



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Katy Allen
Stephen R. Ferguson

SUBJECT: SEE BELOW

DATE: 10-19-09

Approved

Date

10/29/09

COUNCIL DISTRICT: Citywide

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

RECOMMENDATION

Approval of the second amendment to the consultant agreement with RTKL Associates, Inc. for engineering design services for the New City Hall In-Building Wireless Reinforcement Design Project extending the term of the agreement from December 31, 2009 to December 31, 2010 at no cost to the City.

OUTCOME

Approval of the second amendment to the RTKL Associates, Inc. contract will allow the continuation of design and construction services that support the completion of 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. On December 16, 2008, Council approved a first amendment to extend the term of the agreement by one year thereby correcting an inadvertent expiration date on the original agreement. The consultant achieved substantial completion of their design in March 2009. At that time, the General Services Department requested that potential wireless service providers acknowledge acceptance of the general terms of an exemplar service agreement, similar to what would be required prior to installing their equipment in, and for providing services to, the City Hall complex. The preparation of the exemplar service agreement and subsequent coordination with the City Attorney's Office and potential service providers resulted in a schedule delay of five months. This second amendment will permit the consultant to complete their design, and to provide construction support services during the construction phase of the project, at no additional cost to the City

Construction documents are expected to be completed in October 2009. It is anticipated the improvements will be completed by July 2010.

ANALYSIS

The conclusion of the design work and provision of construction assistance necessitates that the term of the consultant agreement be increased. To effectively complete these services, staff recommends extending the term of the agreement from December 31, 2009 to December 31, 2010, at no additional cost to the City.

EVALUATION AND FOLLOW-UP

This contract is for consulting services only. Construction is estimated to be less than \$1,000,000, and as such, the contract may be awarded by the Director of Public Works. Funding is included in the Civic Center Improvement Fund to fund this project. The Director would subsequently report the award of a contract to Council.

POLICY ALTERNATIVES

Alternate #1: Do not approve this amendment to the consulting agreement.

Pros: None.

Cons: Does not resolve the problem of design for phone and radio coverage within city hall and the employee garage.

Reason for not recommending: Does not improve quality of cellular or radio services.

Alternate #2: 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 a consultant who was chosen after a very lengthy selection process. This type of work involves an area of expertise that is rarely needed within the city. To recruit and hire new staff is a lengthy process which will negatively impact the overall project schedule.

Reason for not recommending: The recruitment process significantly extends the project schedule delaying the completion of this work. Moreover, 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 November 10, 2009, Council Agenda.

COORDINATION

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

CEQA

CEQA: Not a project.

/s/

/s/

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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.