

**AMENDMENT NO. 1 TO THE AGREEMENT
BETWEEN THE CITY OF SAN MATEO AND
MIG, INC. FOR
THE PREPARATION OF OBJECTIVE DESIGN & DEVELOPMENT STANDARDS
FOR MULTI-FAMILY DWELLINGS
(\$60,652 [Original Amount], \$132,680 [additional amount])**

WHEREAS, the City of San Mateo ("City"), a municipal corporation of the State of California, and MIG, Inc. ("CONSULTANT"), entered into an Agreement professional consulting services for the preparation of Objective Design and Development Standards for Multi-Family Dwellings ("Agreement") on April 7, 2021; and

WHEREAS, City and CONSULTANT wish to amend the Agreement effective March 8, 2022 to increase the scope of services of this Agreement to include preparing objective design and development standards for various planning areas throughout the City of San Mateo, increase number of public workshops/study sessions, and extend the term of the contract through December 1, 2022.

NOW, THEREFORE, the parties agree as follows:

1. Section 4 of the Agreement is amended to read:

"The services to be performed under this Agreement shall commence on April 1, 2021 and completed on or about December 31, 2022."

2. Section 5 of the Agreement is amended to read:

"In consideration for the full performance of the services set forth in Exhibit A, CITY agrees to pay CONSULTANT a fee in an amount of \$193,332 pursuant to rates stated in Exhibit A2 to this Agreement, attached and incorporated by reference."

3. Exhibit A – SCOPE OF SERVICES is amended to replace Exhibit A to the original contract with Exhibit A to this contract amendment. Exhibit A to the contract amendment is attached and incorporated by reference.

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, CITY OF SAN MATEO and MIG, Inc. have executed this Agreement on _____, 2022.

CITY OF SAN MATEO

CONTRACTOR

Drew Corbett
City Manager

MIG, Inc.	Date
Its Authorized Agent	
Daniel Iacofano	
President/Chief Executive Officer	

If a Corporation, can be either 1) President or 2) Vice President plus an additional corporate officer (i.e., Secretary, Treasurer) who shall sign below.

APPROVED AS TO FORM

ADDITIONAL CORPORATE OFFICER
(if necessary per the above)

Gabrielle Whelan	Date
Assistant City Attorney	

Carolyn Verheyen Vice President & Chief Operating Officer	Date
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Chris Beynor
Chief Development Officer &
Treasurer

Scope of Services and Schedule

This revised scope and budget address a refocused work effort for the City of San Mateo citywide Objective Design Standards (ODS) for multi-family and mixed-use developments. The applicable ODS laws and their interpretation have evolved since MIG initiated work in March, 2020, and the revised work program needs to respond to current conditions. Also, the City wishes to expand the community engagement tasks to allow for up four additional community workshops and/or Planning Commission/City Council study sessions.

As described in the original contract, through this effort the City looks to implement State law that requires by-right approvals for multi-family and certain mixed-use development for applications that conform with adopted objective design standards. San Mateo's many specific plans and other planning documents must also in some manner address ODS requirements. The matrix below identifies the degree to which each plan will inform prior work MIG has completed to produce the administrative draft ODS in June 2020.

Incorporating Existing Documents into the ODS

Planning Document	Focus	Bearing on ODS	Action
Multi-Family Design Guidelines	All MFR projects	Foundation for the ODS	Have already been incorporated into draft ODS document
Small-Lot Multi-Family Design Guidelines	Lots smaller than 10,000 sf	Should be included for small lots	Incorporate into ODS as applicable to small lots.
Duplex Design Guidelines	Has very few standards for duplexes	Only for duplexes	Incorporate into ODS.
Downtown Retail Core & Downtown Historic District Design Guidelines	Affects all residential and mixed use in Downtown	Significant. Will not apply to historic properties.	Provide as additive to ODS. Would apply to focused area. Will need to cross reference other documents for public realm improvements.
Vision of the Gateway	3 rd and 4 th Avenue gateways	Relevance for very focused area of town	Provide as additive to the ODS.
Mid and South ECR Building Height Design Criteria	Applies only to portions of ECR	Relevance for very focused area of town	Provide as additive to the ODS.
Rail Corridor TOD	Both private and public realm guideines	"Community Character and Design Guidelines" section may require closer analysis to convert into ODS.	Provide as additive to the ODS. Will need to cross reference other documents for public realm improvements.
Hillsdale Station SP	Mostly addresses public realm improvements and uses are largely commercial	Limited relevance	General ODS will apply. Will need to cross reference other documents for public realm improvements.
ECR Master Plan	Very detailed block-by-block treatment	Will require focused attention to the detail	Will need stand-alone treatment in addition to citywide ODS
Mariner's Island SP	Applies to defined area. SP area may already be built out	Minimal since area built out	Provide as additive to the ODS.
Detroit Drive SP	Commercial strip of land	None	No need to taken any action
Bay Meadows SP & Design Guidelines	SP applies to large master-planned development area		Not included in work scope.
Downtown Area Plan	Document has no design guidelines	None	No need to take any action
Shoreline Park SP	Applies to a park	None	No need to take any action

Planning Document	Focus	Bearing on ODS	Action
Public Works Documents			
Bicycle Master Plan			Cross reference in ODS.
Pedestrian Master Plan			Cross reference in ODS.
Sustainable Streets Plan			Cross reference in ODS.
North-Central San Mateo Community-based MP	Nothing in the plan applies to private development,	None	No need to take any action.
Green Infrastructure Plan	City's adopted GI Design Guide refers to the County website.		Cross reference in ODS.

MIG will provide the following scope of services. Please note that each task identified may not occur in the order presented in this scope, as tasks may occur simultaneously.

The schedule for each task are indicated. The schedule assumes timely City staff review of draft materials and the MIG/City team's ability to schedule and conduct public workshops and study sessions at times that will move the project forward.

Task 1: Project Management and Coordination

1.1: Project Coordination Meetings (allowance)

This task involves meetings and phone calls between MIG and City staff to discuss strategic direction, draft work products, and upcoming workshops and hearings. The budget provides an allowance for coordination meetings and calls.

1.2: Project Management

This subtask provides for contract administration, invoicing, scheduling, coordination with the project team, and quality control/assurance.

Task 1 Meetings and Deliverables

Project coordination meetings and calls (budgeted allowance)

Monthly status reports (with invoices)

Schedule

Bi-weekly phone calls throughout the project; meetings as needed

Task 2: Review Memoranda – Specific Plans and Master Plans

2.1. All Plans Except Bay Meadows. The purpose of this task is to thoroughly review design-related standards and guidelines contained in the City documents identified in the matrix above and to: 1) identify which might be incorporated into the ODS as standards specific to a geographic area covered by a specific plan, master plan, or other planning document; 2) identify standards that should be included in the citywide ODS; and 3) determine which documents will be sufficiently covered by the citywide ODS, with no need to create targeted standards. This task is critical to establishing the foundation for the tailored ODS to be applied to specific geographic areas. MIG will prepare a brief memo for each document that provides suggested direction. We will format the memos in a manner that will allow City confirm the

suggested direction or direct otherwise. Following staff's review of the memos, we will schedule a call to review staff's comments and direction.

Regarding the Bay Meadows Specific Plan, because the planning documents addresses a master planning process under the control of a few property owners, the City has elected to have this remain a stand-alone document; thus, revisions to the document are not included in this work scope.

Task 2 Meetings and Deliverables

Memoranda – Specific Plans and Master Plans

Meeting to review memoranda

Schedule

Memoranda for City staff review – mid-December 2021

City staff comments and direction; phone call – early January 2022

Task 3: Draft Citywide Objective Design Standards and Tailored Objective Design Standards

3.1. Citywide ODS. MIG has previously prepared and delivered to the City a complete administrative draft ODS document, absent graphics. For this task, we will expand upon that draft to reflect discussions we have had with City staff, the input received from the public and Planning Commission at workshops and study session in June and August, 2021, and the memoranda. Before we begin, we will prepare an updated and detailed outline for City staff review and approval. The outline will indicate where standards may be adjusted to provide a menu of choices.

Based on the outline approved by City staff, MIG will prepare a complete administrative draft of the Citywide Objective Design Standards, including graphics. We anticipate two rounds of review with City staff to refine the administrative draft.

For each draft, City staff will prepare a single, consolidated set of staff's comments using Word's track-changes function. We will meet or have a teleconference with staff (see task 1) to discuss each round of comments and revisions.

3.2. Tailored ODS. This task involves creating additive, more detailed ODS for the specific plan and master plan areas, reflecting direction provided via the memoranda and including graphics. Because the level of effort cannot be fully anticipated at this time and will depend upon staff direction, the budget provides an allowance for this task.

As with task 3.1, we plan for two rounds of City staff review, with all of staff's comments consolidated into a single comment document.

Task 3 Deliverables

Detailed outline of citywide Objective Design Standards

One electronic copy (Word and pdf) of the administrative draft citywide Objective Design Standards for review by City staff (two rounds of review)

One electronic copy (Word and pdf) of the administrative draft tailored Objective Design Standards for each specific plan/master plan for review by City staff (two rounds of review)

Draft Objective Design Standards for workshops and public review

Schedule*Detailed outline – January 2022**Administrative draft #1 citywide ODS – March 2022**Administrative draft #2 citywide ODS – April 2022**Administrative draft #1 tailored ODS – April 2022**Administrative draft #2 tailored ODS – May 2022**Draft Objective Design Standards (all) for workshops and public review – June 2022*

Task 4: Workshops and Study Sessions

Per the City’s request, the budget includes up to four public workshops and/or study sessions with the Planning Commission and City Council. Because we believe good direction has already been provided via the first workshop and the Planning Commission study session, these additional engagement tasks will focus on receiving reaction to draft materials. As part of the scope refinement process and as the project proceeds, we will work with you to identify the timing and focus of each activity. At this time, we recommend the following. The City will elect how many workshops/study sessions will be conducted.

- One workshop to reintroduce the project to the public and encourage them to review draft materials as they are produced
- One workshop to present the draft ODS to the public
- One study session with the Planning Commission to review the draft ODS prior to formal public hearings
- One study session with the City Council

If constraints on public gatherings continue to be imposed by COVID-19, we will conduct the events via Zoom or a similar platform. MIG has extensive experience conducting effective digital workshops and has found that participation has actually increased with these media.

Up to three MIG staff will attend each session, with one MIG staff member acting as the lead facilitator. Other MIG staff will manage graphic recording and digital meeting logistics, and a third staff member will provide content expertise. City staff will be responsible for identifying participants, preparing and emailing invitations, and distributing draft materials. MIG will prepare presentations for the workshops/study sessions and lead the sessions.

Task 4 Deliverables*Workshop and study session presentations**Workshop and study session summary notes***Schedule***To be determined in consultation with City staff*

Task 5: Public Hearings and Final Ordinance

5.1. Hearings. As an amendment to Title 27, the Objective Design Standards will require hearings before the Planning Commission and City Council. Up to two MIG staff will attend each of the Planning Commission and City Council 1st Reading public hearing.

MIG staff can prepare presentation materials to present the draft ordinance, if requested by City staff. We have provided an allowance for this effort. City staff will be responsible for preparing agenda reports.

During the Planning Commission hearing, the Commission may direct changes to the draft standards. We recommend that rather than incorporate those revisions into the public hearing draft, that City staff present those revisions as part of the City Council staff report. Alternatively, MIG can prepare red-line changes of the affected sections for presentation to the Council.

Our scope does not include preparation of any CEQA document. The City Attorney may determine that as a ordinance amending Title 27, the project is exempt from CEQA. If the City Attorney determines CEQA review is required, we can provide you with a separate scope and budget for that task.

5.2. Final Ordinance. Following Council direction on the Objective Design Standards, MIG will incorporate those revisions into the ordinance for subsequent final Council reading. We have provided an allowance for this task since the scope of work cannot be known.

Task 5 Deliverables

Hearing presentation materials

Final Objective Design Standards ordinance

Schedule

TBD – Anticipate July/August 2022

Budget

The table below identifies the estimated costs associated with each work scope task. All work and direct costs (travel, lodging, etc.) will be billed on a time-and-materials basis. Allocated dollar amounts may be shifted among tasks to reflect the effort required with prior authorization from the City.

Task	Estimated Cost
1.0 Project Management and Coordination	
1.1 Project Coordination Meetings	\$10,000
1.2 Project Management	\$ 7,800
2.0 Review Memoranda	
2.1 All Except Bay Meadows	\$20,000
3.0 Draft Objective Design Standards	
3.1 Citywide ODS	\$45,000
3.2 Tailored ODS	\$40,000
4.0 Workshops and Study Sessions (up to 4)	\$40,000
5.0 Public Hearings and Final Ordinance	
5.1 Hearings (2)	\$5,000
5.2 Final Ordinance (estimate)	\$2,500
Direct Costs (estimate)	\$3,000
Total	\$173,300

The work scope set forth above supplants the original work scope, and the overall project budget has been adjusted as outlined in the table below to account for work completed and invoiced in the original contract, together with the removal of duplicative tasks not yet completed at the time of authorization of this amended work scope.

Description	Dollars	Amended Contract Summary
2021 Contract	\$60,652	
2022 Request	\$173,300	
Total	\$233,952	

Tasks removed from 2021 Contract as duplicative of amendment		
Task 3: Draft ODS	\$15,000	
Task 5.2: Public Hearing Draft Standards	\$4,850	
Task 6.1-6.3: Hearings	\$7,510	
Task 6.4: Final Ordinance	\$3,260	
Task 7.1: Public Meeting	\$10,000	
Total tasks removed from 2021 Contract	\$40,620	

Summary

2021 Contract	\$60,652	\$60,652
Total of tasks removed	\$40,620	
2022 Request	\$173,300	\$132,680
Total Amended Contract	\$193,332	\$193,332

Staffing and Billing Rates

The table below identifies billing rates. Direct costs will be billed at cost plus a 10% administrative charge.

Staff	Hourly Rate
Principal	\$225-\$295
Project Manager	\$195
Associate/Senior Associate	\$120 - \$180
Admin. Support	\$95 - \$120

Schedule

		2021												
		2022												
Task	Task Name	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV
1.0	Project Management and Coordination													
	1.1 Project Coordination Meetings													
	1.2 Project Management													
2.0	Review Memoranda													
	2.1 All Except Bay Meadows													
3.0	Draft Objective Design Standards													
	3.1 Citywide ODS													
	3.2 Tailored ODS													
4.0	Workshop and Study Session (up to 4)							TBD	TBD	TBD	TBD			
5.0	Public Hearing and Final Ordinance													
	5.1 Hearing (2)													
	5.2 Final Ordinance (estimate)													