



# Memorandum

**TO:** HONORABLE MAYOR  
AND CITY COUNCIL

**FROM:** Katy Allen

**SUBJECT:** SEE BELOW

**DATE:** 08-25-08

Approved

*Deanne Fuhr*

Date

*8/25/08*

**COUNCIL DISTRICT:** Various

**SUBJECT: FIRST AMENDMENT TO MASTER AGREEMENT WITH BELLINGER FOSTER STEINMETZ LANDSCAPE ARCHITECTURE FOR VARIOUS CITY FACILITY PROJECTS**

## RECOMMENDATION

Approval of the first amendment to the master agreement with Bellinger Foster Steinmetz Landscape Architecture (BFS) for landscape architectural services increasing the total compensation by \$15,000, for a total agreement amount of \$115,000, in order to fund services for the Roosevelt Skate Park.

## OUTCOME

Approval of the first amendment to the subject agreement will allow the City to execute a service order to proceed with additional construction assistance for the Roosevelt Skate Park.

## EXECUTIVE SUMMARY

The BFS master agreement is for landscape architectural services for various City facility projects. Pursuant to this master agreement, BFS has provided a variety of landscape architectural services and construction assistance for the Roosevelt Skate Park project, and has acquired specialized knowledge of this project. Accordingly, City staff recommends approving a first amendment to the master agreement with BFS to increase compensation so that BFS can continue to provide construction assistance on the Roosevelt Skate Park project.

## BACKGROUND

The Roosevelt Skate Park project consists of a 10,000 square foot stained concrete skate area, decorative fencing, security lights, grading and drainage, and miscellaneous site furniture. The construction of the improvements began in January 2008 and is scheduled for completion in October, 2008.

## **ANALYSIS**

When Service Order No. 1 was negotiated and approved in October 2006 for the Roosevelt Skate Park, staff used its best judgment to determine the dollar amount needed to complete the original skate park design and construction assistance. The service order was written for the full amount of the master agreement, \$100,000. As work progressed, it was evident that additional construction supervision was needed for the construction of the concrete skate facilities. The skate elements were designed by Wormhoudt, Inc., acting as a sub-consultant to BFS. During the shotcrete application of the first concrete skate bowl, extensive supervision by Wormhoudt's staff was necessary due to the specialty application and finish work required. The amount of supervision by the skate park designer is dependent on the experience of the concrete sub-contractor. Although the sub-contractor met the minimum requirements for the construction of a skate park, as work progressed, it was evident that additional site visits by Wormhoudt's staff are needed to ensure a quality product.

This amendment to the master agreement will provide funds for the additional construction supervision by BFS and their sub-consultant necessary to complete the project.

Staff has reviewed this proposal and finds it to be within the acceptable range for a specialty project of this size.

Staff is recommending amending the July 20, 2006 master agreement with BFS to increase the total compensation by \$15,000 for a total agreement of \$115,000. The additional funds would enable the City to move forward with the completion of the construction. Adequate funding is available within the existing project budget for this increase to the agreement.

## **EVALUATION AND FOLLOW-UP**

This first amendment to the master agreement will provide staff with the ability to engage the services of BFS, for the Roosevelt Skate Park project, thereby enabling the supervision of the construction to proceed.

## **POLICY ALTERNATIVES**

***Alternative #1:*** Use of City staff for design services.

**Pros:** Specialty inspection and construction supervision would be accomplished by City staff.

**Cons:** Staff does not possess the appropriate technical capability required for the specialty work involved in the shotcrete application and finish work for the skate park component of the construction.

**Reason for not recommending:** The experience of the consultant and the skate park designer is necessary to produce a quality finished product necessary for such a facility. The precision of the concrete finish work is necessary to ensure the safe and appropriate use by a variety of experienced skateboarders.

**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)**

Approval of this amendment to the master agreement does not meet any of the criteria stated above. However, this memorandum will be posted on the City's website for the September 19, 2008 Council agenda.

**COORDINATION**

This memorandum and the first amendment to the BFS master agreement have been coordinated with the Departments of Parks, Recreation and Neighborhood Services, Planning, Building and Code Enforcement, Finance, the City Attorney's Office and the City Manager's Budget Office. This item was also coordinated with the City's Contracting-In Committee.

**FISCAL/POLICY ALIGNMENT**

This project is consistent with the Council-approved Budget Strategy Economic Recovery section in that it will spur construction spending in our local economy.

**COST SUMMARY/IMPLICATIONS**

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT:	\$15,000
Original Master Agreement	100,000
Project Delivery	193,000
Construction	765,343
Construction Contingency	<u>40,000</u>
<b>TOTAL PROJECT COSTS</b>	<b>\$1,113,343</b>
Prior Year Expenditures	<u>967,002*</u>
<b>REMAINING PROJECT COSTS</b>	<b>\$146,341</b>

\* A total of \$1,011,732 was anticipated to be expended through 2007-2008 for project delivery costs including the geotechnical consultant, project management, and the master agreement for the design consultant.

2. SOURCE OF FUNDING: 375 – Subdivision Park Trust Fund  
 380 – Construction Tax and Property Conveyance Tax  
 Fund: Parks Purposes Council District 3

**BUDGET REFERENCE**

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

Fund #	Appn. #	Appn. Name	RC #	Total Appn.	2007-08 Proposed Capital Budget (Page)*	Last Budget Action (Date, Ord. No.)
<b>Total Remaining Project Costs</b>				\$146,341		
<b>Current Funding Available</b>						
375	5248	Roosevelt Skate Park	144673	\$3,000	V-522	6/24/2008 Ord No 28349
380	6070	Roosevelt Skate Park	TBD	\$200,000	V-326	6/24/2008 Ord No 28349
<b>Total Project Funding</b>				<b>\$203,000</b>		

\* The 2008-2009 Proposed Capital Budget was approved by City Council on June 24, 2008.

**CEQA**

CEQA: Mitigated Negative Declaration, PP03-397

*Katy Allen*

KATY ALLEN  
 Director, Public Works Department

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

KJ:lr