



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Katy Allen  
Jane Light  
Albert Balagso

**SUBJECT: SEE BELOW**

**DATE:** 01-08-07

Approved:

Date:

1-17-07

**COUNCIL DISTRICT: 10**

**SUBJECT: APPROVAL OF A CONTINUATION AGREEMENT WITH FIELD PAOLI ARCHITECTS, INC. FOR ARCHITECTURAL SERVICES FOR THE ALMADEN COMMUNITY CENTER & BRANCH LIBRARY PROJECT**

## RECOMMENDATION

Approval of a continuation agreement with Field Paoli Architects for architectural consultant services for the Almaden Community Center & Branch Library Project continuing the term retroactive for the period of July 1, 2006 through June 30, 2007, modifying the scope of services, and increasing the total compensation to be paid to the consultant by \$49,255 from \$1,955,900 to an amount not to exceed \$2,005,155.

## OUTCOME

Council approval of a continuation agreement between the City and Field Paoli Architects for additional architectural consultant services will enable their services to continue through the project completion and close-out phases of the Almaden Community Center & Branch Library Project.

## BACKGROUND

The Almaden Branch Library & Community Center is the first combined branch library and community center to be funded by Branch Library and Parks & Recreation Bond Funds. The new joint facility is located in Parma Park at 6445 Camden Avenue.

On October 8, 2002, Council approved an agreement with Field Paoli Architects, Inc. to provide architectural services for this project. The design was completed February 2004, construction began June 2004 and the grand opening for the new facility was held on May 13, 2006.

Since the opening of the new facility, the construction contractor, West Bay Builders, has been working to resolve some remaining construction issues that resulted from financial difficulties within the business operations of several of their subcontractors. This work along with the completion of outstanding punch list items has caused the final closeout of the project to be

delayed. As a result of the longer than anticipated time for the contractor to complete their work, Field Paoli has not been able to complete services related to record documents and project close out. Additionally, it has been necessary for Field Paoli to make numerous additional site visits to evaluate the contractors' work as they complete the remaining work and punch list items.

At the time the City took occupancy of the facility in May it was expected that West Bay Builders would complete their work and that the consultant agreement would not need to be extended. The need for continued consultant support did not become apparent until after the original agreement had expired. Due to Field Paoli's prior knowledge and experience related to this project they continue to be required to assist in the project closeout and are a valuable resource in bringing project issues to a satisfactory closure.

After extended negotiations, the City has only recently come to agreement with Field Paoli regarding the fair value of their requested time impact and additional services related to this Agreement.

### **ANALYSIS**

The scope of work in this continuation agreement includes additional services related to the projects' completion, along with additional preparation and compiling of record documents to close out the project.

Staff has reviewed the current scope and schedule of services in Field Paoli's agreement and determined that the time extension and services being proposed through this continuation agreement are beyond the scope of the original agreement and are necessary to the successful completion and close-out of this project.

### **POLICY ALTERNATIVES**

**Alternative # 1:** Direct City staff to provide the required services with in-house resources.

**Pros:** Increased work options for current staff.

**Cons:** Negative impact to the schedule and workload of the staff currently assigned to the project. Shifting existing staff resources to this project at this time could potentially delay this or other projects.

**Reason for not recommending:** Staff is being fully utilized on this and other projects resulting in no available staffing resources to take over this work. The use of the architectural design consultant to complete this work results in savings of time and funds due to the continuity of keeping the same team of workers that are currently on the project.

### **PUBLIC OUTREACH/INTEREST**



**Criteria 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**

- Criteria 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criteria 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

The approval of this agreement does not meet any of the criteria identified by the Sunshine Reforms Work Plan. This memorandum will be posted on the City’s website for the January 30, 2007 Council agenda.

**COORDINATION**

This continuation agreement and memorandum have been coordinated with the Finance Department; the City Manager’s Budget Office and City Attorney’s Office.

**FISCAL/POLICY ALIGNMENT**

This project is consistent with the Council-approved Budget Strategy to continue with capital investments that spur construction spending in our local economy.

**COST SUMMARY/IMPLICATIONS**

**1. AMOUNT OF ADDITIONAL RECOMMENDATION: \$ 49,255**

<b>2. COST ELEMENTS OF AGREEMENT:</b>	<b>ORIGINAL</b>	<b>ADDITIONAL</b>
Phase 1 – Project Feasibility/Development	\$ 256,000	\$ 0
Phase 2 – Property and Land Acquisition	0	0
Phase 3 – Design	1,103,900	0
Phase 4 – Bidding & Contract Award	53,500	0
Phase 5 – Construction	337,200	39,255
Phase 6 – Post Construction	35,300	10,000
Additional Services/Reimbursable Expenses	170,000	0
<b>TOTAL ORIGINAL AGREEMENT:</b>	<b>\$ 1,955,900</b>	<b>\$ 49,255</b>
<b>TOTAL ORIGINAL PLUS CONTINUATION AGREEMENT:</b>		<b>\$ 2,005,155</b>

**3. SOURCE OF FUNDING:** 472 – Branch Libraries Bond Projects Fund  
471 – Parks and Recreation Bond Projects Fund

**4. FISCAL IMPACT:** No additional fiscal impact is anticipated due to the work incorporated by this continuation agreement.

**BUDGET REFERENCE**

Fund #	Appn. #	Appn. Name	RC #	Total Appn.	Amt. For Contract	Adopted Capital Budget (Page)	Last Budget Action (Date, Ord. No.)
<b><u>Current Funding Available</u></b>							
472	4315	Almaden Branch	133005	\$982,000	\$16,418	V-250	10/17/2006 27888
471	6906	Almaden Community Center – Multi Service	117913	\$1,838,000	\$32,837	V-777	10/17/2006 27888
<b>Total Current Funding Available</b>				<b>\$2,820,000</b>	<b>\$49,255</b>		
<b>Prior Years' Expenditures</b>				\$23,447,150			
<b>Funding in Future Years*</b>				\$0	\$0		
<b>Total Funding for Project</b>				<b>\$26,267,150</b>			

\* This budget reference is for the current fiscal year only. As this is a multi-year project, the total project costs have been appropriated and expended over several fiscal years.

**CEQA**

CEQA: Mitigated Negative Declaration, PP02-10-309.



KATY ALLEN  
Director, Public Works Department



JANE LIGHT  
Director, Library Department



ALBERT BALAGSO  
Director,  
Parks, Recreation and Neighborhood  
Services Department

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For questions please contact DAVID SYKES, ASSISTANT DIRECTOR, PUBLIC WORKS  
DEPARTMENT, at (408) 535-8300.

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