

RESOLUTION NO. 15-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CUPERTINO
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A
CONTRACT WITH PERKINS & WILL FOR THE CIVIC CENTER MASTER PLAN
DESIGN AND PROJECT IMPLEMENTATION; AUTHORIZING THE CITY
MANAGER TO NEGOTIATE AND EXECUTE SERVICES ORDERS TO THE EXTENT
THAT FUNDS ARE APPROPRIATED; AND AUTHORIZING THE CITY MANAGER
TO EXECUTE OTHER AGREEMENTS FOR PROFESSIONAL SERVICES TO THE
EXTENT THAT FUNDS ARE APPROPRIATED FOR THE CIVIC CENTER MASTER
PLAN PROJECT IMPLEMENTATION

WHEREAS, the City of Cupertino (City), a municipal corporation and general law city duly organized and existing under and pursuant to the laws of the State of California (City) is authorized to enter contracts on its behalf and for the benefit of the City; and

WHEREAS, in the fall of 2013, a qualifications based selection process was conducted to identify firms with the requisite skills to perform the planning and design services required for the Civic Center Master Plan and its implementation; and

WHEREAS, based on the qualification process, Perkins+Will was selected as the firm to provide planning services for the Civic Center Master Plan and the follow-on architectural services due to their superior experience in both areas of expertise; and

WHEREAS, the additional reasons supporting the entrance of the City into the Master Agreement between the City of Cupertino and Perkins+Will for Consultant Services for Architectural Services for the Civic Center Master Plan Implementation Project and the authorization for the City Manager's authority to execute service orders and enter into other professional services is set forth in detail in the staff reports and hearing at the August 18, 2015 Council meeting and are incorporated herein by reference; and

WHEREAS, the consideration by the City Council of the adoption of this Resolution has been duly noticed pursuant to applicable laws and Council provided members of the public an opportunity to comment and be heard and considered all testimony and evidence in connection with the adoption of this Resolution; and

WHEREAS, before taking any action in this Resolution, pursuant to the California Environmental Quality Act, the Council exercised its independent judgment, and based upon the entire record, finds that the action in this Resolution is within the scope of the

Initial Study and the Mitigated Negative Declaration adopted on July 7, 2015, and will not result in a direct or reasonable indirect impact on the environment;

WHEREAS, the City Council determines that the adoption of this Resolution is in the public interest.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CUPERTINO DOES HEREBY FIND, DETERMINE, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. Recitals. The City Council does hereby find, determine, and resolve that the foregoing recitals are true and correct.

Section 2. Approval and Authorization. The City Council does further resolve that:

- a. The City Manager is authorized to negotiate and execute the Master Agreement between the City of Cupertino and Perkins+Will for Consultant Services for Architectural Services for the Civic Center Master Plan Implementation Project in substantially similar form as presented to Council on August 18, 2015; and
- b. The City Manager is authorized to negotiate and execute service orders to implement the Master Agreement for phases of work to the extent that funds have been appropriated for those purposes, but, in no event, in an amount to exceed \$5,500,00.00; and
- c. The City Manager is authorized to negotiate and execute other agreements for professional services to implement the approved Civic Center Master Plan, to the extent that the funds are appropriated for such purposes, with the following terms and conditions:
 - i. for professional services for: building systems engineering, site investigation and engineering, building project/construction management; interim move planning and facilitation, and financial advisory; and
 - ii. with a contract term not to exceed two years; and
 - iii. with cumulative compensation not to exceed Two Million Dollars (\$2,000,000).

Section 3: Effective date: This Resolution is effective immediately upon adoption.

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PASSED AND ADOPTED at a regular meeting of the City Council of the City of Cupertino this 18th day of August, 2015, by the following vote:

Vote

Members of the City Council

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Grace Schmidt, City Clerk

Rod Sinks, Mayor