

APPROVED

FEB 15 2006

REPORT OF GENERAL MANAGER

NO. 06-40

DATE February 15, 2006

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SUPPLEMENTAL AGREEMENT NO. 3 TO CONSULTANT CONTRACT NO. 2649 WITH KANNER ARCHITECTS FOR AS-NEEDED ARCHITECTURAL DESIGN SERVICES

J. Combs	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
B. Jensen	_____	*M. Shull	<u>MS</u>

Robert H. Jensen (for)

 General Manager

Approved / Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve Supplemental Agreement No. 3 to Contract No. 2649, substantially in the form on file in the Board Office, extending the term of the contract by three years, for a new total of fourteen years, and increasing the contract amount by \$300,000.00, for a new total amount of \$1,100,000.00, subject to review and approval of the Mayor, the City Council, and the City Attorney as to form;
2. 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, it is more feasible, economical and in the Department's best interest, to secure these services by contract;
3. Direct the Board Secretary to transmit the proposed Supplemental Agreement No. 3 to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review and approval as to form; and,
4. Authorize the President and Secretary of the Board to execute Supplemental Agreement No. 3, upon receipt of necessary approvals.

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SUMMARY:

On July 6, 1995, the Department entered into a personal services contract with Kanner Architects for as-needed Architectural Design services. The term was for three (3) years, which expired on July 5, 1998, and the amount was for \$300,000.00.

On January 6, 1999, Amendment No. 1 was executed which increased the contract amount to \$600,000.00 and extended the term for an additional two (2) years, for a total of five (5) years.

On November 19, 2001, Supplemental Agreement No. 1 was executed which increased the contract amount by \$200,000.00 for a new contract amount of \$800,000.00 and extended the term for an additional three (3) years, for a total of eight (8) years. Subsequently, Supplemental Agreement No. 2 was executed on August 11, 2004, which revised the term by an additional three (3) years, for a new total of eleven (11) years.

The firm has worked on several Department projects including, but not limited to, the following: Lafayette Park Modern Gymnasium and Ross Snyder Site Improvement Projects. It is anticipated that this consultant will continue to work on various aspects of these projects, as well as others, in the future. At this time, the consultant has been assigned work on the above projects that will extend over the current term of the contract. The Department does not have available personnel to perform these specialized professional tasks in a timely manner due to the existing demand on staff workload, therefore, making it impossible to meet other project requirements and deadlines. This Supplemental Agreement No. 3 will allow this consultant to continue working on the various projects through the completion of the projects, and includes adjustments of rates due to inflation. The adjustment in yearly hourly rates from 2007 through 2009 is an acceptable industry practice and conforms to normal cost of living adjustments.

This contract is recommended for extension 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.

FISCAL IMPACT STATEMENT:

All compensation to the consultant is provided from the funding source(s) of each individual project that the firm works on; therefore, there will be no decrease in revenue or increase in costs to the City's General Funds.

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