



CITY COUNCIL STAFF REPORT

DATE: December 16, 2009 Consent Agenda

SUBJECT: AMENDMENT NO. 7 TO OWNER'S REPRESENTATIVE AGREEMENT TO REFLECT ADDITIONAL TIME ALLOCATION FOR THE ANIMAL SHELTER PROJECT, THE INCLUSION OF THE JC FREY BUILDING REFURBISHING AND THE INCLUSION OF THE MAIN LIBRARY.

FROM: David H. Ready, City Manager

BY: City Manager

SUMMARY

This action will approve an amendment authorizing additional man-hours and compensation for pre-construction services on the Animal Shelter Project, for the coordination of the refurbishing of the JC Frey Building and for the coordination of remodel projects at the main library.

RECOMMENDATION:

1. Approve Amendment No. 7 to Agreement No. 5488 with Allen F. Smoot & Associates for Owner Representative Services for the Animal Shelter Project, the coordination of the JC Frey Building refurbishing and the coordination of refurbishing at the Main Library, in the amount of \$57,820; and
2. Authorize the City Manager to execute all necessary documents.

STAFF ANALYSIS:

More than twelve months ago the City began the design process for the new Animal Shelter. At that time, the City's Owner Representative was tasked with pre-construction activities to coordinate the design and bidding of the project. The initial estimates for project completion, and thus the allocation of time in the Owner's Representative contract for this project, called for the project design to be completed in September of 2009 with construction to begin in November. Value Engineering efforts to keep the

project within budget. as well as additional environmental review of the project has resulted in a delay of approximately two months. In addition the City has elected to undertake pre-qualification of general contractors for the bidding which has added a new task to the Owner's Representative allocation of time.

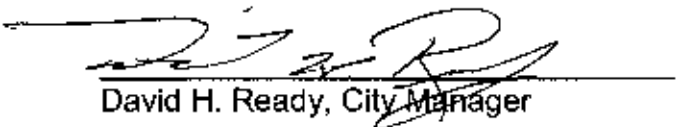
The month of December 2009 will be consumed with plan checking of Animal Shelter plans, pre-qualification review and bid document preparation activities. January 2010 will be taken up by actual bidding with a contract award expected in early February. The Owner's Representative has estimated that during that time he will expend an additional 80 hours of time. The attached Amendment #7 adds the 80 hours and \$9,800 to the Owner's Representative contract.

The JC Frey Building remodel project is a refurbishing effort wherein it is proposed that the Owner's Representative will coordinate with local contractors to carry out repairs and refurbishing of the building without the need for architectural design services. The Owner's Representative has proposed to carry this work out over a sixteen week period and estimates up to twelve hours per week for a total hourly allocation of 192 hours, or \$23,520. Amendment # 7 also incorporates this extra work into the agreement.

The Library Board has determined that it is in the best interest of the Main Library Facility to pursue some refurbishing of the building. The Owner's Representative will assist the Board in coordinating the refurbishing projects that they elect to carry out with Trust Fund dollars. The Owner's Representative estimates that this coordination effort could require up to 200 man-hours over the next nine months. Amendment # 7 incorporates the 200 hours and \$24,500 into the agreement.

FISCAL IMPACT:

The impact of this amendment will be an additional \$9,800 for the Animal Shelter which is currently available in the project account 8191-65213, an allocation of \$23,520 from the Redevelopment Bond Proceeds for the JC Frey refurbishing and an allocation of \$24,500 from the Library Trust Fund for the Main Library refurbishing.



David H. Ready, City Manager

Attachment:
Amendment No. 7 to Agreement No. A5488

**AMENDMENT NO. 7
TO AGREEMENT NO. 5488
OWNER REPRESENTATIVE SERVICES**

THIS SEVENTH AMENDMENT TO Agreement No. 5488 for consulting services, (herein "Amendment") made and entered into on the ___ day of _____, 2009, by and between the CITY OF PALM SPRINGS (herein "City") and ALLEN F. SMOOT & ASSOCIATES (herein "Consultant") is hereby amended effective December 1, 2009, as follows:

RECITALS

WHEREAS, City and Consultant entered into that certain Consulting Services Agreement No. 5488 for Owner Representative Services (Agreement"), as duly amended from time to time; and

WHEREAS, the parties wish to amend the Agreement to adjust Animal Shelter Project hours, add the JC Frey building refurbishing and the Main Library as a new projects; and

NOW, THEREFORE, for good and sufficient consideration, the parties agree as follows:

Section 1: Project Assignments

Project assignments are hereby added/adjusted, as of December 1, 2009, and the City Manager may approve Purchase Orders, utilizing contracted rates, to reflect the following:

<u>Project Title /Description</u>	<u>Manhours</u>	<u>Cost</u>
Animal Shelter (Pre-construction)	80	\$9,800
JC Frey Refurbishing (Coordination)	192	\$23,520
Main Library Refurbishing	<u>200</u>	<u>\$24,500</u>
Total This Amendment	272	\$57,820

Section 3.

Full Force and Effect: Except as previously modified herein, all other provisions of the Agreement shall remain unmodified in full force and effect.

IN WITNESS WHEREOF, the parties have executed and entered into this Amendment as of the date first written above.

ATTEST:

CITY OF PALM SPRINGS
a municipal corporation

By: _____
City Clerk

By: _____
City Manager

APPROVED AS TO FORM:

By: _____
City Attorney

CONTRACTOR: Check One: ___ Individual ___ Partnership ___ Corporation

By: _____
Signature

Name: _____

Title: _____