amended that certain Agreement to \$1,700,000 through Amendment No. 7; and

WHEREAS, on June 13, 2022, the City and Consultant amended that certain Agreement to \$2,100,000 and extended it to June 30, 2023, through Amendment No. 8; and

WHEREAS, on June May 23, 2022, the City and Consultant amended that certain Agreement to \$2,412,000 and extended it to June 30, 2024, through Amendment No. 9; and

WHEREAS, the City and the consultant desire to further amend the Agreement in certain respects.

NOW, THEREFORE, in consideration of the covenants, conditions, and terms hereinafter set forth, City and Consult do hereby agree to the following modifications to the Agreement.

That section in said Agreement entitled “(2) Compensation” is hereby amended to read as follows:

City hereby agrees to pay Consultant according to the rate schedule set forth in Exhibit A, Fee Schedule; however, total compensation for Consultant’s services and expenses incurred pursuant to this Agreement shall not exceed the sum of \$2,604,000.

That section in said Agreement entitled “(3) Effective Date and Term” is hereby amended to read as follows:

The effective date of this Agreement shall commence on the date this Agreement is fully executed and shall continue in full force and effect until terminated by the City pursuant to the terms of this Agreement, but no later than June 30, 2025.

All terms and conditions not expressly modified by this Amendment shall remain in full force and effect. This Amendment contains the entire agreement of the Parties with respect to the subject matter of the Amendment, and all negotiations and agreements between the Parties herein or their agents with respect to this Amendment are hereby declared to be merged in the Amendment.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager, is hereby authorized and directed to negotiate and execute, on behalf of the City of Hayward, Amendment No. 10 to the agreement with CSG CONSULTANTS, INC., for additional services in the amount of \$192,000, resulting in an amount not-to-exceed \$2,604,000 and extend it through June 30, 2025 associated with the City of Hayward temporary development plan check review, in a form approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2024

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward