



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Katy Allen  
Jane Light

**SUBJECT:** EDENVALE BRANCH  
LIBRARY PROJECT

**DATE:** 10-09-07

Approved

Date

10/11/07

**COUNCIL DISTRICT:** 2

## RECOMMENDATION

Approval of the first amendment to the agreement for architectural consultant services with CWA AIA, Inc. for the Edenvale Branch Library Project extending the term of the agreement from November 1, 2007 to April 30, 2008 at no additional cost to the City.

## OUTCOME

Council approval of an amendment to the agreement with CWA, AIA, Inc. (CWA) extending architectural services will enable their services to continue through the project construction completion and close out phase of the Edenvale Branch Library.

## BACKGROUND

In September 2000, City Council approved the Branch Facilities Master Plan, which had concluded that the City's branch library system needed significant capital improvements, including reconstruction or replacement of 14 of the 17 existing branches and construction of 6 additional branches in unserved neighborhoods. In November 2000, the voters of San José passed the Library bond measure (Measure O) to improve the library system in accordance with the Master Plan. The Edenvale Branch Library is one of the six new branches the Library bond measure is funding, and it is the tenth library to be designed and constructed using the Branch Libraries Bond Projects Fund.

On March 16, 2004, Council approved an agreement with CWA to provide architectural services for this project. The original term of this agreement started on March 16, 2004 and ended on April 30, 2007. On March 15, 2007 the Director of Public Works sent CWA a letter extending the term of the agreement for six months to October 31, 2007. The agreement authorized this method of extending the term. The first extension was due to cost reduction and client-initiated re-design of the project during final stages of the design documentation phase. This additional extension is required to allow the consultant adequate time to complete the record documents.

### **ANALYSIS**

The amended agreement extends the term of the agreement through preparation and compiling of record documents through project close-out at no additional cost to the City.

Staff has reviewed the current scope and schedule of services in CWA's agreement and believes that the time extension through this amended agreement is necessary to the successful completion and close-out of this project.

### **EVALUATION AND FOLLOW-UP**

This project is currently within budget and on schedule with a projected construction completion in October 2007. No additional follow up action with Council is expected at this time.

### **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**

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 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)**
- Criterion 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 October 30, 2007 Council agenda.

**COORDINATION**

This amended agreement and memorandum have been coordinated with the City Attorney's Office and the City Manager's Budget Office.

**FISCAL/POLICY ALIGNMENT**

No additional fiscal impact is anticipated due to the work incorporated by this amended agreement. 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 RECOMMENDATION/COST OF PROJECT:

Project Delivery	\$2,242,000
Construction (if applicable)	7,336,000
Contingency (if applicable)	733,600
Public Art	<u>210,000</u>
<b>Total Project Costs</b>	<b>\$10,521,600</b>
Prior Year Expenditures	(\$9,444,643)
<b>Remaining Project Cost</b>	<b>\$1,076,957</b>

\*A total of \$9,444,643 has been expended or encumbered through 2006-2007 for project delivery and construction costs.

2. COST ELEMENTS OF AGREEMENT/CONTRACT:

Not applicable.

3. SOURCE OF FUNDING: 472 – Branch Libraries Bond Projects Fund

4. OPERATING COSTS: The new Edenvale Branch will have a net operating and maintenance impact of \$1,130,000 annually starting in 2008-2009.

**BUDGET REFERENCE**

The table below identifies the fund and appropriations proposed to fund the amendment to the consultant agreement recommended a part of this memorandum and remaining project costs, including project delivery, construction, and contingency costs.

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Fund #	Appn #	Appn. Name	RC #	Total Appn	Amt. for Contract	2007-2008 Adopted Budget (Page)	Last Budget Action (Date, Ord. No.)
<b>Remaining Project Costs</b>				1,076,957			
<b>Remaining Funding Available</b>							
472	4319	Edenvale Branch Library	131965	1,875,000		V-267	
<b>Total Current Funding Available</b>				<b>1,875,000</b>			

**CEQA**

CEQA: Exempt No. PP05-011.

*Katy Allen*

KATY ALLEN

Director, Public Works Department

*Jane Light*

JANE LIGHT

Library Director

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

KJ:sd:dz  
Attachment