



Legislation Text

File #: 16-0220, **Version:** 1

Recommendation to authorize City Manager to execute an amendment to Agreement No. 33344 with Arup North America Limited to cover Civic Center consulting costs of \$450,000 between February 15, 2016 and the anticipated execution of the Project Agreement no later than April 29, 2016. (District 2)

On December 9, 2014, the City Council authorized the first amendment to extend Agreement No. 33344 with Arup for an additional five-year period and increase contractual authority by \$2,900,000, plus a 10 percent contingency, for a total amount of \$4,070,438. On December 15, 2015, the City Council authorized an additional amendment to Agreement No. 33344 to increase contractual authority by another \$3,376,299, for City-related costs associated with change management, contract management, commissioning and relocation services; and an additional amount of \$652,996 for the Harbor Department (Port), should the Port choose to proceed with a similar scope for its purposes and reimburse the City, for a total authority not to exceed \$8,099,733. The amendment authorized on December 15, 2015 has not been executed and is intended to be executed concurrent with the Project Agreement, anticipated to be on or before April 29, 2016.

On February 2, 2016, the City Council authorized the execution of an Early Works Agreement (EWA) with Plenary Edgemoor Civic Partners for the Port and the City to continue the design development of the Civic Center project for a limited period of time until the Project Agreement has been executed, anticipated to be on or before April 29, 2016.

In order to continue efforts related to change management and contract management, and maintain the accelerated schedule to break ground in June 2016, interim authority, similar to the EWA, is requested for Arup by executing a second amendment to Agreement No. 33344. This second amendment is intended to cover that period of time up to the execution of the Project Agreement. A total amount of \$550,000 is requested, of which \$100,000 is for additional work associated with the EWA and will add to overall project costs. The balance of the work (\$450,000) is anticipated to be an early accomplishment of the work proposed under the \$3,376,299 in the contract amendment approved by the City Council on December 15, 2015. As a result of this second amendment, there is expected to be an equivalent savings to the contract amendment approved by the City Council on December 15, 2015.

Upon execution of the Project Agreement, the previous amendment to Agreement No. 33344 approved by the City Council on December 15, 2015 will be executed, for a total amount not to exceed \$8,199,733, comprised of the \$8,099,733 previously authorized, plus the \$100,000 for additional work required for the completion of the EWA.

This matter was reviewed by Deputy City Attorney Richard F. Anthony and by Budget Management Officer Victoria Bell on February 23, 2016.

Authority is requested on March 8, 2016, is requested to begin change management and contract management services.

The City will expend approximately \$550,000 between February 15, 2016 and April 29, 2016 on Arup services, at which time the Project Agreement is anticipated to be executed. At that time, the December 15, 2015 amendment will be executed under existing City Council authority. The overall project funding appropriated on December 15, 2015 is sufficient to cover the additional contract cost, which is budgeted in the Civic Center Fund (IS 380) in the Public Works Department (PW).

Approve recommendation.

MICHAEL P. CONWAY
DIRECTOR OF ECONOMIC AND PROPERTY DEVELOPMENT

APPROVED:

PATRICK H. WEST
CITY MANAGER