

REPORT OF GENERAL MANAGER

NO. 05-110

DATE May 4, 2005

C.D. 4

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: GRIFFITH PARK TRAVEL TOWN TRAIN EXHIBIT SHELTER - SUPPLEMENTAL AGREEMENT NO. 2 TO CONSULTANT CONTRACT NO. 2963 WITH LEVIN AND ASSOCIATES ARCHITECTS FOR ARCHITECTURAL DESIGN SERVICES

* K. Chan
J. Combs
H. Fujita
B. Jensen

kc

J. Kolb _____
F. Mok _____
K. Regan _____

Robert Jensen (RM)
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Rescind the approval of the previous Supplemental Agreement (Board Report No. 04-351), which was accepted by the Board on November 17, 2004;
2. Approve the extra services as described in the body of the Report;
3. Approve Supplemental Agreement No. 2 to Contract No 2963, on file in the Board Office, extending the term by one (1) year and increasing the contract amount by \$30,695.00 for a new total of \$99,895.00;
4. Find that the Department does not have, available in its employ, personnel with sufficient time or the necessary expertise to undertake these specialized professional tasks in a timely manner, and, its is more feasible , economical and in the Department's best interest, to secure these services by contract;
5. Direct the Board Secretary to transmit the proposed Agreement to the Mayor in accordance with Executive Directive No. 16, concurrently to the City Attorney for review as to form, and to the City Council for approval; and,
6. Upon receipt of necessary approvals, authorize the President and Secretary of the Board to execute the agreement.

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SUMMARY:

On April 19, 2000, the Department entered into a personal services contract with Levin and Associates Architects for Griffith Park Travel town - Train Exhibit Shelter architectural design services. The contract term was for three (3) years, expiring on April 18, 2003, and the amount was for \$69,200.00. Subsequently, two Supplemental Agreements, (June 4, 2004 and November 17, 2004 respectively), were submitted and approved by the Board. The first supplemental agreement extended the term of the contract for an additional two years through April 18, 2005. The second supplemental agreement increased the contract amount by an additional \$20,000.00 for a new total of \$89,200.00. The first one was forwarded to the Mayor's Office and is currently being review by the City Administrator's Office. The second agreement was not forwarded due to some concerns over the appropriate dollar amount that was needed to increase the contract amount.

As the project progressed, project management staff, that have since been transferred to Bureau of Engineering, determined that additional professional architectural services (extra services), were required. These included architectural and structural drawings for foundation and site plans, supplemental permit applications for facility upgrades, and document revisions and approvals. Construction of the Locomotive Pavilion project also extended far longer that the original bid contemplated, which required Levin and Associates Architects, the architect of record to remain involved for the full term of the project. These extra services amounted to \$30,695.00 and were authorized by the project managed staff through a series of four (4) Notices to Proceed (NTP). The works for the extra services have been satisfactory completed by the consultant.

The total project cost is \$99,895.00. This includes the original contract amount of \$69,200.00 as well as the amount of \$30,695.00 authorized by project management staff through the NTP's. At the time the NTP's were authorized, project management staff assumed erroneously, that no further authorizations were needed. However, Article II, Subsection H "CHANGE ORDER", of the consultant contract requires that Board approval be obtained for any increases in the scope of the project or funding. Since Board approval was not obtained before, it is requested that the Board approve the work at this time.

On November 17, 2004, the Board approved Board Report No. 04-351, for a Supplemental Agreement that increased the contract amount by \$20,000.00. Subsequent to the Board's approval of this report, it was discovered that the additional contract amount needed to be increased by \$30,295.00. Due to this discovery, the City Attorney instructed Department staff not to forward the report to the Mayor's Office until the true amount could be verified and confirmed. Staff has had several meetings with City Staff involved and has determined that the \$30,295.00 is the correct amount that needs to be added to the contract amount.

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In order to be able to pay Levin and Associates Architects what it is due, staff is requesting, that the Board approve the additional services authorized by project management staff; rescind the prior approval of Board Report No. 04-351 as it has been determined that the contract amount needs to be increased by \$30,695.00 for a total contract amount of \$99,895.00; and approve Supplemental Agreement No. 2 (attached) that increases the contract amount by \$30,695.00 and increases the term by one (1) year to end April 18, 2006, to allow timely of any outstanding balances.

The firm is already in compliance with the policies and ordinances listed below, as outlined in the "Analysis of Proposed Contract" and the Standard Provisions for City Contracts, revised 10/03 form:

- Child Care and Child Support Declarations Statements
- Affirmative Action Program
- Business Tax Registration Certificate
- Equal Benefits Ordinance
- MBE/WBE Policy
- Living Wage, Service Retention Ordinance
- Insurance Requirements

This Supplemental Agreement is recommended in compliance with all Department and City procedures, policies and laws applicable to the award of the contracts. Principals of the firm are not employees or officials of the City; are free to make recommendations or perform the services specified in the contract; and have no authority, with respect to the City's decisions relating to the project, beyond fulfilling the provisions of the contract.

FINAL IMPACT STATEMENT:

All compensation to the consultant is provided in the funding of this project therefore, there will be no decrease in revenue or increase in costs to the City.

Prepared by Gino Ogtong, Management Analyst II, Planning and Development.