



**Professional Services Agreement
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 7
AGENDA DATE: Thu 06/24/2004
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SUBJECT: Authorize negotiation and execution of an amendment to the Professional Services Agreement with ROMA DESIGN GROUP, San Francisco, CA, for Robert Mueller Municipal Airport (RMMA) Master Developer Agreement Negotiations in the amount of \$449,550 for a total contract amount not to exceed \$3,254,070.

AMOUNT & SOURCE OF FUNDING: The selected Master Developer, Catellus Development Corporation, is required to fund planning and financial analysis costs associated with negotiation of the Master Development Agreement for the redevelopment of RMMA. This contract amendment will be encumbered in the City's RMMA Reimbursement Fund. Quarterly deposits are made by Catellus into this fund, to reimburse negotiation expenses based on actual costs.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

REQUESTING Economic Growth and **DIRECTOR'S**
DEPARTMENT: Redevelopment Services **AUTHORIZATION:** Sue Edwards

FOR MORE INFORMATION CONTACT: Sue Edwards, Director / 974-7820; Pam Hefner, Principal Planner / 974-3511

PRIOR COUNCIL ACTION: 04/24/97 - Council approved a contract with ROMA Design Group for preparation of a Reuse and Redevelopment Plan for the Robert Mueller Municipal Airport (RMMA) site in the amount of \$500,000; 7/22/98 - Council approved an amendment to the ROMA Contract in the amount of \$150,000 for continued RMMA planning services; 10/7/99 - As a result of the State of Texas withdrawal from the RMMA project, Council approved an amendment to revise the RMMA Reuse/Redevelopment Plan in the amount of \$300,000; 6/29/00 - Council approved an amendment for Seaholm and Rainey Street planning services in an amount of \$200,000; 11/30/2000 - Council accepted the RMMA Redevelopment/Reuse Plan, and directed the City Manager to negotiate and execute a contract amendment to retain ROMA Design Group for implementation assistance; 10/24/02 - Council approved an amendment to the Professional Services Agreement in the amount of \$1,350,000 for assistance in negotiating the Master Developer Agreement with Catellus. (This amended amount was reimbursed by Catellus, as will the proposed amendment.)

BOARD AND COMMISSION ACTION: N/A

PURCHASING: N/A

MBE / WBE: 3.6% MBE and 6.1% WBE subconsultant participation to date.

In April the Exclusive Negotiating Agreement (ENA) with Catellus Development Corporation was extended through November 1, 2004 to complete the negotiating process for redevelopment of RMMA. This amendment is necessary to retain ROMA Design Group and its subconsultants, including but not limited to Economic and Planning Systems, and Jose Martinez & Associates, to assist the City staff through the remaining negotiating process with Catellus.



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BACKGROUND:

On November 30, 2000, the City Council accepted the Robert Mueller Municipal Airport (RMMA) Redevelopment/Reuse Plan prepared by ROMA Design Group and associated consultants. Council also directed the staff to begin the formal implementation of the RMMA Plan, including the solicitation of a master developer and other implementation steps consistent with the recommendations included in the Plan. On the same day, the Council also directed the City Manager to negotiate and execute an agreement with the ROMA Design Group to assist the City throughout the implementation of the RMMA Redevelopment/ Reuse Plan.

The City staff, ROMA and consultants, with input from the RMMA Plan Implementation Advisory Commission, prepared a Request for Qualifications (RFQ) and a Request for Business Plan (RFBP). On April 11, 2002, the City Council authorized the City Manager to negotiate and execute an Exclusive Negotiating Agreement (ENA) between the City and Catellus Development Corporation for the purpose of negotiating the terms and conditions of a Development Agreement for the redevelopment of the former RMMA site. The essential terms for the Development Agreement will be brought to Council this summer for approval.

ROMA Design Group serves as the Master Plan Architects for the Project, responsible for developing revisions and refinements to the Reuse Plan, arising out of the negotiation process. Economic and Planning Systems is primarily responsible for assisting the City in the negotiating business terms of the agreement. Mark Mihaly of Shute, Mihaly & Weinberger, assists the City in defining and negotiating the terms and conditions of the Development and Disposition Agreement.

ROMA's negotiation expense budget of \$1,350,000 covered the ENA's initial 18-month term. The ENA allows the City and Catellus to extend negotiations for an additional six months and increase the negotiation expense budget to cover the extended work period. ROMA has estimated that an additional amount of \$449,550 is necessary for services required to complete negotiations with Catellus. Catellus Development Corporation will reimburse the city for these negotiation services. In addition to the contract amendments approved by Council, there have been several administrative amendments to the ROMA contract for additional planning services related to the Austin Film Society at RMMA, ENA discussions, the Town Lake Corridor plan and the Seaholm Master Plan, bringing the total contract amount, with this proposed amendment, to \$3,254,070.

Overall participation, including this amendment, is expected to be 3% MBE, 5% WBE and 35% Non M/WBE subconsultant participation.