

Agenda Report

December 5, 2016

TO: Honorable Mayor and City Council

FROM: Planning & Community Development Department

SUBJECT: AMENDMENT TO CONTRACT NO. 30119 WITH RINCON CONSULTANTS TO INCREASE THE NOT-TO-EXCEED AMOUNT FROM \$100,958 TO \$175,976 FOR THE PREPARATION OF A CLIMATE ACTION PLAN

RECOMMENDATION:

It is recommended that the City Council:

1. Find that the amendment to Contract No. 30119 with Rincon Consultants is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule), and
2. Authorize the City Manager to amend Contract No. 30119 with Rincon Consultants to increase the contract amount by \$75,018, thereby increasing the not-to-exceed amount from \$100,958 to \$175,976 for the completion of the Climate Action Plan.

EXECUTIVE SUMMARY:

A Climate Action Plan (CAP) is being prepared for the City of Pasadena by Rincon Consultants (Rincon). The work required to complete the CAP has exceeded the expectations of the original contract scope due to recent legislation passed by the State and the need to analyze new data sets. The existing contract not to exceed \$100,958 has a remaining balance of approximately \$34,900 and no work has been authorized beyond the contracted amount. An increase in the original contract amount is requested in order to: (1) incorporate an updated 2013 greenhouse gas inventory baseline; (2) demonstrate the City's intention to meet the State's goals identified in Executive Order S-3-05; and (3) incorporate references to new regulations related to SB 32. The contract amendment will be funded by the existing FY2017 budget allocations. The CAP remains on schedule and is anticipated to be completed by late Spring 2017.

BACKGROUND:

In July 2014, the City of Pasadena received a \$491,770 grant from California Strategic Growth Council (SGC) to engage in two tasks related to General Plan Implementation. The first task is the Climate Action Plan. The second task is a Building Typologies study that incorporates form-based code principles that will inform General Plan implementation.

After the City was awarded the grant, a Request for Proposals (RFP) to prepare a CAP was posted on the Purchasing Division's website on September 24, 2014. The Planning and Community Development Department received two proposals, Rincon Consultants and Atkins Consulting. The proposals were evaluated based on the criteria stated in the RFP. While both firms were qualified, Rincon Consultants scored slightly higher. Based on previous experience including preparation of the City's GHG Emissions Inventory, Rincon Consultants demonstrated their expertise and qualifications in preparing CAPs, their ability to communicate clearly with staff, public, commissions, and City Councils, and provided the lowest priced proposal. Rincon Consultants Inc. also received a five point preference for being a small and micro-business. On June 15, 2015, the City Council authorized the City Manager to enter into a contract with Rincon in the amount of \$100,958 to prepare a CAP.

Rincon began work on the CAP in September 2015 based on an outlined scope of work when the grant was initially awarded to the City. Since the kick-off of the contract, Rincon and the City have made substantial progress toward adoption of the CAP. The CAP outline was drafted, an evaluation of all existing programs and measures that the City is currently undertaking to reduce GHG emissions was conducted, and a list of new potential programs and measures the City could implement to further reduce GHG emissions was identified and revised.

On April 12, 2016, Planning staff presented to the Environmental Advisory Commission (EAC) an update on the CAP and the overall process to create it. On May 31, 2016, together with the City, Rincon helped host a community meeting to educate and inform the public on the CAP, adoption process, and introduction of new programs and measures related to the CAP. It was a successful community meeting with over 50 interested attendees who provided meaningful feedback on potential CAP measures.

Since then, Rincon has been analyzing and quantifying measures that will enable the City to meet the State's GHG reduction targets as well as incorporating community feedback to support the proposed measures.

Project Description

In response to global climate change, the State of California's Governor's Office and Legislature have created GHG reduction targets and mandates for the state and local jurisdictions. A CAP is a document that outlines specific activities to reduce GHG

emissions to help achieve GHG reduction targets and mandates. The scope of work for preparation of the CAP includes:

- Updating the City's GHG emissions forecast;
- Establishing GHG emission reduction targets;
- Conducting public outreach;
- Developing and quantifying measures to reduce GHG emissions;
- Incorporating new analysis based on SB 32 legislation; and
- Preparing the necessary CEQA compliance document (Negative Declaration or Mitigated Negative Declaration) that may be required to adopt a CAP.

Contract Amendment

The amount and complexity of analysis necessary to move the CAP forward exceeds what was previously anticipated in the approved contract; therefore, a contract amendment of \$75,018 is being requested to allow Rincon to complete the CAP as envisioned. This includes a base contract amount of \$59,020 and a contingency of \$15,998 which will only be authorized if additional tasks are deemed necessary.

During the process of performing background analysis in preparing the CAP, Rincon found a need to incorporate new information beyond that originally anticipated at the start of the project. Part of the need for new analysis arose out of State legislation, SB 32, being passed during CAP preparation, on September 8, 2016.

At the time the contract with Rincon was considered, the General Plan Update had not been finalized; therefore, Rincon's contract proposed to use the 2009 Greenhouse Gas Inventory as a baseline. As part of the General Plan Environmental Impact Report (EIR), an updated 2013 Greenhouse Gas Inventory was prepared. Part of the increase in contract amount is to allow Rincon to incorporate updated baseline greenhouse gas emissions from 2013 instead of 2009 levels. Using an updated baseline reflects a more accurate analysis of the City of Pasadena's existing efforts to reduce greenhouse gases that were not accounted for in the 2009 baseline.

Initially, the CAP included a forecast of the City's GHG emissions to 2035 to match the horizon year of the General Plan Update; however, the contract amendment will enable Rincon to additionally demonstrate the City's intention to meet the State's goals identified in Executive Order S-3-05 and the mandates set forth in SB 32. With the contract amendment these items will be included in the analysis and a new section of the final document will specifically address the implications of the SB 32 legislation.

Due to the interest in the CAP by the general public, staff is also requesting funding for additional outreach as part of the CAP preparation and adoption. This contract amendment will allow Rincon to conduct additional outreach including preparation of technical materials for the general public.

ENVIRONMENTAL ANALYSIS:

The proposed action has been determined to be exempt from the CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The proposed adoption of a contract amendment for Rincon Consultants is an administrative action that does not involve any direct or indirect changes to the physical environment. This action does not have the potential for causing a significant effect on the environment and is therefore exempt from CEQA per Section 15061(b)(3) (General Rule).

FISCAL IMPACT:

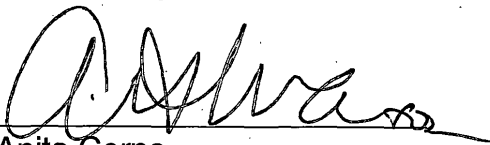
The cost of the contract amendment will be \$75,018. Funding for this action will be addressed by the utilization of existing Fiscal Year 2017 budgeted appropriations in the Community Planning Consultant Services account 20421004-811500.

Respectfully submitted,



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