

October 17, 2016

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution authorizing a third amendment to the professional services agreement with Abaco Pacific, Inc., to increase the contract value by \$130,000 for a total of \$265,300 for professional relocation services.

FISCAL IMPACT

This action will authorize the City of Bellevue to pay an amount up to \$265,300 for professional relocation services to be provided by Abaco Pacific, Inc. The prior contract amount is not sufficient to cover the cost of the relocation work because its complexity was not fully known at the time of the original contract and first two amendments. This amendment is therefore necessary to complete the relocation work associated with property acquisitions related to the East Link MOU (CIP Plan No. PW-R-181). Sufficient funds are available within this project budget to fully fund this amendment.

Original Contract	\$49,500
Amendment #1	73,500
Amendment #2	12,300
Amendment #3	130,000
New Contract Total Amount	<hr/> \$265,300

STAFF CONTACTS

Nora Johnson, Director, 452-4167

Ira McDaniel, Real Property Manager, 452-4182

Civic Services Department

POLICY CONSIDERATION

City Purchasing Policy:

City of Bellevue Contracting Policy, Section 7.3, provides that City Council must approve professional services contracts whose value exceeds \$90,000.

City Real Property Acquisition and Relocation Assistance Procedures:

Whenever the City acquires real property for federally-funded projects that result in occupants being displaced by the acquisition, the City provides relocation services as outlined in the City's Real Property Acquisition and Relocation Assistance Procedures that were adopted by Resolution No. 5725.

Federal and State Relocation Laws and Regulations:

In addition to the City's policies, acquisition of real property for federally-funded projects is governed by the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.), and amendments thereto, which also are echoed by Washington State laws and regulations in Chapter 8.26 RCW and Chapter 468-100 WAC. City, state and federal policies all require that relocations of occupants displaced by public projects follow established procedures, which include extensive monitoring, inventory and reimbursement claims review processes.

BACKGROUND

Under the East Link Memorandum of Understanding, and in support of the City's Spring Boulevard roadway project, the City purchased a parcel of land and its improvements, including a warehouse and office building. The property is located at 1445 120th Avenue NE and is referred to as the Pine Forest property. Since the Pine Forest Property was occupied at the time of purchase, federal and state land acquisition and relocation

laws and regulations require the City to provide relocation services to the occupant (Clearwire originally, and now Sprint). Per City practice, the City sought an outside relocation consultant, Abaco Pacific, Inc., to develop the relocation plan and manage the relocation process. On September 13, 2013, the City contracted with Abaco Pacific, Inc. to provide these professional relocation services. The first amendment was approved by the City Council on 9/15/2015. A second amendment was processed administratively but will not be enough to cover the total expected costs.

This is a particularly complex relocation. Under the original contract and the subsequent amendments, the relocation consultants met with the building occupant and inspected the property multiple times. They also worked with the occupant to relocate extensive inventories of telecommunications equipment and monitored the occupant's move into a new space. The occupant's move is now complete and they have submitted a complex and detailed claim for the reimbursement of their relocation expenses. As a result, the scope of consultation work needed to review the claim has expanded beyond what could have been anticipated when the contract and subsequent amendments were executed.

EFFECTIVE DATE

If approved, this Resolution becomes effective immediately.

OPTIONS

1. Approve Resolution authorizing a third amendment to the professional services agreement with Abaco Pacific, Inc., to increase the contract value by \$130,000 for a total of \$265,300 for professional relocation services.
2. Reject Resolution and provide alternative direction to staff.

RECOMMENDATION

Option 1.

MOTION

Move to approve Resolution No. 9156 authorizing a third amendment to the professional services agreement with Abaco Pacific, Inc., to increase the contract value by \$130,000 for a total of \$265,300 for professional relocation services.

ATTACHMENTS

- A. CIP Project Description (CIP Plan No. PW-R-181)
- B. Proposed Resolution No. 9156

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

Proposed Amendment to the Contract