



Legislation Details (With Text)

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On agenda:	10/13/2022	Final action:		10/13/2022	
Title:	Actions pertaining to the South Peach Avenue Park Phase 1 Project (Council District 5): 1. Affirm the City Manager's finding that Blair, Church & Flynn Consulting Engineers, Inc., is uniquely qualified: and 2. Approve a Consultant Services Agreement with Blair, Church & Flynn Consulting Engineers Inc., in the amount of \$626,000, with a contingency amount not to exceed \$60,000, for the design and preparation of construction documents for the South Peach Avenue Park Phase 1 Project 3. Authorize the Public Works Director or designee to execute the contract and amendments approved by the City Attorney's Office on behalf of the City of Fresno				
Sponsors:	Public Works Department, Parks, After School, Recreation and Community Serv				
Indexes:					
Code sections:					
Attachments:	1. 22-1474 Consultant Agreement, 2. 22-1474 Uniquely Qualified Memo, 3. 22-1474 Vicinity Map				

Date	Ver.	Action By	Action	Result
10/13/2022	1	City Council	ADOPTED	Pass

REPORT TO THE CITY COUNCIL

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SUBJECT

Actions pertaining to the South Peach Avenue Park Phase 1 Project (Council District 5):

1. Affirm the City Manager's finding that Blair, Church & Flynn Consulting Engineers, Inc., is uniquely qualified: and
2. Approve a Consultant Services Agreement with Blair, Church & Flynn Consulting Engineers Inc., in the amount of \$626,000, with a contingency amount not to exceed \$60,000, for the design and preparation of construction documents for the South Peach Avenue Park Phase 1 Project
3. Authorize the Public Works Director or designee to execute the contract and amendments

approved by the City Attorney's Office on behalf of the City of Fresno

RECOMMENDATION

Staff recommends Council approve a Consultant Services Agreement with Blair, Church & Flynn Consulting Engineers Inc., in the amount of \$626,000, with a contingency amount of \$60,000, for the design and preparation of construction documents for the South Peach Avenue Park Phase 1 Project (Project) and authorize the Public Works Director or designee to execute the Agreement and amendments on behalf of the City.

EXECUTIVE SUMMARY

The City owns a 49-acre site located at 2155 South Peach Avenue which will be developed into a park providing green space and recreational amenities to residents in Southeast Fresno and Citywide. \$8.5 million of American Rescue Plan Act (ARPA) funds have been allocated for the design and construction of Phase I of the development of the site. Staff recommends approval of an agreement with Blair, Church, and Flynn Consulting Engineers Inc. to conduct community engagement and design Phase I of the Project.

BACKGROUND

In 2006, the City acquired a 49-acre site located at 2155 South Peach Avenue, just South of East Hamilton Avenue. The site is comprised of two rectangular parcels, separated by a 60-foot-wide Southern Pacific Railroad parcel, which includes a railroad track and the Fresno Irrigation District's Braley Canal. The site is presently vacant with the exception of a community garden operated under contract by the Southeast Fresno Economic Development Association, Inc. (SEFCEDA), located on the north parcel opposite the Braley canal.

On March 4, 2021, the City Council authorized SEFCEDA to submit a grant application for the development of Phase I of the South Peach Avenue Park project to the State of California's Statewide Park Development and Community Revitalization Program (Prop 68). To support this application, the City conducted an initial study and prepared a mitigated negative declaration in accordance with California Environmental Quality Act (CEQA) guidelines. While the Prop 68 application was not awarded, the City continued to pursue opportunities to develop the South Peach Avenue Park site.

On February 17, 2022, the City Council approved the allocation of \$8.5 million of ARPA funds for the construction of Phase I of the South Peach Avenue Park.

On May 4, 2020, staff published a Request for Qualifications inviting consultants to submit for services on an "as needed" or "on call" basis for Facilities Management Division projects. Blair, Church & Flynn Consulting Engineers, Inc. was selected as an "as needed" or "on call" Civil Engineering Firm for a three-year term. Blair, Church & Flynn Consulting Engineers, Inc. are also the civil design consultant for the South Peach Avenue widening project from East Butler Avenue to East Jensen Avenue. A portion of the street improvement work will be within the South Peach Avenue Park Phase 1 project frontage. They are intimately aware of this segment of South Peach Avenue and the project's location. Blair, Church & Flynn Consulting Engineers, Inc. is uniquely qualified to fully develop the conceptual site plan into working construction documents for the South Peach Avenue Park Phase 1 project.

Staff is recommending that Council approve the Consultant Services Agreement with Blair, Church & Flynn Consulting Engineers, Inc. in the amount of \$626,000 with a contingency amount not to exceed \$60,000, affirm the City Manager's determination that Blair, Church & Flynn Consulting Engineers, Inc. is uniquely qualified and authorize the Public Works Director or designee to sign and execute the contract and any amendments approved by the City Attorney's Office on behalf of the City.

ENVIRONMENTAL FINDINGS

A Mitigated Negative Declaration (Environmental Assessment No. P21-000726) was prepared for Development Permit Application No. P21-00776 pertaining to the proposed development of the 49-acre site and was adopted on June 9, 2021.

An environmental assessment initial study was prepared for this project in accordance with the requirements of the CEQA Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations.

Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies pertinent to the Fresno General Plan Program Environmental Impact Report SCH No. 2019050005 ("PEIR").

The proposed project has been determined to be a subsequent project that is not fully within the scope of the PEIR as provided by the CEQA, as codified in the Public Resources Code (PRC) Section 21157.1(d) and the CEQA Guidelines Section 15177(c). Therefore, the Public Works Department proposes to adopt a Mitigated Negative Declaration for the proposed project, which is tiered off the PEIR.

It has been further determined that all applicable mitigation measures of the PEIR will be applied to the project, together with project specific mitigation measures, as necessary to assure that the project

will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by the PEIR as provided by CEQA Section 15178(a). In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), staff has determined that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new information, which was not known and could not have been known at the time

that the PEIR was certified as complete, has become available. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

Based upon the attached environmental assessment and applicable mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and has prepared a Mitigated Negative Declaration for this project. A public notice of the attached Mitigated Negative Declaration was published in the Fresno Bee on April 14, 2021, with no

comments received, and a Notice of Determination was filed in compliance with Section 21152 of the Public Resources Code on June 9, 2021.

LOCAL PREFERENCE

Local preference is not applicable because this is not a new bid for services. The consultant is on an “as needed” contract with the City for the work anticipated herein. Blair, Church & Flynn Consultant Engineers Inc. is a local business, as defined by the Fresno Municipal Code.

FISCAL IMPACT

There is no new net fiscal impact to the General Fund and the project is located in Council District 5. The consultant agreement is fully funded from ARPA funds initially appropriated to the Project on February 17, 2022, and reappropriated with the 2023 Annual Appropriations Resolution on June 30, 2023.

Attachment:
Consultant Agreement
Uniquely Qualified Memo
Vicinity Map