



Council Agenda Report

To: Mayor Silverstein and the Honorable Members of the City Council

Prepared by: Kristin Riesgo, Acting Community Services Director

Approved by: Steve McClary, City Manager

Date prepared: January 23, 2023 Meeting date: February 13, 2023

Subject: Amendment to Professional Services Agreement with California Skateparks

RECOMMENDED ACTION: Authorize the City Manager to execute Amendment No. 2 to the Professional Services Agreement with California Skateparks.

FISCAL IMPACT: No appropriation is required. Funding for this amendment was included in the Designated Reserve for Case/Crummer Parcel in Account No. 310-9090 (CIP – Permanent Skate Park). The projected balance of the Designated Reserve for the Case/Crummer Parcel on June 30, 2022, is \$368,255.

WORK PLAN: This item was included as Item #8.m. in the Adopted Work Plan for Fiscal year 2022-2023.

DISCUSSION: On February 24, 2020, the Council approved a Professional Services Agreement (Agreement) with California Skateparks (Consultant) to provide design services and construction documents for the Permanent Skate Park (Skate Park).

On May 24, 2021, the Council approved Amendment No. 1, which allowed the Consultant to hire subconsultant, RRM Design Group (Subconsultant), to design drainage, grading, erosion control, stormwater control, and landscape.

The City planned to complete the Skate Park design by February 2023; unfortunately, there was a shift in priorities due to the COVID-19 pandemic, which caused the project to be delayed.

Staff recommends amending the original Agreement term for one year, which will provide the contractor time to prepare the final design documents for review and approval. Once completed, the project would go before the Planning Commission for review before final approval by the Council.

ATTACHMENT: Amendment No. 2 to Agreement with California Skateparks

AMENDMENT NO. 2 TO AGREEMENT

THIS AMENDMENT NO. 2 TO AGREEMENT is made and entered in the City of Malibu on February 13, 2023, by and between the CITY OF MALIBU (hereinafter referred to as "City"), and California Skateparks (hereinafter referred to as "Consultant").

The City and the Consultant agree as follows:

RECITALS

- A. On February 24, 2020, the City entered into a Professional Services Agreement ("Agreement") with the Consultant for the design of a permanent skate park.
- B. On May 24, 2021, the City approved Amendment No. 1 for the Consultant to provide additional engineering and architectural design plan services for the permanent skate park.
- C. The City desires to amend the Agreement to extend the term by one year.

NOW THEREFORE, in consideration of their mutual promises, obligations and covenants hereinafter contained, the parties hereto agree as follows:

- 1. Section 2.0 – Term of Agreement is hereby extended to February 24, 2024.
- 2. The Parties agree that this Amendment will be considered signed when the signature of a party is delivered physically or by facsimile transmission or scanned and delivered via electronic mail. Such facsimile or electronic mail copies will be treated in all respects as having the same effect as an original signature.
- 3. All terms and conditions of the Agreement, Amendment No. 1 not amended by this Amendment No. 2 remain in full force and effect.

This Agreement is executed on _____, 2023, at Malibu, California, and effective as of February 24, 2023.

CITY OF MALIBU:

BRUCE SILVERSTEIN, Mayor

ATTEST:

KELSEY PETTIJOHN, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE

TREVOR RUSIN, Interim City Attorney

CONSULTANT:



JOSEPH CIAGLIA JR., President
California Skateparks