

APPROVED  
OCT 06 2010

REPORT OF GENERAL MANAGER

NO. 10-263

DATE October 6, 2010

BOARD OF RECREATION  
and PARK COMMISSIONERS

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AS-NEEDED ARCHITECTURAL DESIGN SERVICES – FRANK R. WEBB ARCHITECTS, INC., – AMENDMENT NO. 2 TO CONSULTANT CONTRACT NO. 2934

R. Adams	_____	F. Mok	_____
H. Fujita	_____	K. Regan	_____
S. Huntley	_____	*M. Shull	<i>emp</i>
V. Israel	_____		

*[Signature]*  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

That the Board:

1. Approve a proposed Amendment No. 2, substantially in the form on file in the Board Office, to Contract No. 2934, with Frank R. Webb Architects, Inc., extending the term of the contract by three years for a new total of fourteen (14) years and increasing the contract amount by \$300,000 from \$1,200,000 to \$1,500,000, subject to approval of the Mayor, the City Council, and the City Attorney as to form;
2. Find pursuant to Charter Section 371(c)(2) that competitive bidding is not practicable or advantageous as it is necessary for the Department to be able to call on contractors to perform this work as-needed and on an occasional, but frequent, basis without engaging in a new competitive process for each individual project to be performed; however, from among as-needed contractors each individual project is assigned on the basis of availability of an as-needed contractor to perform the work, the price to be charged and the unique expertise of the as-needed contractor;
3. Find pursuant to Charter Section 372 that obtaining competitive proposals or bids for each individual project for which work maybe performed pursuant to this agreement is not reasonable, practicable or compatible with the Department's interests of having available as-needed contractors who are assigned various projects on the basis of availability, price and expertise and that it is therefore necessary to have several as-needed contractors for this type of service available when called upon by the Department to perform services;

REPORT OF GENERAL MANAGER

PG. 2                      NO. 10-263

4. Find pursuant to Charter Section 1022 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 therefore more feasible, economical and in the Department's best interest, to secure these services by contract;
5. Direct the Board Secretary to transmit the proposed Amendment to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review and approval as to form; and,
6. Authorize the Board President and Secretary to execute the Amendment, upon receipt of the necessary approvals.

SUMMARY:

On February 17, 2000, the Department entered into a personal services contract with Frank R. Webb Architects, Inc., for as-needed architectural design services. The term was for six (6) years, expiring on February 16, 2006, and the amount was for up to \$600,000.

On January 30, 2006, Amendment No. 1 to the contract was executed which increased the contract amount by \$600,000, for a new contract amount of up to \$1,200,000 and extended the term of the contract for an additional five (5) years for a total of eleven (11) years.

The firm is currently working on the Hansen Dam Phase II – Ranger Station Project. The project is in construction and requires the administrative construction support from Frank R. Webb Architects, Inc. At this time, the project construction schedule extends beyond the term of the consultant contract.

The Department does not have available personnel to perform these specialized professional tasks in a timely manner due to staffing shortages and the existing demands on staff workloads, therefore, making it impossible to meet other project requirements and deadlines. The adjustment in yearly hourly rates from 2011 through 2013 is an acceptable industry practice and conforms to normal cost of living adjustments. This Amendment will allow this consultant to continue working on the Hansen Dam Phase II – Ranger Station Project through its completion.

This Amendment No. 2 is recommended 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 Amendment.