



DISCUSSION ITEM

Agenda Item # 6

AGENDA REPORT SUMMARY

Meeting Date: April 27, 2021

Subject: Amendment No. 5 to the Agreement between the City of Los Altos, California and Noll and Tam Architects, Inc. for the additional Design / Professional Consulting Services for Hillview Community Center Redevelopment Project CF-01002.

Prepared by: Peter Maslo, Project Manager

Reviewed by: Jim Sandoval, Engineering Services Director

Approved by: Brad Kilger, Interim City Manager

Attachment(s):

1. Noll and Tam's Architects Scope of Services

Initiated by:

City Council – CIP Project CF - 01002

Previous Council Consideration:

July 9, 2019; March 12, 2019; September 11, 2018; July 10, 2018; March 13, 2018; December 12, 2017; September 26, 2017; August 22, 2017, May 23, 2017; April 25, 2017; July 30, 2019; October 13, 2020; October 27, 2020

Fiscal Impact:

The following contract amendment will cost \$117,581 and is funded by the approved Los Altos Community Center Project CF – 01002 in the Capital Improvement Program. Funds would be encumbered from available proceeds within the approved \$38.34M project budget. Including this amendment, the project remains under budget and no additional funding to the project is required.

- Breakdown of funds to be used:
 - o \$117,581 General Fund
- Amount already included in approved budget: Y
- Amount above budget requested: \$0

Reviewed By:

City Manager

BK

City Attorney

JH

Finance Director

JM



Subject: Professional Design Services Agreement Amendment: Community Center Project

Additional Service Requests

PROJECT ITEM	PROJECT BUDGET
ASR 17 – Extended Civil Services for Work nearby Museum	\$8,800
ASR 18 – Project Schedule Extension	\$108,781
TOTAL PROJECT BUDGET	\$117,581

Environmental Review:

Not applicable

Policy Question(s) for Council Consideration:

- None

Summary:

- Noll & Tam’s Design and Architectural Services are essential and needed until completion of the Los Altos Community Center.
- Noll & Tam is contracted with the City as the Architect for the design and architectural services of Los Altos Community Center.
- A proposed Amendment No. 5 includes essential design updates and consulting services that were unforeseen and necessary to construct the Los Altos Community Center with good quality and minimal schedule delays. Currently, the projected date for Final Completion is mid-June 2021, which represents approximately seven months extension of the original contract completion date of November 25, 2020.

Staff Recommendation:

Authorize the Interim City Manager to execute a contract amendment on behalf of the City with Noll & Tam Architects for added scope of services on the Los Altos Community Center Project in the amount of \$117,581.

Purpose

Execute an amendment for \$117,581 to the existing agreement with Noll & Tam Architects for the Los Altos Community Center Project.



Subject: Professional Design Services Agreement Amendment: Community Center Project

Background

On August 22, 2017, Council authorized the execution of a professional services agreement between the City of Los Altos and Noll & Tam Architects in an amount not to exceed \$2,804,597 for design services for the Community Center Project. Subsequent Amendment Nos. 1-3 were approved by the Council on June 4, 2018, August 7, 2018, and July 30, 2019, respectively.

Amendment No.4 was approved by the Council on October 27, 2020 in the amount of \$425,863 for design updates and consulting services that were unforeseen and necessary during construction through mid-October 2020. Amendment No. 4 also included a three-month extension of Noll and Tam's contract period to match the construction delays from COVID-19 and other unforeseen conditions. At the time, staff foresaw further the potential for delays to the construction schedule and recommended a longer extension. However, the Council felt more comfortable with staff returning to them once the need for additional time and funding was confirmed.

Discussion/Analysis

Similar to Amendment No. 4, Amendment No. 5 includes unforeseen design updates that occurred since October and a schedule extension to match the current construction schedule. A detailed breakdown of the request is shown below:

- **ASR 17 – Extended Civil Services \$8,800:** City staff requested that Noll & Tam provide design services for modifications to site work adjacent to the History Museum as documented and specified in ASI 078 and supplemental surveying and paving work as documented and specified in ASI 082. The work of ASI 078 modified the site design adjacent to the History Museum. Modifications in ASI 078 include re-alignment and coordination of paving with the new History Museum fence (work of another project), installation of a new drinking fountain to replace an existing drinking fountain, and minor adjustments to project grading to conform to existing conditions. ASI 082 specified adjustments to existing paving at the interface of new and existing driveways.
- **ASR 18 – Project Schedule Extension \$108,781:** Additional service request to cover a schedule extension of two months for Noll & Tam and its subconsultants (DSE, CE+G, MIG, BKF and OMM). Gonsalves and Stronck's latest construction schedule has revised the project Substantial Completion date from March 21, 2021 to May 21, 2021, for a period of two months. This additional service request provides an additional fee for extended Construction Administration services for that period for Noll and Tam and their subcontractors: BKF (Civil Engineering), OMM (Electrical Engineering) and MiG (Landscape Design). The scope and projected monthly fee during construction for the Noll and Tam team is consistent with hours invoiced in late 2020 and early 2021 and includes projected hours for continued design activities that may be needed to address unforeseen construction issues that arise prior to Substantial Completion.

ASR 18 also includes an additional fee of \$21,824 for CE+G (Geotechnical Consultant) because the projections set forth by CE+G in Amendment No. 4/ASR 12 fell short of the



Subject: Professional Design Services Agreement Amendment: Community Center Project

actual quantity of site observation visits and analysis required by the project's construction progress. Finally, ASR 18 includes additional fee for minor structural engineering scope additions associated with the Monument Sign on Hillview Avenue, and design updates for the rooftop fall protection system.

Options

- 1) Authorize the Interim City Manager to execute an amendment with Noll and Tam Architects for professional services in the amount of \$117,581.

Advantages: Allows the design team to continue to provide construction support services through project completion and closeout the Los Altos Community Center and allows Noll and Tam to be compensated for unforeseen design modifications that came up during construction since October.

Disadvantages: None

- 2) Do not authorize the Interim City Manager to execute an amendment with Noll and Tam Architects for professional services in the amount of \$117,581.

Advantages: None

Disadvantages: Noll and Tam Architects will be unable to continue providing construction support services through the construction of the facilities finishes, site work, commissioning, punch list items and close-out, and they will not be compensated for the unforeseen design modifications that came up during construction since October.

Recommendation

The staff recommends Option 1.

Los Altos Community Center
ASR #17- EXTENDED CIVIL

January 20, 2021

Peter Maslo

Project Manager, City of Los Altos
1 N. San Antonio Rd Los Altos, CA 94022

Re: Additional Service Request #17 Extended Civil Services

NOVA PARTNERS
INCORPORATED

Approved by: **Sam Tooley**
Date: **March 1, 2021**
Amount: **\$8,800.00**

Dear Mr. Maslo,

We respectfully submit this additional service proposal for design services associated with design and construction administration for modifications to site work adjacent to the History Museum and ASI 082 Supplemental surveying and paving work.

In addition to the owner requested changes, BKF is requesting additional fee for the extended project schedule. BKF was not included in the recently granted schedule extension request and the attached proposal includes and a narrative supporting the request.

For the above scope, we propose a total fee of \$ 8,800.00. The total proposed fee includes Noll and Tam standard 10% markup.

Please contact me if you have questions or need additional information.

Sincerely,



James Gwise
Project Manager

date
01/20/21

Approved:



Peter Maslo
Project Manager
City of Los Altos

3/2/2021

date

Attached: BKF Proposal

Fee Schedule:

Noll and Tam Proposed Fee			
Staff	Rate	Hours	Fee
Dora Pollak	140	0	\$0.00
James Gwise	180	0	\$0.00

BKF Proposed Fees		
ASI 082 Supplemental Surveying and Paving		\$1,500.00
History Museum Revisions		\$1,500.00
Additional Construction Support		\$5,000.00
Total		\$8,000.00
NT Markup		\$800.00
Total Proposed Fee Noll+Tam and BKF		\$8,800.00

January 13, 2021
BKF No. 20170208-11

Mr. James Gwise
Noll & Tam Architects
729 Heinz Avenue, #7
Berkeley, CA 94710
Email: james.gwise@nollandtam.com

SUBJECT: ADDITIONAL SERVICE REQUEST #05 LOS ALTOS COMMUNITY CENTER, LOS ALTOS

Dear James,

Thank you again for your continued use of BKF on your project. We would like to take this time to alert you to some additional services we are working on, which are outside of our original scope of work. The below additional scope items are the result of additional requests from the City and the demands of the project.

TASK 1: ASI 082 SUPPLEMENTAL SURVEY AND PAVING

Fee: \$1,500

Per request from Nova Partners, BKF provided supplemental topographic survey and civil engineering support associated with ASI 082, which included expanded paving/repaving limits at the Museum drive aisle conform. As part of this work, a BKF survey crew visited the site, tied into existing site control (as we are not surveyor of record for the project) and provided topographic survey mapping of the ASI 082 area, capturing both the as-built condition and surrounding existing conditions. The BKF civil team reviewed this survey data, along existing pavement conditions in order to define new expanded paving limits issued in ASI 082.

TASK 2: HISTORY MUSEUM REVISIONS

Fee: \$1,500

As part of ASI 078, BKF incorporated additional revisions to the site grading and utility plans in order to accommodate increased areas of new pavement in front to the museum and relocation of the existing drinking fountain. We made also made revisions to the site plan and horizontal control drawings.

TASK 3: ADDITIONAL CONSTRUCTION SUPPORT

Fee: \$5,000

To date BKF has attended (3) visits to the site to review construction in progress, attended several meetings both onsite and remotely, provided responses to RFIs in both formal and informal revisions, and reviewed contractor submittals for various aspects of the civil engineering scope of work, many of which required multiple submittals and resubmittals by the construction team. The extent of this work, along with the extended construction schedule has exhausted our construction support budget. In order to continue to provide construction support in the form of RFI responses and design sketches, design team coordination and onsite review, we are requesting the additional fee indicated above. We have budgeted for up to two additional onsite observations and final site punchwalk upon completion of the civil engineering scope of work, as well as general construction support through updated project completion, anticipated to be May 2021. We have not included additional budget for attendance at regular OAC meetings but can use said meeting time for team coordination as needed. This scope is in addition to Task 6: Project Closeout Phase, outlined in our original proposal.

Please provide your acceptance of this Additional Service Request by signing below. Should you have any questions regarding the additional scope of services or fees, please do not hesitate to contact me at (650) 482-6457.

Very truly yours,
BKF ENGINEERS



Dale Leda, PE, QSD/QSP
Project Manager

Approved: _____
James Gwise, Noll & Tam Architects

Date

Los Altos Community Center

ASR #18


April 12, 2021

Peter Maslo

Project Manager

City of Los Altos

1 N. San Antonio Rd Los Altos, CA 94022



Approved by: **Saul Flores**
 Date: **April 14, 2021**
 Amount: **\$108,781.00**

Re: Additional Service Request #18, Project Schedule Extension

Dear Mr. Maslo,

We respectfully submit this additional service proposal associated with the G+S extended construction schedule. G+S's February construction schedule update pushes Substantial Completion from March 21st to May 21st. In accordance with the extended schedule, we are requesting fee for an additional two months of construction administration activities.

Daedalus is requesting additional compensation for redesign of the fall protection system because the vendor would not provide engineering services for the installation of the system as specified in the contract documents. We are also requesting additional fee for Daedalus to design footings for the monument sign. The sign is indicated in the drawings without footing design.

Cal Engineering is requesting additional services for extended site visits (more than anticipated and CA activities.

Additional fee is proposed for other consultant activities associated with the delay of substantial completion.

A total fee of \$108,781.00 for Noll+Tam and Design Consultants is proposed; see the next page for the fee breakdown. Please contact me at your earliest convenience with questions or comments regarding this proposal.

Sincerely,



Approved:



James Gwise
Project Manager

date
04/12/2021

Peter Maslo
Project Manager
City of Los Altos

date

Fees

Noll and Tam	Hrs/Mth	Mths	Total Hrs	Rate	Fee
Dora Pollak	120	2	240	140	33,600.00
James Gwise	80	2	160	170	27,200.00
Janet Tam	6	2	12	210	2,520.00
Subtotal					63,320.00

Consultants		
DSE	Fall protection detailing	5,637.00
DSE	Monument Sign Footing (est. not to exceed)	1,500.00
CE+G	Extended/Continued CA	21,824.00
MIG	Continued CA	5,500.00
BKF	Continued CA	5,500.00
OMM	Continued CA	5,500.00
Total Consultant Fee (includes NT 10% markup)		45,461.00

Total Fee: Noll+Tam and Consultants **108,781.00**

Notes:

NT fee invoiced percent complete of lump sum

Consultant Fee invoiced time and materials not to exceed stated value without prior authorization