

APPROVED

SEP 23 2010

REPORT OF GENERAL MANAGER

NO. 10-243

DATE September 23, 2010

BOARD OF RECREATION  
and PARK COMMISSIONERS

C.D. ALL

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SUPPLEMENTAL AGREEMENT NO. 4 TO CONSULTANT CONTRACT NO. 2649 WITH KANNER ARCHITECTS FOR AS-NEEDED ARCHITECTURAL DESIGN SERVICES

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

*[Signature]*  
General Manager

Approved *[Signature]*

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATIONS:

That the Board:

1. Approve a proposed Supplemental Agreement No. 4 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 total of sixteen years, and to increase the contract amount by \$100,000, for a new total amount of \$1,400,000, subject to review and approval of the Mayor, 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 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 in accordance with Charter Section 372, that obtaining competitive proposals or bids for an active construction project designed by Kanner Architects for the sole purpose of completing the Lafayette Park - Recreation Center (W.O. #E170317) project is neither reasonably practicable nor compatible with the City's interest;
4. Direct the Board Secretary to transmit the proposed Supplemental Agreement No. 4 to the Mayor in accordance with Executive Directive No. 3. and concurrently to the City Attorney for review and approval as to form; and,

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5. Authorize the Board President and Secretary to execute Supplemental Agreement No. 4, 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 12, 2006, Supplemental Agreement No. 3 was executed which increased the contract amount by \$300,00 for a new contract amount of \$1,100,00 and extended the term for an additional three (3) years, for a total of fourteen (14) years.

On September 2, 2009, an Amendment to Supplemental Agreement No. 3 was executed which increased the contract amount by \$200,000 for a new contract amount of \$1,300,000 and extended the term for an additional one (1) year, for a total of fifteen (15) years. With this Amendment, the contract extension date was extended to July 5, 2010.

Approval of this proposed Supplemental Agreement No. 4 to Contract No. 2649 will extend the contract term to July 5, 2011.

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 Park – Recreation Center (W.O. #E170317). The construction completion date for Lafayette Park – Recreation Center is scheduled for December 2010.

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 June 2011. LEED is a building rating system created by the Green Building Council that measures sustainability, green, design and

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building performance. The City has adopted a policy requiring all buildings over 7,500 square 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 additional project requirements and deadlines.

The construction completion for the Lafayette Recreation Center has been delayed and is behind schedule. On the July 14, 2010 the BOE reported the status and reasons for delay to the RAP Board at its regular session. This Supplemental Agreement No. 4 will allow this consultant to continue working on this project through its completion.

The consultant contract will not require any adjustments to the hourly rates through 2010. This was reflected in their proposal.

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 Jaime Contreras, Project Manager, Recreational and Cultural Facilities, BOE. Reviewed by Neil Drucker, Program Manager, Recreational and Cultural Facilities Program, BOE; Deborah Weintraub, Chief Deputy City Engineer, BOE; and Michael A. Shull, Superintendent, Planning and Construction Division, Department of Recreation and Parks.