

REPORT OF GENERAL MANAGER

NO. 02-131

DATE April 3, 2002

C.D. \_\_\_\_\_

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: SUPPLEMENTAL AGREEMENT NO.1 TO CONSULTANT CONTRACT NO. 2667  
WITH BOA ARCHITECTURE FOR AS-NEEDED ARCHITECTURAL DESIGN  
SERVICES

J. Combs \_\_\_\_\_  
A. Corrales \_\_\_\_\_  
J. Duggan JD  
J. Kolb \_\_\_\_\_

H. Fujita \_\_\_\_\_  
\*M. Tamuri MT  
M. Matthews \_\_\_\_\_

Margie Matthews  
General Manager

Approved \_\_\_\_\_

Disapproved \_\_\_\_\_

Withdrawn \_\_\_\_\_

RECOMMENDATION:

It is recommended that the Board:

1. Approve Supplemental Agreement No. 1 increasing the term of the contract for an additional three (3) years; and,
2. Direct the Board Secretary to transmit the proposed Agreement to the Mayor in accordance with Executive Directive No. 16, concurrently to the City Attorney for review as to form, and upon the Mayor's and City Attorney's approval, authorize the President and Secretary of the Board to execute the Agreement.

SUMMARY:

On July 19, 1995, the Department entered into Contract No. 2667 with B.O.A. Architecture for as-needed architectural design services for design of the Banning Residence Museum (#2801N) project, recently transferred to the Bureau of Engineering, and Wilmington Multi-Purpose Center (#1803A) project, for a term of three (3) years for a total of \$300,000.00.

On February 3, 1999, Amendment No. 1 was executed extending the term of the contract for an additional three years for a new total of six (6) years, and increasing the contract amount an additional \$300,000.00 for a new total of \$600,000.00 maximum compensation paid to the consultant.

Unfortunately, the design contract expired July 2001. However, construction is still incomplete at the Wilmington Multi-Purpose Center project but the services of the designer continue to be needed. Because the contract can no longer be amended, it is recommended that a three (3) year extension

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in the form of a Supplemental Agreement be approved. The agreement will be retroactive to the expiration date of July 18, 2001. This will enable the firm to be paid for work done after that date but, before this Supplemental Agreement is executed. The time extension will also provide enough additional time for the designer to continue providing consultation services for the life of the project.

The Board should note that BOA Architecture is not a MBE/WBE firm, however, they have agreed to conduct an outreach effort if the services of a sub-consultant are required.

The firm has agreed in writing to comply with and/or has submitted the appropriate, executed forms (listed below) as outlined on the CAO's "Analysis of Proposed Contract" form:

Child Care and Child Support Declaration Statements

Affirmative Action Program

Business Tax Registration Certificate

Equal Benefits Ordinance

MBE/WBE Policy

Living Wage, Service Worker Retention Ordinance

Insurance Requirements

All compensation to the consultant is provided in the funding of the project; therefore, there will be no decrease in revenue or increase in costs to the City.

This contract is recommended for amendment 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.

Prepared by Veronica Buenrostro, Management Assistant.