



CITY COUNCIL STAFF REPORT

DATE: December 14, 2011 Consent Agenda

SUBJECT: AMENDMENT NO. 10 TO OWNER'S REPRESENTATIVE AGREEMENT TO REFLECT AN EXTENSION OF THREE MONTHS ADDITIONAL START-UP SERVICES AT THE ANIMAL SHELTER PROJECT.

FROM: David H. Ready, City Manager

BY: City Manager

SUMMARY

This action will approve an amendment which extends start-up services at the Animal Shelter through March 15, 2012.

RECOMMENDATION:

1. Approve Amendment No. 10 to Agreement No. 5488 with Allen F. Smoot & Associates for Owner Representative Services, extending start-up services at the Animals Shelter for an additional three months.
2. Authorize the City Manager to execute all necessary documents.

STAFF ANALYSIS:

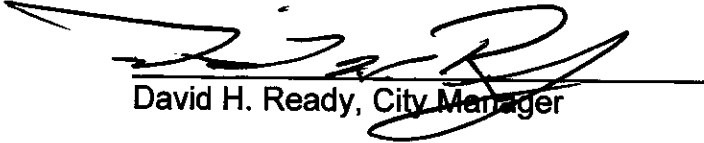
In 2007, following a Request for Qualifications process, Allen F. Smoot & Associates was selected to provide Owner Representative services on City construction projects for up to a five (5) year period. The current contract runs through June 30, 2012.

To assist in getting all systems established and up and operating at the new shelter as well coordination of the purchase of needed equipment, it is desirable to maintain the start-up services provided by Allen F. Smoot & Associates for an additional three months. The attached Amendment No. 10 would extend start-up services from Dec. 1, 2010 through March 15, 2012 (two weeks off in January) at \$8,000 flat fee per month. This fee is reduced from the normal \$14,000 per month charged during construction activities.

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FISCAL IMPACT:

The funding for the additional start-up activities is available in account 001-3304-54092, Animal Shelter Capital account.



David H. Ready, City Manager

Attachment:

Amendment

**AMENDMENT NO. 10
TO AGREEMENT NO. A5488
OWNER REPRESENTATIVE SERVICES**

THIS TENTH AMENDMENT TO Agreement No. A5488 for consulting services, (herein "Amendment") made and entered into on the ___ day of _____, 2011, by and between the CITY OF PALM SPRINGS (herein "City") and ALLEN F. SMOOT & ASSOCIATES (herein "Consultant") is hereby amended effective December 1, 2011, as follows:

RECITALS

WHEREAS, City and Consultant entered into that certain Consulting Services Agreement No. A5488 for Owner Representative Services ("Agreement"), as duly amended from time to time; and

WHEREAS, the original agreement approval action on June 6, 2007, by the City Council authorized the City Manager to take actions to extend the Agreement term for up to four (4) additional one (1) year terms with said agreement currently running through June 30, 2012; and

WHEREAS, the parties wish to amend the Agreement to extend the Animal Shelter work assignment from December 1, 2011 to March 15, 2012 for additional startup services.

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

Section 1.

Exhibit "B" Schedule of Compensation and Work Assignments is hereby amended to amend compensation rates, and add/adjust assignments as follows:

Compensation Rates, a flat fee rate is hereby added for start-up work at the Animal Shelter Site as follows:

Start-up Services Flat Monthly Rate \$8,000/Month

Project assignments are hereby added/adjusted, as of December 1, 2011, and the City Manager may approve Purchase Orders, utilizing the above rates, to reflect the following:

Project Title/Description:

Manhours/Fee:

Animal Shelter Post-const. Start-up

Authorize From Dec. 1, 2011 thru March 15, 2012 @ \$8,000 per month (2 wks off In Jan. 2012)

Section 2. 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 SPRING
a municipal corporation

City Clerk

By: _____
City Manager

APPROVED AS TO FORM:

City Attorney

CONTRACTOR: Check One: Individual Partnership Corporation

ALLEN F. SMOOT & ASSOCIATES

By: _____
(Signature)

Title: _____