



File #: 23-0129, Version: 1

REPORT TO COUNCIL

SUBJECT

Amend an Existing Contract with Ascent Environmental Inc. for Professional Services Assistance for the Preparation of the City of Sunnyvale's Housing Element for 2023-2031 (6th RHNA Cycle) (F21-112)

REPORT IN BRIEF

Approval is requested to amend an existing agreement with Ascent Environmental Inc. of Sacramento for professional support in the preparation of the City of Sunnyvale Housing Element for 2023-2031, increasing the not-to-exceed contract amount from \$239,980 to a new not-to-exceed contract amount of \$292,930. Approval is also requested to authorize the City Manager to modify the scope of work and not-to-exceed amount for this agreement, subject to available budget and if pricing and service remain acceptable to the City.

EXISTING POLICY

Pursuant to Section 2.08.040 of the Sunnyvale Municipal Code, Council approval is required for the procurement of goods and/or services greater than \$250,000 in any one transaction.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

BACKGROUND AND DISCUSSION

The Housing Element is part of Sunnyvale's General Plan and identifies the policies, programs, and sites to meet the housing needs of the City's current and future residents. California Government Code Sections 65300-65303.4 require every city and county to adopt a General Plan to guide physical development. General Plans must include certain mandatory elements, such as land use, circulation, and housing. Housing elements are the only mandatory element that must be reviewed and certified by the state on a regular basis, which occurs on an eight-year cycle. Housing elements are written and adopted by local governments but must be certified by the state's Department of Housing and Community Development (HCD). HCD reviews and certifies that each jurisdiction's Housing Element meets all the requirements of state law (Government Code Sections 65580-65589.8). The City's current Fifth Cycle Housing Element was adopted in 2015 and is in effect through January 30, 2023. State law requires the updated Sixth Cycle Housing Element to be certified by HCD by January 30, 2023. Sunnyvale's Housing Element is not anticipated for adoption until spring 2023, which then imposes additional requirements for the Housing Element to be

certified. The Sixth Cycle Housing Element will cover the planning period ending in January 2031.

A Request for Proposals (RFP) was advertised on DemandStar on April 20, 2021 and distributed to multiple California firms. The City received three (3) proposals on May 26, 2021. Staff selected Ascent Environmental, Inc. (Ascent) as the highest-ranked proposer and executed an agreement in an amount not to exceed \$239,980 under the City Manager's authority. The Consultant Services Agreement, which includes a detailed scope of work and First Amendment (executed under the City Manager's authority in July 2022), are included as Attachment 1 to this report.

The 6th Housing Element cycle update has been underway since June 2021 and has proven to be significantly more rigorous than previous cycles. As with other jurisdictions across the region, HCD has provided extensive comments regarding the content of the Draft 2023-2031 Housing Element due to new requirements in the cycle, which will require further data, analysis, and outreach. To properly respond to HCD's comments in a timely manner, additional support from Ascent is required to complete necessary revisions, assist with public meetings, and respond to any additional HCD comments, if needed. The revised scope of work in the Second Amendment (Attachment 2) will ensure that staff has the appropriate support to submit and complete the City's Housing Element 2023-2031. The contract needed to achieve this results in a total scope and budget of \$292,930.

FISCAL IMPACT

Funding for this project is available in Project 835850 - REAP Housing Strategy Implementation, Project 835720 - 2023 Housing Element Update and Project 825700 - General Plan Updates. The project budget financial summaries are included as Attachments to this report.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Public Library, Senior Center, Community Center, and in the Department of Public Safety Lobby. In addition, the agenda and report are available at the Sunnyvale Public Library, Office of the City Clerk, and on the City's website.

RECOMMENDATION

Take the following actions:

- Authorize the City Manager to execute the Second Amendment, in substantially the same form as Attachment 2 to the report, to an existing contract with Ascent Environmental Inc., increasing the not-to-exceed amount by \$52,950 for a new not-to-exceed total amount of \$292,930; and
- Authorize the City Manager to amend the agreement to increase the scope of work or total not-to-exceed amount, subject to available budget, provided pricing and services remain acceptable to the City.

Prepared by: Gregory S Card, Purchasing Officer
Reviewed by: Tim Kirby, Director of Finance
Reviewed by: Trudi Ryan, Director of Community Development
Reviewed by: Jaqui Guzmán, Deputy City Manager
Approved by: Kent Steffens, City Manager

ATTACHMENTS

1. Executed Consultant Service Agreement and Amendment 1

2. Draft Amendment 2 to Consultant Service Agreement
3. Project 835850 - REAP Housing Strategy Implementation
4. Project 835720 - 2023 Housing Element Update
5. Project 825700 - General Plan Updates