

City of Piedmont
COUNCIL AGENDA REPORT

DATE: February 20, 2024

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: Consideration of Approval of a Contract Amendment with JZMK Partners for Services Related to the Preparation of a Moraga Canyon Specific Plan in the Amount of \$14,800 and Adding Two Additional Public Meetings to the Scope of Work.

RECOMMENDATION

Approve the Contract Amendment (Attachment 1) with JZMK Partners (related to the preparation of a Moraga Canyon Specific Plan (MCSP) in the amount of \$14,800 and adding two additional public meetings to the scope of work.

EXECUTIVE SUMMARY

JBZ, Inc., dba JZMK Partners, is under contract with the City to prepare a Moraga Canyon Specific Plan for City-owned parcels that total an estimated 18 acres in the Moraga Canyon area and the Moraga Avenue roadway that intersects them. The project implements Program 1.L of Piedmont's 6th Cycle Housing Element. The original scope of work included public meetings of decision-making bodies as follows:

- One joint Planning Commission and City Council workshop.
 - Completed: This single workshop was split into two study sessions within budget. The Planning Commission held a study session on January 8, 2024, and the City Council held a study session on January 22, 2024.
- Three Commission and/or Committee meetings (prior to posting of Public Review Draft Specific Plan).
 - Incomplete: Staff presented information on the MCSP to the Park and Recreation Commissions in November 2023. Review of the Public Review Draft Specific Plan by Commissions and/or Committees will be necessary.
- One Planning Commission hearing.
 - Incomplete: The Planning Commission will need to review the Public Review Draft Specific Plan and make a recommendation to the City Council.

- One City Council hearing.
 - Incomplete: The City Council will need to receive recommendations from Commissions, and review and consider adoption of the Public Review Draft Specific Plan.

The January study sessions provided four options for a site configuration based on the goals for the MCSP with the intent of receiving direction to narrow the program options and incorporate those into a Draft Moraga Canyon Specific Plan. An additional City Council study session and an agenda item during a City Council meeting are recommended to allow for the requested direction. The proposed amendment to the agreement with JZMK adds these two meetings to the scope of work for an additional cost of \$14,800.00, bringing the total contract amount to \$602,800.

FISCAL IMPACT

Should the City Council approve the amendment to the contract with JZMK, the total cost for the work related to the preparation of a Moraga Canyon Specific Plan is estimated at \$602,800.00. As of January 31, 2024, \$310,208.50 has been expended toward the project. The remainder of the budget is expected to be expended through the 2024/2025 fiscal year.

CITY ATTORNEY REVIEW

The attached Agreement was reviewed and approved as to form.

CONCLUSION AND NEXT STEPS

Staff recommends that the City Council approve the Amendment to the Agreement for Consultant Services with JZMK Partners. Should the City Council approve the amendment, staff will schedule the approved meetings and work with JZMK in preparation.

Prepared by: Kevin Jackson, Director of Planning & Building

ATTACHMENTS:

Pages	
1	3-6 Amendment to the Agreement with JZMK Partners, for services related to the preparation of a Moraga Canyon Specific Plan

Related: [Agreement for Consultant Services between the City of Piedmont and JZMK Partners for the preparation of a Moraga Canyon Specific Plan, executed July 11, 2023.](#)

FIRST AMENDMENT TO AGREEMENT FOR CONSULTANT SERVICES

This Amendment to the Agreement (“Amendment”) is made and entered into on this ____ day of February 2024, (the “Effective Date”) by and between the City of Piedmont, a municipal corporation (hereinafter referred to as “City”) and JBZ, Inc. dba JZMK Partners, a “C” corporation, registered in the state of California (hereinafter referred to as “Consultant”). City and Consultant may be referred to individually as “Party” and collectively as the “Parties.”

R E C I T A L S

A. City and Consultant entered into an Agreement dated July 11, 2023 (“Original Agreement” and, together with this First Amendment to Agreement, “Agreement”), under which Consultant provides certain services in connection with the completion of a Moraga Canyon Specific Plan.

B. The Parties now wish to: (1) amend the Original Agreement to update the scope of work to add services described in Exhibit A attached hereto and incorporated herein, and increase the not-to-exceed amount by \$14,800.00.

C. All capitalized terms not otherwise defined in this Amendment shall have the respective meanings provided in the Original Agreement.

A G R E E M E N T

NOW, THEREFORE, the parties hereto agree as follows:

1. The Parties agree that the Recitals set forth above are true and correct and are incorporated herein.
2. The parties hereby amend Section 1.1 of the Original Agreement to add additional services as more particularly described in Exhibit A, attached hereto and incorporated herein.
3. The parties hereby amend Section 2.1 of the Original Agreement to read as follows:

“Compensation for the Services shall not exceed \$602,800.00 (“Cost Ceiling”) without written amendment to this contract. The rates and costs shall be in accordance with Section F, Fee Schedule, of Exhibit A, attached hereto and incorporated herein.”
4. Unless explicitly amended by this Amendment, all terms and provisions of the Agreement shall remain in full force and effect.

[Signature Page Follows]

CONSULTANT

JZMK Partners

By: _____
Eric Zuziak, AIA, President, License #C22125

CITY

CITY OF PIEDMONT, a California municipal corporation

By: _____
Jennifer Cavanaugh, Mayor

ATTEST:

Anna Brown, City Clerk

APPROVED AS TO FORM:

Michelle Marchetta Kenyon, City Attorney
Deepa Sharma, Assistant City Attorney



February 9, 2024

City of Piedmont
120 Vista Avenue
Piedmont, CA 94611

Moraga Canyon Specific Plan
JZMK Job#202329

Partners
Eric Zuziak
Anastacio Martinez

Principals
Katja Martinez
Bryan Stadler
Andrew Watkins

REQUEST FOR ADDITIONAL SERVICES – AS01

I. SCOPE OF SERVICES

Architect is authorized to proceed with the following professional services:

Scope:

1. Consultant team (JZMK, EPS and Fehr & Peers) preparation and attendance at one (1) additional City Council Study Session.
2. JZMK preparation and attendance at one (1) City Council Meeting.

II. ARCHITECT'S COMPENSATION

Client agrees to pay for services by phase as follows:

Fixed Fee: \$14,800.00

III. PAYMENT FOR SERVICES

Billing for professional services will be on a monthly basis.

**WE WILL PROCEED WITH THE WORK ONCE THIS AUTHORIZATION HAS BEEN
EXECUTED AND RETURNED TO OUR OFFICE.**

Moraga Canyon Specific Plan		
Task	Fee	Hours
1 Kickoff & Project Management		
a Project Kick-Off	\$ 14,830	76
b Project Meetings	\$ 21,722	111
Task 1 Subtotal	\$ 36,552	187
2 Existing Conditions Analysis		
a Existing Document Review	\$ 13,247	77
b Planning Factors	\$ 41,317	218
c Natural Factors	\$ 13,550	86
d Opportunities and Constraints Summary	\$ 4,322	26
Task 2 Subtotal	\$ 72,436	407
3 Programming and Alternative Development Diagrams		
a Programming	\$ 5,955	34
b Architectural Typologies	\$ 5,397	32
c Alternative Development Diagrams	\$ 29,322	157
d Economic Feasibility Study	\$ 15,015	71
e Fiscal Impact Analysis	\$ 7,960	44
Task 3 Subtotal	\$ 63,649	338
4 Public Engagement Strategy		
a Public Involvement Plan (PIP)	\$ 6,255	39
b Project Website and Digital Survey	\$ 6,347	39
c Community Workshop	\$ 36,999	197
d Neighborhood Meeting	\$ 7,950	41
e Developer Engagment	\$ 7,318	40
f Joint City Council and Planning Commission Study	\$ 20,923	113
g Planning Commission Hearing	\$ 9,191	51
h City Council Hearing	\$ 9,191	51
i Three (3) Commission and/or Committee Meetings	\$ 4,741	24
j AS01 2nd City Council Study Session	\$ 11,200	56
k AS01 City Council Hearing (Mid-Review)	\$ 3,600	18
Task 4 Subtotal	\$ 123,715	669
5 Conceptual Site Design		
a Concept Site Plan	\$ 46,469	252
b Character Renderings	\$ 23,104	148
Task 5 Subtotal	\$ 69,573	400
6 Administrative Draft Specific Plan		
a Introduction and Project Vision	\$ 11,414	72
b Land Use and Urban Design	\$ 26,276	166
c Circulation	\$ 9,619	54
d Development Standards	\$ 26,938	171
e Community Design Guidelines	\$ 18,587	115
f Public Services & Utilities	\$ 14,034	76
g Implementation & Financing	\$ 22,966	125
Task 6 Subtotal	\$ 129,834	779
7 Public Review Draft Specific Plan		
a Public Review Draft Specific Plan	\$ 28,204	173
b Final Specific Plan	\$ 7,969	49
Task 7 Subtotal	\$ 36,173	222
8 CEQA Compliance		
a Project Mobilization and Kickoff Meeting	\$ 3,864	24
b Project Description	\$ 7,326	47
c Draft EIR Addendum	\$ 35,326	218
d Final EIR Addendum	\$ 10,328	67
e Public Hearings	\$ 5,300	33
f CEQA Project Management	\$ 8,724	56
Task 8 Subtotal	\$ 70,868	445
Total Fee	\$ 602,800	3447

JZMK PROPOSAL
MORAGA CANYON SPECIFIC PLAN

FEE SCHEDULE

Revised February 20, 2024