



Office of the City Manager

CONSENT CALENDAR

June 6, 2023

To: Honorable Mayor and Members of the City Council  
 From: Dee Williams-Ridley, City Manager  
 Submitted by: Jordan Klein, Director, Planning and Development Department  
 Subject: Contract No. 32000020 Amendment: Rincon Consultants, Inc. for On-Call Planning and Environmental Services

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000020 with Rincon Consultants, Inc. to prepare an addendum to the 2023-2031 Housing Element Update Environmental Impact Report (EIR) for the Southside Zoning Implementation Program, increasing the contract amount by \$61,000 to a new total not-to-exceed contract amount of \$2,061,000.

FISCAL IMPACTS OF RECOMMENDATION

This contract provides for on-call planning and environmental review services, including environmental analysis in accordance with the California Environmental Quality Act (CEQA). Funding for the proposed amendment to this contract is available in the FY 2023 budget, from the General Fund (011). No other funding is required.

CURRENT SITUATION AND ITS EFFECTS

Staff propose increasing the amount of the contract to enable Rincon Consultants, Inc. to prepare an addendum to the 2023-2031 Housing Element Update EIR for the Southside Zoning Implementation Program, pursuant to CEQA Guidelines Section 15164. This work is necessary to evaluate the potential environmental effects of the zoning modifications proposed under Program 27 of the Housing Element – Priority Development Areas (PDAs), Commercial and Transit Corridors, Southside Plan Area.

BACKGROUND

The City has worked with planning and environmental consultants since 2005 to provide expedited processing of land use applications and environmental analysis. The City issued a Request for Proposals in September 2018 and selected Rincon Consultants as one of 12 on-call consultants. On June 25, 2019, the City Manager entered into a contract with Rincon Consultants, Inc. to provide these services for a contract period of three years in amount not to exceed \$1,000,000 (Resolution No. 69,005-N.S.).

On May 18, 2022, the City extended the contract for a period of three years to complete the Scope of Services, for a new termination date of June 30, 2025.

On January 31, 2023 the City Council approved an amendment to the contract with Rincon Consultants to add additional authority for general planning and environmental review services of \$1,000,000, to a new not-to-exceed total amount of \$2,000,000 (Resolution 70,681-N.S.).

The Housing Element Update EIR evaluated the potential environmental effects of an additional 1,000 units compared to existing zoning capacity in the Southside Plan Area. Staff has refined that assumption based on additional community outreach and input received from the Planning Commission since certification of the EIR, and anticipates that the proposed zoning amendments could facilitate more than 1,000 additional units, requiring additional environmental review under CEQA.

#### ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

There are no identifiable environmental effects or opportunities associated with the subject of this report.

#### RATIONALE FOR RECOMMENDATION

The City is satisfied with the services provided by Rincon Consultants to date under this contract, and the proposed amendment will provide the consultant with additional capacity to provide needed services to complete the Southside Zoning Implementation Program.

#### ALTERNATIVE ACTIONS CONSIDERED

None.

#### CONTACT PERSON

Jordan Klein, Director, Planning and Development Department, 510-981-7534  
Steven Buckley, Manager, Land Use Division, 510-981-7411

Attachment:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 32000020 AMENDMENT: RINCON CONSULTANTS FOR ON-CALL  
PLANNING AND ENVIRONMENTAL SERVICES

WHEREAS, the Planning Department issued a Request for Proposals in September 2018 (Spec No. 18-11251-C) for land use and environmental planning consultants; and

WHEREAS, based on written proposals received, staff selected Rincon Consultants to provide such services; and

WHEREAS, on June 25, 2019 the City Council adopted Resolution 69,005-N.S., authorizing the City manager to enter a contract in an amount not-to-exceed \$1,000,000 with Rincon Consultants to provide such services; and

WHEREAS, the City extended the contract for a period of three years, for a new termination date of June 30, 2025; and

WHEREAS, on January 31, 2023 the City Council adopted Resolution 70,681-N.S., further amending the contract with Rincon Consultants to add additional spending authority of \$1,000,000, to a new not-to-exceed total amount of \$2,000,000; and

WHEREAS, an Addendum to the 2023-2031 Housing Element Update EIR (State Clearinghouse No. 2022010331) must be prepared to evaluate the potential environmental effects with implementation of the Southside Zoning amendments project (Program 27 of the Housing Element Update), pursuant to CEQA Guidelines Section 15164; and

WHEREAS, this scope and budget will require work from Rincon Consultants which exceeds its current contract funding; and

WHEREAS, additional funding in the amount of \$61,000 is current available in the General Fund (011) for this work.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32000020 with Rincon Consultants to prepare an Addendum to the 2023-2031 Housing Element Update EIR for an additional amount of \$61,000, to a new total contract not-to-exceed amount of \$2,061,000, for the period extending through June 30, 2025.

BE IT FURTHER RESOLVED, that a record signature copy of said contract and any amendments will be on file in the Office of the City Clerk.

