



**DATE:** March 22, 2022

**TO:** Mayor and City Council

**FROM:** Director of Public Works

**SUBJECT:** Adopt Resolutions 1) Authorizing the City Manager to Execute an Amendment Increasing the Professional Services Agreement with SurfaceDesign, Inc., by \$122,975 for a Total Not-to-Exceed Amount of \$637,975 for Additional Design and Consultant Services; and, 2) Authorizing the City Manager to Execute an Amendment Increasing the Professional Services Agreement with Langan Engineering and Environmental Services by \$200,026 for a Total Not-to-Exceed Amount of \$493,426 for Additional Design and Consultant Services for the La Vista Park Project, Project No. 06914

## **RECOMMENDATION**

That Council adopts a resolution (Attachment II) authorizing the City Manager to execute an amendment to the Professional Services Agreement (PSA) with SurfaceDesign, Inc., (SDI) increasing the agreement for the design and consulting services for the La Vista Park Project by \$122,975 for a total not-to-exceed amount of \$637,975; and adopts a resolution (Attachment III) authorizing the City Manager to execute an amendment to the PSA with Langan Engineering and Environmental Services (Langan) increasing the agreement for the design and consulting services for the La Vista Park Project by \$200,026, for a total not-to-exceed amount of \$493,426.

## **SUMMARY**

On March 26, 2019, Council approved a PSA with SDI for the final design services and construction support for the La Vista Park Project in an amount not-to-exceed \$515,000. The design phase for this project is conducted in two phases. Phase 1 involved preparation of 30% final design of the project. The 30% design was used to define the project scope and to revise the CEQA review and addendum for the addition of a 20-acre Caltrans Route 238 parcel to the project. The CEQA review and addendum was completed and presented to Council on September 28, 2021<sup>1</sup>. Council authorized staff to proceed with Phase 2 design work, which involves finalizing the design and preparing construction documents.

An existing wetland area and man-made well was identified on the 20-acre Caltrans Route 238 parcel. The existing well was sealed to determine if the wetland was being fed by a man-

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<sup>1</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=5149130&GUID=D8228E92-C3A1-4D7C-B138-B71367B5DEB1&Options=&Search=>

made source. Wetland areas fed by man-made wells are not protected wetlands. The man-made well was found to have contributed to the creation of most of the wetland area. A small remaining area was determined to be a natural wetland area. The design of the park was revised to avoid any disturbance to this existing wetland area. A revision to the landslide stability plan was then required to avoid any repairs that would directly impact the small existing wetland area.

The contract amendment requested for the SDI agreement is for additional costs for design verification, grading revisions, exhibit preparation, topographic surveying, meetings, and coordination of the CEQA review and findings. In addition, slope stabilization construction documents will be prepared to expedite the construction of the proposed slope stabilization keyway. This approach allows work to begin while the overall park construction documents are being finalized. Staff requests approval of the attached resolution to amend the SDI PSA is in an amount of \$122,975 for a total contract not-to-exceed amount of \$637,975.

On March 26, 2019<sup>2</sup>, Council approved a PSA with Langan for the geotechnical investigation and report for the La Vista Park Project in an amount not-to-exceed \$220,000. On May 19, 2020<sup>3</sup>, Council approved an amendment to the Langan PSA to increase the agreement to an amount not-to-exceed \$293,400. This contract amendment is for additional work to revise the slope stability analysis, review revised grading plans and slope stability keyway plans, meetings, coordination, and construction monitoring for the slope stability keyway construction. Staff requests approval of the attached resolution to amend the Langan PSA in an amount of \$200,026 for a total contract not-to-exceed amount of \$493,426.

#### Council Infrastructure Committee Review

An oral update was provided to the Council Infrastructure Committee (CIC) on April 28, 2021 and received positive feedback.

## **BACKGROUND**

In 2005, the La Vista residential development that included 179 new single-family homes to be built at the South Hayward site east of (and up the hill from) the terminus of Tennyson Road and Mission Boulevard was approved. The original project included construction of a new approximately thirty-acre public park. The development's goal was to provide new housing within City and also served as remediation for a former rock quarry site.

Home construction at the La Vista development has been completed. The original thirty-acre park site on land donated from the developer was expanded to almost fifty acres in size by the addition twenty acres of the former Caltrans route 238 property right-of-way acquired by the City.

An existing wetland area and man-made well was identified on the 20-acre Caltrans Route 238 parcel. The existing well was sealed to determine if the wetland was being fed by a man-

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<sup>2</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=3897638&GUID=AD716AFF-467D-4E35-8C07-0F39495BAE26&Options=&Search=>

<sup>3</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4539054&GUID=DE6EFDEE-53D2-4FB2-87D4-64E33A15986F&Options=&Search=>

made source. Wetland areas fed by man-made wells are not protected wetlands. The man-made well was found to have contributed to the creation of most of the wetland area. A small remaining area was determined to be a natural wetland area. The design of the park was revised to avoid any disturbance to this existing wetland area. A revision to the landslide stability plan was then required to avoid any repairs that would directly impact the small existing wetland area.

On March 26, 2019<sup>4</sup>, Council approved agreements with both SDI and Langan for the design and preparation of construction documents and a geotechnical investigation and report for the La Vista Park Project in an amount not-to-exceed \$515,000 for SDI and \$220,000 for Langan. The 30% progress construction plans were completed in May 2020 and the geotechnical report by Langan was completed in June 2020. The CEQA addendum draft study was completed in December 2020 which identified the existing wetland on the 20-acre Caltrans Route 238 parcel.

## **DISCUSSION**

The contract amendment requested for the SDI agreement is for additional costs for design verification, grading revisions, exhibit preparation, topographic surveying, meetings, and coordination following the CEQA review and findings. In addition, slope stabilization construction documents will be prepared to expedite the construction of the proposed slope stabilization keyway. This approach allows work to begin while the overall park construction documents are being finalized. Staff requests approval of the attached resolution to amend the SDI PSA in an amount of \$122,975 for a total contract not-to-exceed amount of \$637,975.

On March 26, 2019<sup>5</sup>, Council approved a PSA with Langan for the geotechnical investigation and report for the La Vista Park Project in an amount not-to-exceed \$220,000. On May 19, 2020<sup>6</sup>, Council approved an amendment to the Langan PSA to increase the agreement to an amount not-to-exceed \$293,400. This new contract amendment is for additional work to revise the slope stability analysis, review revised grading plans and slope stability keyway plans, meetings, coordination, and construction monitoring for the slope stability keyway construction. Staff requests approval of the attached resolution to amend the Langan PSA in an amount of \$200,026 for a total contract not-to-exceed amount of \$493,426.

## **ECONOMIC IMPACT**

The development of a destination park will attract visitors that will contribute to the vitality of the City and South Hayward area. The park will provide an amenity to the area and have a positive impact on the community's economic development.

## **FISCAL IMPACT**

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<sup>4</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=3897638&GUID=AD716AFF-467D-4E35-8C07-0F39495BAE26&Options=&Search=>

<sup>5</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=3897638&GUID=AD716AFF-467D-4E35-8C07-0F39495BAE26&Options=&Search=>

<sup>6</sup> <https://hayward.legistar.com/LegislationDetail.aspx?ID=4539054&GUID=DE6EFDEE-53D2-4FB2-87D4-64E33A15986F&Options=&Search=>

The original La Vista Park design conducted by SDI was estimated at \$23.3 million to construct. The updated project design cost estimate is \$25.8 million based on the current 65% progress set. Staff is working with the design consultant and HARD to align the project design and programming with the available budget of \$23.3 million.

Park in-lieu fees from the La Vista Development will contribute approximately \$2.14 million towards construction of the park. Council also approved the use of \$1.5 million in funds held for development of the South Hayward Youth and Family Center towards the park effort. These fees will be paid back via future park in-lieu fees. The City has set aside \$4.23 million from the collection of park in-lieu fees.

The Hayward Area Recreation and Park District’s (HARD) Board of Directors approved a funding plan totaling \$15.4 million for the project that included the following:

- 1) \$2 million Measure F1 bond money
- 2) \$6.7 million in additional Measure F1 bond money
- 3) \$6.7 million of loaned Measure F1 bond money

**Current Funding Plan for La Vista Park**

Project Cost Estimate	(\$23,254,000)
(will be kept within available funding)	

Current Project Funding Sources:

Park In-Lieu fees from La Vista Development	\$2,140,000
South Hayward Community Center Contribution	\$1,500,000

HARD Contributions:

HARD Park In-Lieu Fees set aside at City	\$4,230,000
HARD Measure F1 Bond fund allocations	\$15,384,000

<b>Current Project Funding Surplus/(Deficit)</b>	<b>\$0</b>
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This request has no impact on the General Fund. There are no other funding sources for La Vista Park except for those already mentioned in this report (developer fees, park in-lieu fees, and Measure F1 bond money).

The adopted FY22 CIP budget includes a total project budget of \$23.3 million for this effort in the Capital Projects (Governmental) Fund (Fund 405). Staff is working with the design consultant and HARD to align the project design and programming with the available budget of \$23.3 million.

**STRATEGIC ROADMAP**

This agenda item supports the Strategic Priority of Support Quality of Life. Specifically, this

item relates to the implementation of the following project(s):  
Project 12, Part 12a: Design La Vista Park

## **SUSTAINABILITY FEATURES**

The La Vista Park will be designed to be the most environmentally sustainable park within the City. As part of the design, park areas will require less irrigation and native grasses and plants will be used throughout the park. Park structures will be constructed from natural materials versus traditional, more costly fabricated structures.

## **PUBLIC CONTACT**

Listed below are previous public meetings or public outreach efforts performed by the City, HARD, and SDI related to the La Vista Park project:

- On Friday, October 20, 2017, City staff and the team from SDI met with representatives from Fairway Park to present and receive feedback regarding the current La Vista Park plans.
- On Thursday, October 26, 2017, a public outreach meeting was conducted at Matt Jimenez Community Center, soliciting input from the Hayward community at large, regarding the most current La Vista Park design. Staff, HARD staff, and the SDI team conducted a public presentation and received input from participants regarding draft Park plans.
- On Monday, October 30, 2017, Council hosted a joint work session with the HARD Board of Directors where City staff, HARD staff, and the SDI team presented the design for La Vista Park.

## **NEXT STEPS**

If Council approves, the City Manager will execute the amendment to the PSA for SDI and Langan to continue the design and construction document preparation.

*Prepared by:* Alex Tat, Associate Civil Engineer  
Kathy Garcia, Deputy Director of Public Works

*Recommended by:* Alex Ameri, Director of Public Works

*Approved by:*



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Kelly McAdoo, City Manager