



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Katy Allen
Stephen R. Ferguson

SUBJECT: SEE BELOW

DATE: 11-24-08

Approved

Date

COUNCIL DISTRICT: Citywide

SUBJECT: FIRST AMENDMENT TO CONSULTANT AGREEMENT WITH RTKL ASSOCIATES, INC. FOR THE NEW CITY HALL IN-BUILDING WIRELESS REINFORCEMENT DESIGN SERVICES

RECOMMENDATION

Approval of the first amendment to the consultant agreement with RTKL Associates, Inc. for engineering design services for the New City Hall In-Building Wireless Reinforcement Design project to correct a typographical error and properly set forth the term of the agreement as being from December 31, 2008 to December 31, 2009 at no cost to the City.

OUTCOME

Approval of the first amendment to the subject agreement will correct a typographical error by extending the term of the agreement by one year, which will allow RTKL Associates, Inc. to continue ongoing design and construction support services for the New City Hall In-Building Wireless Reinforcement project.

BACKGROUND

On May 13, 2008, Council approved an engineering consultant services agreement with RTKL Associates, Inc. for design of a cellular and radio reinforcement system to address deficiencies in coverage within City Hall and the employee garage. Although design work required by this agreement is underway, the expiration date of the agreement was inadvertently indicated as December 31, 2008. This amendment is to correct the expiration of the agreement to reflect the time frame originally negotiated with the consultant.

Construction documents are expected to be completed in December 2008. It is anticipated the improvements will be completed by September 2009.

ANALYSIS

In order to complete the work specified in the Scope of Services, the date and Schedule of Performance must be revised to reflect the schedule indicated in the agreement.

EVALUATION AND FOLLOW-UP

This contract is for consulting services only. Subsequent construction is estimated to be less than \$1,000,000, and as such, a contract may be awarded by the Director of Public Works. The Director would subsequently report the award of a contract to Council.

POLICY ALTERNATIVES

Alternate #1: Recruit and hire new staff to perform the design work in-house.

Pros: Allows the work to be designed in-house and eliminates the need to amend a consulting agreement.

Cons: This would require terminating an existing contract with the consultant that was chosen after a very lengthy selection process. This is an area of expertise that is rarely needed within the city. The recruitment process is lengthy and will impact the overall project schedule.

Reason for not recommending: The recruitment process significantly extends the project schedule, potentially delaying the completion of this work. Additionally, since the expertise required for this project is very specialized, there is little likelihood that there will be any subsequent work for this new staff. Additionally, the consultant has completed an extensive engineering survey of the premises and has commenced design work. It would be prohibitively expensive to replicate this work.

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)**

This item does not meet any of the above criteria, however this memorandum will be posted on the City's website for the December 16, 2008, Council agenda.

HONORABLE MAYOR AND CITY COUNCIL

11-24-08

**Subject: First Amendment to Master Agreement with RTKL Associates, Inc. for the NCH In-Building
Wireless Reinforcement Design Project**

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COORDINATION

This agreement and memorandum have been coordinated with the Departments of General Services, Planning, Building and Code Enforcement and Finance, the City Manager's Budget Office and City Attorney's Office.

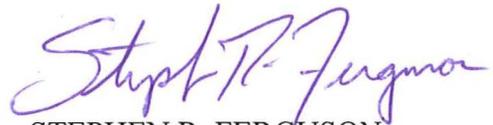
CEQA

CEQA: Not a project.



KATY ALLEN

Director, Public Works Department



STEPHEN R. FERGUSON

Chief Information Officer

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

KJ:jw:ps

Attachment

Memo 1stAmend.doc