



Council Agenda Report

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

Prepared by: Jesse Bobbett, Community Services Director

Approved by: Steve McClary, Interim City Manager

Date prepared: July 12, 2021 Meeting date: August 9, 2021

Subject: Amendment to Professional Services Agreement with MLA Green dba Studio-MLA

RECOMMENDED ACTION: Authorize the Mayor to execute Amendment No. 1 to the Professional Services Agreement with MLA Green dba Studio-MLA extending the term of the Agreement for two years through September 1, 2023 and increasing the compensation by \$55,000.

FISCAL IMPACT: The amendment includes \$55,000 in additional cost spread over the two year term. Sufficient funding for the current fiscal year has been included in the Adopted Budget for Fiscal Year 2021-2022 in Account Number 500-7008-5100-00 (Legacy Park Operations – Professional Services). Funding for the remainder of the agreement will be included in future budgets.

WORK PLAN: This item was included as Item 5e in the Adopted Work Plan for Fiscal Year 2021-2022.

DISCUSSION: On June 25, 2018, the Council approved a three-year Professional Services Agreement (Agreement) with MLA Green dba Studio-MLA (Consultant) to complete the Legacy Park Rehabilitation Project (Project). The primary goals of the Project were to study the cause of a significant decline in diversity and health of the landscape throughout Legacy Park and provide long-term rehabilitation and maintenance plans in two phases:

- Phase I
 - Complete a thorough analysis and assessment of existing conditions and prepare a report identifying the existing issues of the decline
 - Provide recommendations and a long-term maintenance plan for the park

- Phase II
 - Prepare a planting and irrigation plan with specifications to rehabilitate the landscape in accordance with the findings in Phase I
 - Monitor, report, and provide feedback to staff regarding native plant test plots and rehabilitated areas through regular site visits

Since 2018, the Consultant has worked closely with staff to successfully complete the goals for the Project. The plant life in Legacy Park has significantly improved during that time, and the Consultant has provided staff with essential knowledge regarding the types of native plant species that can thrive in the salty conditions at Legacy Park. To date, 30 test plots and three open areas have been planted and successfully established with an 80% plant survival rate.

The Agreement with the Consultant ends on September 1, 2021, and while the initial components of the Project are complete, additional assistance is needed to ensure continued success. Due to the Consultant's critical role and experience with the Project, staff recommends amending the Agreement, and extending the term for two additional years through September 1, 2023. The Amendment will allow the Consultant to work with staff to develop plans for future restorations and to provide feedback regarding existing test plots to ensure the plant life throughout Legacy Park continues to thrive.

On June 15, 2021, the Parks and Recreation Commission reviewed the proposed Scope of Work for the extension, and by consensus, recommended that the City Council approve the additional consulting services.

Staff recommends the Council approve Amendment No. 1 to the Professional Services Agreement with Studio MLA, extending the term of the Agreement for two additional years until September 1, 2023 and increasing the compensation in the amount of \$55,000.

ATTACHMENT: Amendment No. 1 to Professional Services Agreement with MLA Green dba Studio-MLA

AMENDMENT NO. 1 TO AGREEMENT

THIS AMENDMENT NO. 1 TO AGREEMENT is made and entered in the City of Malibu on August 9, 2021, by and between the CITY OF MALIBU, hereinafter referred to as "City", and MLA Green dba Studio-MLA, hereinafter referred to as "Consultant"

The City and the Consultant agree as follows:

RECITALS

A. On June 25, 2018, the City entered into an Agreement with Consultant for consulting services related to landscape assessment and design through September 1, 2021 ("Agreement").

B. The City desires to amend the Agreement to provide restoration site assessments and work plans for Legacy Park and extend the term of the Agreement, and Consultant has submitted a proposal for this purpose that is acceptable to the City.

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

1. Section 1.0 – Scope of the Consultant’s Services, of the Agreement, is hereby amended as set forth in Exhibit A attached hereto.
2. Section 2.0 – Term of Agreement, of the Agreement, is hereby extended to September 1, 2023.
3. Section 4.0 – Compensation for Services, of the Agreement, is hereby amended by an increase of \$55,000 and shall not exceed \$175,000 for the Term of Agreement.
4. 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.
5. All terms and conditions of the Agreement not amended by this Amendment No. 1 remain in full force and effect.

This Agreement is executed on _____, 2021, at Malibu, California, and effective as of August 9, 2021.

CITY OF MALIBU:

PAUL GRISANTI, Mayor

ATTEST:

KELSEY PETTIJOHN, Acting City Clerk
(seal)

APPROVED AS TO FORM:

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

JOHN COTTI, City Attorney

CONSULTANT:



By: JAN DYER, Principal, Studio-MLA