



## **STAFF REPORT**

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RESOLUTION APPROVING AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GARAVAGLIA ARCHITECTURE, INC. FOR ARCHITECTURAL AND ENGINEERING SERVICES IN AN AMOUNT NOT TO EXCEED \$87,800 FOR THE EMMETT HOUSE RELOCATION PROJECT, CITY CONTRACT NUMBER 478

Honorable Chair and Board Members:

### **Summary**

This report recommends the Redevelopment Agency approve Contract Amendment No. 3 to the Professional Services Agreement with Garavaglia Architecture, Inc. for out of scope construction support technical services on the Emmett House Relocation Project, City Contract Number 478.

### **Background**

The Board has reviewed and considered several issues associated with developing the Emmett House for affordable housing. The following provides the salient history of the project:

In 1994, the Agency purchased the vacant lot at the northwest corner of Sixth and O'Neill Avenues. The purchase was funded entirely with RDA Housing funds, therefore the site is limited to the development of 100% affordable housing. Flood control improvement were undertaken on the site in 1999 using Housing Funds.

In 1996, the Agency purchased the Emmett House and site near the southwest corner of Ralston Avenue and El Camino Real using a mix of Housing and General Redevelopment Funds. Again, the use of Housing funds for the purchase of the structure obligates development of the Emmett House for affordable housing.

In February 2002, the Agency directed staff to prepare a plan for relocating the Emmett House onto the lot at Sixth and O'Neill Avenues. The plan was to include development of affordable units within the house, reconstruction of the exterior porch and windows, and undertaking other site improvements necessary to meet the Building and Zoning codes.

In November 2002, the Agency authorized a contract with Garavaglia Architecture, Inc. to develop plans and estimate for relocation and remodel of the Emmett House, based on Board Direction provided in May of the same year. The contract amount was for \$25,500.

In 2003, staff obtained a construction estimate, a survey, soils and geology report for the relocation and remodel, request for proposals for the relocation, reconstruction, and management of the Emmett House was also prepared and circulated. No satisfactory bids were received.

In 2004, the Board authorized the preparation of a pro-forma analysis of the Emmett House relocation and remodel project.

In November 2004, City Council gave staff direction to convert the Emmett House into two residential units. The Redevelopment Agency Board gave staff direction to relocate the Emmett House structure from the Ralston Avenue site to the northwest corner of Sixth and O’Neill Avenues (1000 O’Neill).

The responsibility of the overall Emmett House project was divided into two segments in January 2006. The responsibility of the entitlement process was assigned to the Community Development Department. The responsibility of the roadway vacation, the physical relocation of the Emmett House and the reconstruction of the house into two residential units with landscaping were assigned to the Public Works Department.

In September, 2006, Garavaglia Architecture, Inc. was selected to prepare the plans, specifications and estimates for the necessary improvements to the Emmett House at 1000 O’Neill. The total contract amount with contingencies was \$136,300. The entire contract amount was not utilized and \$113,674.50 was spent prior to purchase order closure.

In October, 2007 the City Council approved a contract extension in the amount of \$40,100 to Garavaglia Architecture, Inc. for additional work that was not part of the original scope of work. The additional work was required as a result of:

- A far more extensive review process by the Planning Commission who requested several site plan design modifications that were not anticipated in the original scope of services.
- Multiple Planning Commission and City Council meetings that had not been included in the original scope of services.
- The City’s decision to split the project into phases. The first phase was the physical relocation of the Emmett House to 1000 O’Neill Avenue and to build the foundation for the house. The second phase was the remodeling of the house into two dwelling units. The contract documents and cost estimates for the two separate phases were not in the original scope of services which included only one undivided project.

On August 12, 2008, the City Council approved a contract amendment in the amount of \$78,200 for the additional scope and re-structured budget that was based on construction administration issues pertaining to the separate construction contract for the relocation of the building to the new site and the nature of studies required for modifications made to the design by the Planning Commission. These fees include not only the architect’s time, but also their sub-consultants.

The following summarizes the expenditure breakdown of \$78,200:

1. Separate construction contract for the Emmett House Relocation and respond to subsequent field decisions. Total fee for this work was \$12,500.
2. Changes required by Planning Commission including the redesign of the two unit layouts modifying kitchens, baths and increasing to three bedrooms for the Planning Commission. Tasks included revising schemes and making presentations at multiple public meetings over period of 14 months, preparation of designed development plans for selected scheme, preparation of alternate landscape concept plans, preparation of design development landscape plans from selected scheme, revisions to the civil and structural documents, consulting and attendance at additional meetings and hearings, budgetary cost estimates with updates for final contract documents, and preparation of the submittal list for construction phase. The cost for this work was a total of \$65,700 which included architect, landscape architect and structural and civil engineering fees.

### **Discussion**

The design and bidding phases of the project are completed. The RDA approved \$1.4 million dollars for the construction phase of the project. The City received multiple bids ranging in price from \$843,925 to \$1.4 million dollars with the project being in the process of getting awarded to the lowest qualified bidder for the amount \$843,925 (including Bid Alternate 1) plus construction contingency in the amount of \$84,393 for a total of \$928,318. It is estimated that the project will start in July depending on contractor's submittals approval.

City staff will not hire an outside project manager and will conduct construction and project management services in-house. The City shall continue using the technical and architectural resources of Garavaglia Architecture, Inc. and their structural, landscaping, civil, mechanical and electrical sub-consultants to ensure that the historic significance of the Emmett House is maintained. It is anticipated that Garavaglia Architecture, Inc. with their sub-consultants will conduct full submittal review, provide periodical inspections of the project during the project duration (260 working days), assist with responding to contractor's requests for information (RFIs), provide all submittals required to obtain a building permit and sub-permits, participate in determining punch list items at the end of the project and do the final inspection. The City staff requested a fixed fee amendment from Garavaglia Architecture, Inc. for the services rendered above.

The following summarizes the expenditures breakdown of \$87,800:

1. Construction Administration Scope which include response to contractor's requests for information (RFIs), periodical site inspections, all submittal review and approval. The cost of this task is \$77,800 and includes architect, landscape architect, structural engineer, civil engineer, mechanical engineer and electrical engineer fees.

2. Miscellaneous revisions to drawings which include revisions to architectural, structural, mechanical, electrical, civil and landscaping drawings as clarifications during the construction process and as-built and projected reimbursable expenses. The cost of this task is \$10,000.

#### Other Related Costs for Emmett House

The Redevelopment Agency has authorized other contract work related to the Emmett House Project in the amount of \$2.1 million. They are as follows:

1. Emmett House and Property Acquisition - \$379,454.
2. 1000 O’Neill Property Acquisition - \$210,000.
3. Relocating the Emmett House from Ralston Avenue and setting the Emmett House on a new foundation at 1000 O’Neill. The cost of this work was \$247,486.
4. Tree pruning for the Emmett House relocation - \$3,450.
5. Architectural and Engineering designs of various project phases - \$231,975.
6. Contract planning services with LSA Associates to process all the entitlements of the Emmett House Project through the Planning Commission, Redevelopment Agency and City Council. The RDA has allocated \$54,165 to date for this work.
7. Land survey services of the 1000 O’Neill property and the vacation of a portion of Sixth Avenue. The total cost for this work was \$8,428.
8. Demolishing work at the Emmett House Donor Site - \$14,500.
9. Water Meter Installation by Mid-Peninsula Water District - \$3,550.27.
10. Miscellaneous work pertaining to project advertising, reproduction, distribution and building accessibility from the street - \$5,000.
11. Design Landscape Architects for the Emmett House Donor Site - \$15,500.
12. Building Permit Fee for relocation and foundation installation - \$3,427.98
13. Emmett House Rehabilitation Project award to the lowest bidder for an amount not to exceed \$1,481,335. Project construction actual cost is anticipated be under \$930,000 including contingency.
14. Cleaning of the area of weeds, brush, removal of the concrete and asphalt pieces, mulch and soil piles spreading by Parks and Recreation Department - to be determined in June 2009.

The City also budgeted \$700,000 in RDA account for the Fiscal Year 2009/2010 for drainage improvements and street rehabilitation in the vicinity of Sixth Avenue and O’Neill Avenue. This work will be completed under separate contract and will be coordinated with the Emmett House project.

#### Budget

The original FY 2009 Budget for the Emmett House was \$1,050,000. On March 10, 2009 this budget was increased by \$431,335 to provide enough funds for the construction. The low bid with contingency was \$928,318. There is a balance of \$121,682 remaining in FY 2009 Budget. The cost for additional architectural, engineering, electrical, mechanical and landscaping work

for Amendment No. 3 is \$87,800 bringing the total architectural, engineering, electrical, mechanical and landscaping design costs to \$319,774.50. The FY 2009 project balance after approval of the Amendment No. 3 to Garavaglia Architecture, Inc. will be \$33,882.

**General Plan/ Vision Statement**

*General Plan Goal 1015.4: To Maintain and enhance the appearance of the City through controlling the location, timing, design and landscaping of new development and encouraging renovation of older areas.*

*Housing Element Goal 2: Provide residential sites through land use, zoning, and specific plan designations to encourage a broad range of housing opportunities.*

**Fiscal Impact**

The cost for the Amendment #3 for the architectural, electrical engineering, mechanical engineering, structural engineering and landscaping architecture for this project is \$87,800. The funds are available in Account Number 251-5-901-9519-9020 (822-4633-9519-9020).

**Public Contact**

Posting of the RDA Agenda.

**Recommendation**

It is recommended that the Redevelopment Agency approve Amendment No. 3 to the Professional Services Agreement with Garavaglia Architecture, Inc. for additional architectural and engineering services in the amount not to exceed \$87,800 for the Emmett House Project, City Contract Number 478.

**Alternatives**

1. Take no action
2. Refer back to staff for additional information
3. Deny approval

**Attachments**

- A. Resolution
- B. Exhibit A – Scope of Work/Fee Contract Amendment No. 3

Respectfully submitted,

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Associate Civil Engineer

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Jack R. Crist,  
Executive Director

**REDEVELOPMENT AGENCY RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF BELMONT  
APPROVING AMENDMENT NO. 3 TO THE PROFESSIONAL SERVICES  
AGREEMENT WITH GARAVAGLIA ARCHITECTURE, INC. FOR  
ARCHITECTURAL AND ENGINEERING SERVICES IN AN AMOUNT NOT  
TO EXCEED \$87,800 FOR THE EMMETT HOUSE RELOCATION PROJECT,  
CITY CONTRACT NUMBER 478**

**WHEREAS**, in November 2004, the Redevelopment Agency (RDA) gave staff direction to relocate the Emmett House structure from its current location near the southwest corner of Ralston Avenue and El Camino Real to the northwest corner of Sixth and O'Neill Avenues; and,

**WHEREAS**, in September 2006, the RDA approved the award of contract to Garavaglia Architecture, Inc. for architectural and engineering services for the relocation and rehabilitation of the Emmett House in an amount not to exceed \$136,300 for the Emmett House Relocation Project, City Contract Number 478; and,

**WHEREAS**, in October 2007, the RDA approved a contract extension to Garavaglia Architecture, Inc. for additional work that was not part of the original scope of work extending the contract amount to \$40,100; and,

**WHEREAS**, on August 12, 2008, the City Council approved a contract amendment in the amount of \$78,200 for the additional scope and re-structured budget that was based on construction administration issues pertaining to the separate construction contract for the relocation of the building to the new site and the nature of studies required for modifications made to the design by the Planning Commission; and,

**WHEREAS**, the City staff requested a fixed fee amendment from Garavaglia Architecture, Inc. and their sub-consultants to conduct full submittal review, provide periodical inspections of the project during the project duration (260 working days), assist with responding to contractor's requests for information (RFIs), provide all submittals required to obtain a building permit and sub-permits, participate in determining punch list items in the end of the project and do final inspection for a cost of \$87,800; and,

**WHEREAS**, Exhibit A provides a description of the additional scope fee schedule; and,

**WHEREAS**, the cost for additional architectural, engineering and landscaping work for Amendment No. 3 is \$87,800 bringing the total Architectural/Engineering cost to date for this project to \$319,774.50 using available funds from Account Number 251-5-901-9519-9020 (822-4633-9519-9020);and,

**WHEREAS**, it is recommended that the Redevelopment Agency approve Amendment No. 3 to the Professional Services Agreement with Garavaglia Architecture, Inc. for additional architectural and engineering services in the amount not to exceed \$87,800 for the Emmett House Project, City Contract Number 478.

**NOW, THEREFORE, BE IT RESOLVED** that the Redevelopment Agency of the City of Belmont approves Amendment No. 3 to the Professional Services Agreement with Garavaglia Architecture, Inc. for additional architectural and engineering services in the amount not to exceed \$87,800 for the Emmett House Project, City Contract Number 478.

\* \* \* \* \*

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the Redevelopment Agency of the City of Belmont at a regular meeting thereof held on June 9, 2009 by the following vote:

AYES, DIRECTORS: \_\_\_\_\_

NOES, DIRECTORS: \_\_\_\_\_

ABSTAIN, DIRECTORS: \_\_\_\_\_

ABSENT, DIRECTORS: \_\_\_\_\_

\_\_\_\_\_  
Secretary, Redevelopment Agency

APPROVED:

\_\_\_\_\_  
Chair, Redevelopment Agency

# Exhibit A

## Scope of Work / Fee Contract Addendum No. 3 to City Contract Number 478

Garavaglia Architecture, Inc. proposes the following fixed fee addendum to the original contract, dated 26 September 2006, for architectural, landscape and engineering tasks for the historic Emmett House Relocation and Rehabilitation Project. The sub-consultants include Structural Engineering (Duquette Engineering), M/E/P Engineering (Salas O'Brien), Landscape Architecture (PGA Design), and Civil Engineering (TS Engineering.) We assume at this time that a reasonable service level and average level of sophistication for documentation is required.

The additional scope and re-structured budget is based on construction administration issues pertaining to the final design as reviewed and accepted by the Planning Commission. These fee amounts generally reflect the work required to provide construction period related services and includes our time in addition to that of our consultants.

The additional fee requested for the Bid Assistance represents the actual effort required to assist in the preparation of the bid documents as well as responding to contractor questions. The original contract amount had not anticipated the division of the project into two separate bid packages nor the additional effort required to produce the bid documents. Addendum 1 and Addendum 2 had only accounted for the effort to creating a separate bid documents for the building relocation.

### **1. Construction Administration Scope**

The original contract had limited fees included for Construction Administration. The following chart represents our understanding of the current scope of work during construction for the rehabilitation of the Emmett House. Included is pre-construction coordination with City and selected contractor, kick-off meeting, review of initial submittals and response to initial RFIs prior to start of construction.

- a. Fees are based on the following assumptions and level of experience of the contractor in working on historic structures - the relative service level that the City desires will affect the final fee:

	<u>SITE VISITS</u>	<u>RFI'S</u>	<u>SUBMITTALS</u>	<u>MISC (hours)</u>
Architect	50	35	15	75
Structural	4	10	5	10
M/E/P	2	10	10	8
Landscape	4	10	5	8
Civil	2	2	1	4

The projected total fee for work under section 1 will be

**\$78,800**

**2. Miscellaneous Revisions to Drawings**

Even with all well planned projects existing conditions commonly require revisions to drawings as clarifications during the construction process.

The projected total fee for work under section 2 will be \$5,000

The projected reimbursable expenses will be \$4,000

The services above are based on our billing rates. If additional services are desired, our fees shall be broken into the same rates as follows:

**GARAVAGLIA ARCHITECTURE, INC.**

Principal time (public meetings, consulting, client meetings, principal project management, principal construction administration, etc.):	\$175 per hour
Senior Project Manager (code research, management, construction administration, etc.):	\$135 per hour
Preservation Services Manager	\$120 per hour
Project Manager	\$120 per hour
Architectural Conservator	\$110 per hour
Job Captain	\$100 per hour
Designer (design of floor plans, elevations, sections, details, materials, color selection, etc.):	\$95 per hour
Architectural Historian	\$95 per hour
Senior Drafter (measurements, computer drafting, photographs, preparation of presentation and construction documents, etc.):	\$90 per hour
Intermediate Drafter	\$85 per hour
Research Assistant	\$80 per hour
Administrative Assistant:	\$65 per hour

**DUQUETTE ENGINEERING**

Principal	\$180 per hour
Project Engineer	\$130 per hour
Staff Engineer	\$105 per hour
CAD/Engineering Assistant	\$90 per hour
Administrative Assistant	\$70 per hour

**SALAS O'BRIEN ENGINEERS**

Principal	\$175 per hour
Director (VP)	\$160 per hour
Architect/Professional Engineer	\$140 per hour
Designer/Project Engineer	\$120 per hour
Construction Project Manager	\$120 per hour
Sr. Designer/Drafter (ACAD)	\$110 per hour
Resource Specialist/Drafter	\$100 per hour
Administrative Support	\$75 per hour

**PGA DESIGN, INC.**

Principal	\$155 per hour
Project Manager	\$115 per hour
Administrative Assistant	\$80 per hour

**TS CIVIL ENGINEERING**

Principal Engineer	\$210 per hour
Assistant Engineer	\$140 per hour
CAD Drafter	\$100 per hour

file: 090515-Emmett-Add-Prop-3r