



CITY COUNCIL STAFF REPORT

DATE: April 15, 2009 CONSENT CALENDAR

SUBJECT: Approve Amendment No. 2 to Architect Services Agreement A5672 with George Miers & Associates to adjust redesign at Architect's cost threshold from 2.5% to 5% and to establish the project "Master Budget" at \$6,000,000.

FROM: David H. Ready, City Manager

BY: City Manager

SUMMARY

This action would approve a second amendment to the Animal Shelter Architect's Agreement to adjust the redesign at Architect's cost threshold from 2.5% to 5% and to establish a Master Budget of \$6,000,000 .

RECOMMENDATION:

1. Approve Amendment No 2 to the Animal Shelter Agreement for Architect Services, A5672, adjusting the redesign at Architect's cost threshold from 2.5% to 5%, and establishing a Master Budget of \$6,000,000.
2. Authorize the City Manager to execute all necessary documents.

STAFF ANALYSIS:

At the April 8, 2009 meeting the City Council took action to approve the Animal Shelter Schematic Design and established a Master Budget for construction of \$6,000,000. Official follow-up action is necessary to amend the Animal Shelter architectural design contract to reflect the Master Budget of \$6,000,000.

In addition the City Council Animal Shelter subcommittee recommends that the redesign at Architect's cost threshold that is in the agreement be amended from 2.5% to 5%. This clause would require the architect to redesign the project at his/her cost if the low bid exceeded the Master Budget by more than 2.5%. The subcommittee felt that the 2.5% is too small compared to an AIA industry standard of 10%, and recommends a level of 5% for this project.

ITEM NO. 2.F.


Amendment No. 2 to Agreement No A5672 is attached for City Council consideration.

FISCAL IMPACT:

This action will have no fiscal impact as the result of the action will only allow the design team to proceed further with the design which is already funded through an existing Purchase Order.



Allen F. Smoot, Owners Representative



David H. Ready, City Manager

Attachment: Amendment No. 2

**SECOND AMENDMENT TO
AGREEMENT FOR ARCHITECT SERVICES
A5672**

THIS SECOND AMENDMENT TO ARCHITECT SERVICES AGREEMENT, NO. A5672 between the CITY OF PALM SPRINGS and GERORGE MIERS & ASSOCIATES, INC. is made and entered into, to be effective the ____ day of _____, 2009, as follows:|

RECITALS

- A. The City of Palm Springs ("City") has retained George Miers & Associates ("Architect") to perform architectural services related to the design, construction, and operation of an Animal Shelter pursuant to an Agreement for Architect Services dated June 13, 2008 ("Agreement").
- B. The Agreement calls for the establishment of a "Master Budget" as an estimate of all components of the construction work related to the Project.
- C. The City and the Architect have agreed that \$6,000,000 is the appropriate dollar amount for the Master Budget for the Animal Shelter Project and have further agreed that the redesign at architect's cost for a bid project in excess of the Master Budget threshold, shall be increased from 2.5% to 5%.

AMENDMENT

NOW, THEREFORE, in consideration of the promises and mutual covenants contained herein, the Agreement is amended in the following respects:

- 1. Article 1, Section B.8. "Changes in Plans and Specifications" is hereby amended by adjusting the percentage listed in the section from "2.5%" to "5%".
- 2. Exhibit "F", Master Schedule is hereby amended by adding the following:

"Based on the approved Schematic Design of the Animal Shelter, dated 2/17/2009 and as further modified by Staff Recommendations Sheet dated March 27, 2009 attached as Exhibit "A" to this amendment, the project Master Budget is hereby established at \$6,000,000."

All provisions of the Agreement not effected herein shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to the Agreement for Architect Services for the Palm Springs Animal Shelter Project.

CITY OF PALM SPRINGS

GEORGE MIERS & ASSOCIATES, INC.

By: _____
City Manager

By: _____
Its: _____

ATTEST:

Approved as to Form:

By: _____
City Clerk

By: _____
City Attorney

EXHIBIT "A"
TO SECOND AMENDMENT TO
AGREEMENT FOR ARCHITECT SERVICES a5672
(3 pages)

ANIMAL SHELTER SCHEMATIC DESIGN
STAFF RECOMMENDATIONS SHEET
March 27, 2009

Design Changes/Bid Alternates:

1. Change the floor drains to trench drains, savings of \$62,120. Staff does not recommend accepting this change and it is not a good candidate for a bid alternate.
2. Delete the recycled water system, savings \$5,083. Staff does not recommend this change as it would adversely effect long term operating costs.
3. Delete south planter and replace with wall, savings \$50,735. Design as alternatc.
4. Delete Wards 4 & 5, savings \$123,493. Staff believes that these wards are needed, however, recommends that this item be designed as a bid alternate in the project.
5. Delete get acquainted yard 6, savings \$27,276. Staff recommends that this be deleted from the project.
6. Delete piped oxygen, savings of \$5,647. This item is also tied to a change in the sally port. Staff recommends that this be deleted from the project.
7. Delete glazed masonry units, \$114,075. Staff recommends this be deleted from the project.
8. Stained concrete to VCT, savings of \$3,513. Staff believes the long term additional maintenance cost renders this as something not to include.
9. Change northern exercise fencing from Omega fencing to vinyl chain link, savings \$95,523. Omega fencing should be used on the east end of the large exercise courtyard. Further discussion on this item will follow in Program adjustments discussion.
10. Emergency gencrator as a bid alternate, savings of \$134,405 less \$1,800 extra design cost. Staff recommends that this be designed into the project as a bid alternate, and that the design team be instructed to cover the extra cost in savings they should have in the LEED contract work as the City Council has decided not to submit the project for certification.
11. Delete west fencing, savings \$70,540. Design as an alternate.
12. Additional Omega fence to vinyl covered chain link fence, savings \$68,310; (In areas that can not be seen from the exterior public ways.)
13. Reduced socialization area, savings \$69,222. Staff agrees with this reduction in the building.

14. Reduced special exhibit area, savings \$21,367. Staff agrees with this reduction in the building.
15. Reduced small animal area, savings \$15,270. Staff agrees with this reduction in the building.
16. Reduced retail area, savings \$17,678. Staff agrees with this reduction in the building.
17. Reduced volunteer area, savings \$15,940. Staff agrees with this reduction in the building.
18. Reduced community cat area, savings \$15,407. Staff agrees with this reduction in the building.
19. Reduced classroom, savings \$5,952. Staff agrees with this reduction in the building.
20. Delete maintenance/recycle/oxygen in sally port, savings \$32,973. Staff agrees with this reduction in the building.
21. Major architectural design change, savings \$415,661. City Council subcommittee did not find the architectural change as acceptable. It does believe that the remaining concrete planters in the project should be carried as bid alternates. This should allow for some \$150,000 in savings.

Project "Program" Changes:

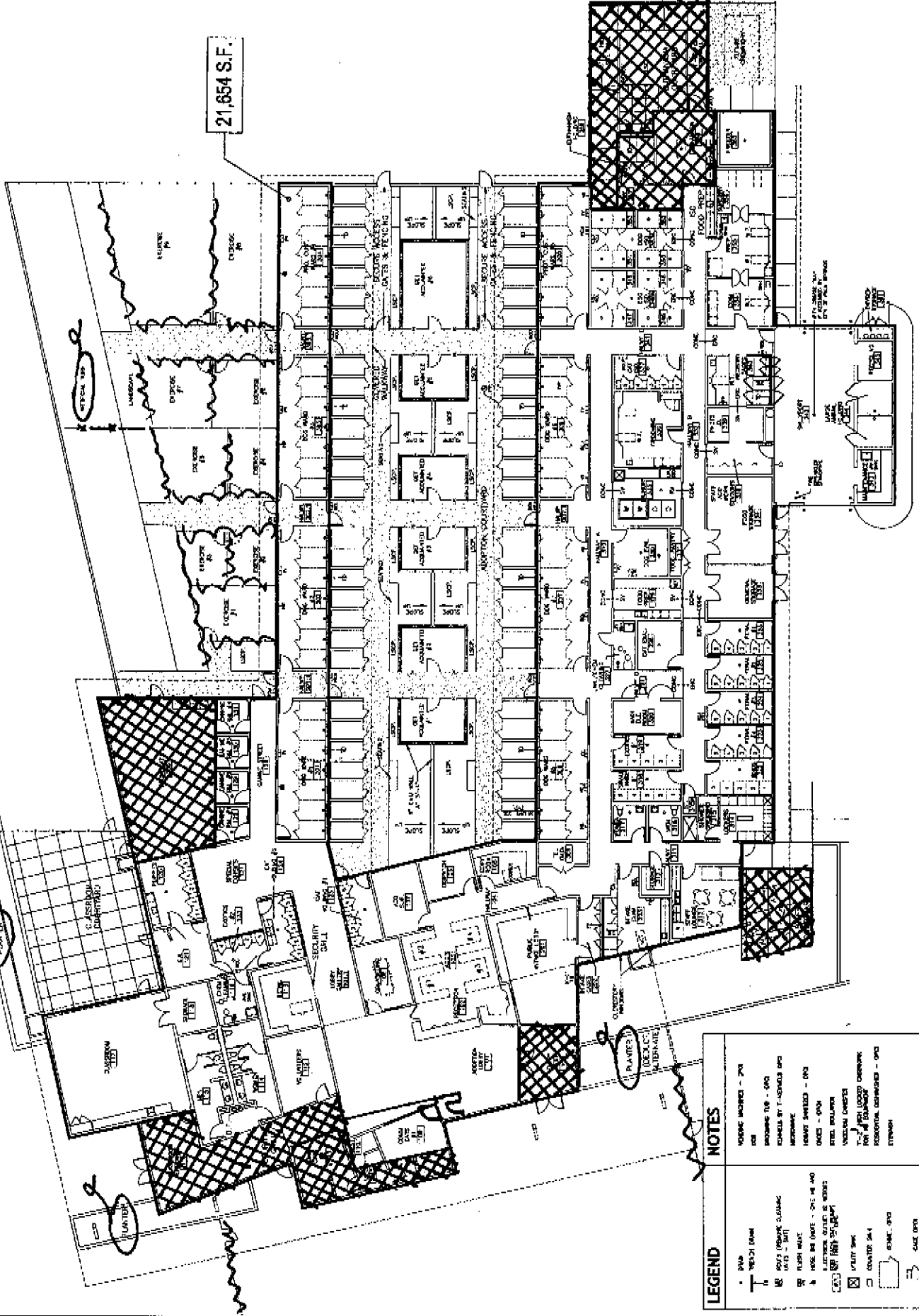
1. Delete the staff courtyard.
2. Delete the euthanasia courtyard.
3. Delete the euthanasia holding (Rm 358) and euthanasia room (Rm 359) and hallway 357.
4. Delete the artificial turf in northerly exercise area, dirt is fine (artificial turf burns feet in summer heat). Also limit the fencing to where there are two large exercise areas.
5. Delete Socialization room (RM 136). This area should be incorporated into the northerly exterior exercise yard.
6. Delete classroom entrance (Rm 116). Note this would be an outside area under the high roof. The restrooms would have key locked doors. The security grill would change to an exterior wall/door and move to where it lined up with the south wall of the Volunteer room (Rm 112 door would move from west wall to south wall.).
7. Further reduce the size of the community cat room to a single room. The room should be moved further into the lobby area. (See attached sketch).
8. Delete the entry vestibule (Rm 100). Two exterior doors will work just fine.

Note: For Project Program Change Items 5, 6, 7 & 8 the City Council subcommittee would like to work with the design team to maintain some of these areas as alternates if at all possible.

GEORGE HEINZ & ASSOCIATES
 ARCHITECTS
 1100 University Drive
 Palm Springs, CA 92262
 TEL: 760-325-1000
 FAX: 760-325-1001

**CITY OF PALM SPRINGS
 ANIMAL CARE FACILITY**

21,654 S.F.



LEGEND		NOTES	
○	GEN.	WORKING DRAWINGS - 70%	
□	WALK-DOWN	CE	
⌞	SOFT DRINK C/D M/C	BROWSE TUB - 010	
⌠	W/VS - 2011	SKINNY BT T-SIDES 010	
⌡	FURSH H/AUT.	MECHANICAL	
⌢	FUSE 60 AMP - 010 - M & 010	HEAVY SWITCHES - 010	
⌣	EXTERIOR JETTABLE EXITS	ONES - 010	
⌤	EXTERIOR JETTABLE EXITS	REEL ROLLERS	
⌥	EXTERIOR JETTABLE EXITS	VACUUM LAMBERS	
⌦	EXTERIOR JETTABLE EXITS	TR. # 010 (DOOR) ORNATE	
⌧	EXTERIOR JETTABLE EXITS	TR. # 010 (DOOR) ORNATE	
⌨	EXTERIOR JETTABLE EXITS	RECREATIONAL OVERLOOKS - 010	
〈	EXTERIOR JETTABLE EXITS	STORAGE	
〉	EXTERIOR JETTABLE EXITS		