

MEMO

Date: July 19, 2023

To: CRA Board

From: Fabiola Alikpokou

RE: Danny Lewin Contract Extension

INTRODUCTION

The CRA is in the process of completing the Danny Lewin Park project and requires a professional services contract amendment to bring the project to completion. The amendment does not require changes to the projected project budget at this time, but requires Board action for a technical adjustment to the contract terms.

DANNY LEWIN LANDSCAPE DESIGN

On August 8, 2018, the CRA entered into a three-year Consultant Contract Agreement with Mikyong Kim Design LLC (MYKD) to provide on-call landscape design services. Initially, MYKD worked with CRA staff to develop designs and conduct community and stakeholder engagement to establish Ames Place Open Space concepts. More recently, MYKD worked with CRA staff in collaboration with Boston Properties (BXP), Residence Inn, the City of Cambridge, and the community, to establish schematic designs of Boston Properties' side of Danny Lewin Park, which the CRA Board voted to approve on June 8, 2022. The final schematic designs also included a rendering of Residence Inn's proposed patio created by its design team.

Since June 2022, MYKD has worked with staff to progress the schematic design concepts. This has included meetings with the Cambridge Community Development Department and close collaboration with the staff and consultant teams of BXP and Residence Inn to ensure the approved schematic design is carried forward into construction documents. To date, the construction of BXP's portion of Danny Lewin Park is scheduled for the spring of 2024.

In order to enable MYKD to help with the designs of Danny Lewin Park, staff extended the Consultant Contract Agreement in 2022 for an additional six (6) months to end on July 31, 2023.

At this time, staff requests that the Board approve a further time extension of MYKD's contract for an additional year, to end on October 31, 2024. This extension recognizes and accounts for two key considerations. First, design coordination amongst the owners has taken longer than expected, and an extension will provide needed flexibility to address any further design changes that are warranted. Secondly, construction on the park needs to occur during the warmer months, and would be ongoing

after the expiration of the current agreement. With an extension, MYKD would still be able to consult on construction administration matters.

Per Massachusetts General Law, professional service contracts extending longer than three years generally require Board approval unless the longer term was anticipated during the project's original procurement and contract approval.

BOARD MOTION

Draft Motion: *Authorizing the Executive Director to extend the design services contract with MikYoung Kim Design to align with the revised construction timeline for Danny Lewin Park.*

ATTACHMENTS

Attachment A – Draft MikYoung Kim Contract Extension Agreement



**CONSULTANT SERVICES CONTRACT THIRD EXTENSION
AGREEMENT**

This **Consultant Services Contract Third Extension Agreement** (this "Agreement") is made as of this day of ____ 2023, by and between the **Cambridge Redevelopment Authority**, a public body politic and corporate, established pursuant to Chapter 121B of the Massachusetts General Laws (hereinafter the "CRA"), and **Mikyoung Kim Design LLC.**, a limited liability company organized under the laws of the Commonwealth of Massachusetts (hereinafter the "Consultant"). The CRA and the Consultant may hereinafter be collectively referred to as the "Parties."

WHEREAS the Parties entered into a Consultant Services Contract Agreement on August 8, 2018 (the "Original Agreement").

WHEREAS the Parties previously extended the term of the Original Agreement to July 31, 2023, in accordance with the terms of the Original Agreement, to establish a new Notice to Proceed for work at Danny Lewin Park in the KSURP.

WHEREAS the Parties hereby agree to further extend the term of the Original Agreement, in accordance with the terms of the Original Agreement, as well as the terms provided herein to continue design consultation at Danny Lewin Park in the KSURP.

WHEREAS the CRA desires that the Consultant maintain flexibility to explore additional design modifications to the Schematic Designs for Danny Lewin Park.

In consideration of the mutual covenants contained herein, each of Cambridge Redevelopment Authority and Mikyoung Kim Design LLC covenant and agree as follows:

- The Original Agreement will be extended as of _____ 2023 and shall continue through October 31, 2024.
- This Extension binds and benefits both Parties and any successors or assigns.

The CRA and the Consultant have respectively caused this Agreement to be duly executed as a sealed instrument as of the day and year first above written.

CAMBRIDGE REDEVELOPMENT
AUTHORITY

CONSULTANT

By: _____
Thomas Evans, Executive Director

By: _____
Ian Downing, Associate Principal

Date: _____

Date: _____