

APPROVED

REPORT OF GENERAL MANAGER

NO. 08-195

JUL 09 2008

DATE July 9, 2008

**BOARD OF RECREATION
and PARK COMMISSIONERS**

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AMENDMENT NO. 3 TO CONSULTANT CONTRACT NO. 3029 WITH
WITHERS & SANDGREN, LTD., FOR AS-NEEDED LANDSCAPING
ARCHITECTURAL DESIGN SERVICES

| | |
|------------------|-----------------|
| R. Adams _____ | J. Kolb _____ |
| H. Fujita _____ | F. Mok _____ |
| S. Huntley _____ | K. Regan _____ |
| V. Israel _____ | *M. Shull _____ |

as forms

[Signature]
General Manager

Approved _____

Disapproved _____

Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve Amendment No. 3, substantially in the form on file in the Board Office, to Contract No. 3029, with Withers & Sandgren, Ltd., extending the term of the contract by two (2) years for a new total of eleven (11) years and increasing the contract amount by \$300,000 from \$900,000 to \$1,200,000, subject to approval of 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, that 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 Amendment to the Mayor in accordance with Executive Directive No. 3, and concurrently to the City Attorney for review as to form; and,
4. Upon receipt of necessary approvals, authorize the Board President and Secretary to execute the proposed Amendment.

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SUMMARY:

On September 5, 2001, the Department entered into a personal services contract with Withers, Sandgren & Smith, Ltd., for as-needed landscaping architectural design services. The term was for six (6) years, expiring on September 4, 2007, and the amount was for \$600,000. Amendment No. 1, which changed the consultant's name to Withers & Sandgren, Ltd., was executed on May 5, 2004. Amendment No. 2 was approved by the Board on January 18, 2006 (Board Report No. 06-16) and executed on November 15, 2006, which increased the term by three (3) years, for a total of nine (9) years and increased the contract amount by \$300,000, for a new contract amount of \$900,000.

The firm has worked on several Department projects including, Elysian Park Master Plan and Taylor Yard Project – Phase II. At this time, the consultant has been assigned work on the Rosecrans Sports Field Refurbishment project, which will extend beyond the current contract term. The Department does not have available personnel to perform these specialized professional tasks this project requires for completion in a timely manner due to the existing workload requirements and deadlines. This amendment will extend the contract for an additional two (2) years, for a new total contract term of eleven (11) years and increase the contract amount by \$300,000, for a new contract amount of \$1,200,000. The yearly hourly rates will not increase through 2012, while the adjustment made to the reimbursable automobile mileage expense to conform to cost of living increases is an acceptable industry practice. This Amendment will also allow this consultant to continue working on the Department project through completion.

This Amendment 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.

FISCAL IMPACT STATEMENT:

All compensation to the consultant is provided for within the budget funding for each individual project that the firm works on; therefore, there will be no decrease in revenue or increase in costs to the Department's General Fund.

This report was prepared by Gino Ogtong, Management Analyst II, Planning and Development.