

REPORT OF GENERAL MANAGER

NO. 05-216

DATE August 9, 2005

C.D. All

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SUPPLEMENTAL AGREEMENT NO. 3 TO CONSULTANT CONTRACT NO. 2727 WITH JONES & MADHAVAN FOR AS-NEEDED MECHANICAL ENGINEERING SERVICES

J. Combs	_____	J. Kolb	_____
H. Fujita	_____	F. Mok	_____
S. Huntley	_____	K. Regan	_____
B. Jensen	_____	*M. Shull	<u>ms</u>

  
 \_\_\_\_\_  
 General Manager

Approved \_\_\_\_\_ Disapproved \_\_\_\_\_ Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve Supplemental Agreement No. 3 to Contract No. 2727, substantially in the form on file in the Board Office, extending the term of the contract by three years, for a new total of twelve years, and increasing the contract amount by \$300,000.00, for a new total amount of \$1,450,000.00, subject to review and approval fo the Mayor, the City Council, and the City Attorney as to form;
2. Find that the Department does not have, available in its employ, personnel with sufficient time or the necessary expertise to undertake these specialized professional tasks in a timely manner, and, it is more feasible, economical and in the Department's best interest, to secure these services by contract;
3. Direct the Board Secretary to transmit the proposed Supplemental Agreement No. 3 to the Mayor in accordance with Executive Directive No. 16, and concurrently to the City Attorney for review as to form; and,
4. Upon receipt of necessary approvals, authorize the President and Secretary of the Board to execute Supplemental Agreement No. 3.

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### SUMMARY:

On July 17, 1996, the Department entered into a personal services contract with Jones and Madhavan for as-needed Mechanical Engineering services. The term was for three (3) years, expiring on July 16, 1999, and the amount was for \$300,000.00.

On January 14, 2000, Supplemental Agreement No. 1 was executed which increased the contract amount to \$600,000 and extended the term for an additional three (3) years, for a total of six years.

On April 3, 2003, Supplemental Agreement No. 2 was executed which increased the contract amount by \$300,000.00 for a new contract amount of \$900,000.00 and extended the term for an additional three (3) years, for a total of nine years. Concurrently on the same date, Amendment No. 1 to Supplemental Agreement No.2 was executed which revised the requested additional amount of \$300,000 to \$550,000, for a new contract amount of \$1,150,000.

The firm has worked on several Department projects including, but not limited to, the following: Harvard Park Pool/Bathhouse and Northridge Park Pool/Bathhouse. It is anticipated that this consultant will continue to work on various aspects of these projects, as well as others, in the future.

At this time, the consultant has been assigned work on the above projects that will extend over the current term of the contract. This supplemental agreement will allow this consultant to continue working on the various projects through their completion. The adjustment in yearly hourly rates from 2006 through 2008 is an acceptable industry practice and conforms to normal cost of living adjustments. This Supplemental Agreement will allow this consultant to continue working on the various projects through their completion.

This contract is recommended for extension in compliance with all Department and City procedures, policies and laws applicable to the award of the contracts. Principals of the firm are not employees or officials of the City; are free to make recommendations or perform the services specified in the contract; and have no authority, with respect to the City's decisions relating to the project, beyond fulfilling the provisions of the contract.

### FISCAL IMPACT STATEMENT:

All compensation to the consultant is provided from the funding source(s) of each individual project that the firm works on; therefore, there will be no decrease in revenue or increase in costs to the City's General Funds.

Prepared by Gino Ogtong, Management Analyst II, Planning and Development.