



# OVERSIGHT BOARD

OF THE CITY OF LONG BEACH AS THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LONG BEACH

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May 7, 2012

## OVERSIGHT BOARD MEMBERS

### RECOMMENDATION:

Approve and authorize the City Manager to execute a contract with Mary McGrath Architects, not to exceed the amount of \$195,000 for professional services related to Fire Station 12, and amend the enforceable obligation payment schedule to reflect such additional payments.

### DISCUSSION

City staff is working cooperatively with the Fire Department (FD) and the Department of Public Works (PW) on the construction of the new Fire Station 12 and Emergency Resource Center (Project). The facility is being constructed at 1199 East Artesia Boulevard, a 1.2-acre site in North Long Beach.

In June 2008, the former Redevelopment Agency retained Beverly Prior Architects, Inc. (BPA) to prepare plans and specifications for the Project, and also to provide construction administration and close-out during the construction phase. Mary McGrath (Project Architect) served as BPA's principal architect and representative for the Project. The former Redevelopment Agency entered into an agreement with Gonzales Construction for construction of the Project on March 15, 2010.

In June 2011, staff was informed that BPA agreed to be acquired by HMC Group (HMC) and that HMC could not assure the former Redevelopment Agency that Ms. McGrath would continue to serve as the assigned architect on the Project for the remainder of construction and project close-out. As a result, the former Redevelopment Agency Board did not assign the BPA contract to HMC.

Mary McGrath formed Mary McGrath Architects in June 2011. Based on Ms. McGrath's detailed knowledge of the Project, her technical abilities, experience working with the Project team, and to provide continuity, staff recommended and received approval from the former Redevelopment Agency to retain Mary McGrath Architects in substitution for BPA.

HMC's contract, as originally approved, anticipated a 12-month construction period. In April 2011, HMC's contract was amended to provide for an extended construction period. Upon the Project Architect's separation from HMC, and in light of the pending dissolution of the former Redevelopment Agency and related prohibition against entering into new contracts, staff created a purchase order to allow the Project Architect to continue to provide essential services to the Project. The purchase order expired on January 31, 2012.

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It is now necessary to enter into a contract with Mary McGrath Architects so that the Project Architect may continue to provide construction administration services for up to an additional 13 months. The contract is necessary to continue to provide essential construction administration services in support of an enforceable third-party obligation as authorized by Health & Safety Code Section 34177(c) and 34177(i). The maximum cost for additional services under the agreement is \$195,000 and is potentially recoverable under the Gonzales Contract liquidated damages provisions. Pursuant to the authority granted by Health & Safety Code Section 34177(a)(1), the enforceable obligation payment schedule previously adopted by the Successor Agency was amended to include additional payments authorized by this action, subject to Oversight Board approval.

This matter was reviewed by Deputy City Attorney Richard Anthony on March 28, 2012 and subsequently approved by the Successor Agency of the City of Long Beach on April 17, 2012.

Respectfully submitted,



PATRICK H. WEST  
CITY MANAGER

PHW:AJB:RMZ:SJ

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