

APPROVED
MAY 20 2009

REPORT OF GENERAL MANAGER

NO. 09-114

DATE May 20, 2009

BOARD OF RECREATION
and PARK COMMISSIONERS

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: AMENDMENT TO SUPPLEMENTAL AGREEMENT NO. 3 TO CONSULTANT
CONTRACT NO. 2649 WITH KANNER ARCHITECTS FOR AS-NEEDED
ARCHITECTURAL DESIGN SERVICES

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

R. Adams
General Manager

Approved ~~_____~~ Disapproved _____ Withdrawn _____

RECOMMENDATION:

That the Board:

1. Approve a proposed Amendment to Supplemental Agreement No. 3 to Contract No. 2649, substantially in the form on file in the Board Office, to Kanner Architects to extend the term of the contract by one year, for a new total of fifteen years, and to increase the contract amount by \$200,000, for a new total amount of \$1,300,000, subject to review and 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, it is more feasible, economical and in the Department's best interest, to secure these services by contract;
3. Find 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;

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4. Find that obtaining competitive proposals or bids for each individual project for which work may be 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;
5. Direct the Board Secretary to transmit the proposed Amendment to Supplemental Agreement No. 3 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 to Supplemental Agreement No. 3, upon receipt of necessary approvals.

SUMMARY:

On July 6, 1995, the Department entered into a personal services contract with Kanner Architects for as-needed Architectural Design services. The term was for three (3) years, which expired on July 5, 1998, and the amount was for \$300,000. On January 6, 1999, Amendment No. 1 was executed which increased the contract amount to \$600,000 and extended the term for an additional two (2) years, for a total of five (5) years.

On November 19, 2001, Supplemental Agreement No. 1 was executed which increased the contract amount by \$200,000, for a new contract amount of \$800,000 and extended the term for an additional three (3) years, for a total of eight (8) years. Subsequently, Supplemental Agreement No. 2 was executed on August 11, 2004, which revised the term by an additional three (3) years, for a new total of eleven (11) years.

On December 11, 2006, Supplemental Agreement No. 3 was executed which increased the contract amount by \$300,000 for a new contract amount of \$1,100,000 and extended the term for an additional three (3) years, for a total of fourteen (14) years.

The firm has worked on several Department projects including, but not limited to, the following: Eagle Rock Child Care Center, Palisades Recreation Center, North Hollywood Recreation Center, Ross Snyder Recreation Building, Lafayette Recreation Center and Ross Snyder Recreation Center Parking Lot/Basketball Court projects. Kanner Architects is currently providing construction administration services for the Lafayette Recreation Center and Ross Snyder Recreation Center Parking Lot/Basketball Court projects. The construction completion dates for Lafayette Recreation Center is scheduled for September 2009 and for the Ross Snyder Recreation Center Parking Lot/Basketball Court project is scheduled for August 2009.

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The Leadership in Energy and Environmental Design (LEED) commissioning for the Lafayette Recreation Center is contracted through Kanner Architects and will be completed approximately 6 months after construction, which is estimated to be on March 2010. LEED is a building rating system created by the Green Building Council that measures sustainability, green design and building performance. The City has adopted a policy requiring all building over 7,500 square feet to meet a minimum of "LEED Certified" level. Kanner Architects is contracted to test, document and observe the building's performance during and after construction in order to meet the minimum LEED Certified level.

At this time, the consultant has been assigned work that will extend over the current term of the contract. The Department does not have available personnel to perform these specialized professional tasks in a timely manner due to the existing demand on staff workload, therefore, making it impossible to meet other project requirements and deadlines. This Amendment to Supplemental Agreement No. 3 will allow this consultant to continue working on these projects through their completion, and will not require any adjustments to the hourly rates through 2010.

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.

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