



# City of San Leandro

Meeting Date: July 15, 2019

## Staff Report

---

**File Number:** 19-257 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.D.

**TO:** City Council

**FROM:** Jeff Kay  
City Manager

**BY:** Keith Cooke  
Engineering & Transportation Director

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** Staff Report for a City of San Leandro City Council Resolution to Approve Amendment No. 1 to an Existing Consulting Services Agreement with Glass Architects for the Preparation of Construction Ready Plans, Specifications and Estimates for the Farrelly Pool Replacement Project, Project No. 2018.3420, to Increase the Amount of Compensation by \$104,640 for a Total not to Exceed Amount of \$417,767

---

### SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council approve Amendment No. 1 to the existing Consulting Services Agreement with Glass Architects in the amount of \$140,640, resulting in a total contract amount of \$417,767, a 51% increase to the existing contract, and authorize the City Manager to execute Amendment No. 1

### BACKGROUND

On April 16, 2018, the City Council approved a Consulting Services Agreement (CSA) with Glass Architects for the Farrelly Pool Replacement project for \$277,127, and authorized a maximum contract change order of 25%. The original design contract did not include Leadership in Energy and Environmental Design (LEED) provisions because remodeling severely limited the ability to include such design features. In addition, the anticipated pre-design construction cost was below the City threshold that requires incorporation of LEED certification. San Leandro Municipal Code Section 3-19 requires LEED Silver certification for all construction projects that exceed a current construction value of \$4,008,000 (\$3,000,000 in 2008 dollars based on the Building Cost Index adjustment). Based on the increased project valuation, the CSA with Glass Architects requires an amendment to provide the necessary design services to obtain a LEED Silver certification for this project.

The original CSA with Glass Architects was to remodel Farrelly Pool at an estimated construction cost of \$2,000,000. During the initial design phase, two issues became apparent: 1) Construction

costs increased significantly since the original project scope and estimate were prepared, and 2) The cost to replace the existing facility would be roughly equal to remodeling the facility as originally envisioned because of the extent of repairs needed to meet current code requirements.

The current project will replace the existing pool facility including the demolition of the existing facility, the construction of a 75 ft by 62 ft swimming pool, the construction of three buildings (consisting of pool equipment building, staff office and locker room), shade structures and four picnic areas.

The purpose of Amendment No. 1 is to cover the additional effort required to design, collect, analyze and submit data required for LEED Silver certification of the Farrelly Pool facility, including civil engineering, mechanical, electrical and landscape construction items.

### **Analysis**

Staff recommends approval of Amendment No. 1 to the CSA with Glass Architects. Approval of this Amendment will allow the consultant to provide services related to LEED including design, collection, evaluation and submission of all required documents to the United States Green Building Council to obtain LEED Silver certification for the project. In addition, incorporation of LEED in the project complies with San Leandro Municipal Code Title 3, Chapter 3-19.

Amendment No. 1 will increase the CSA with Glass Architects by \$140,640 for a total contract amount of \$417,767, an increase of 51% above the original contract amount.

### **Current Agency Policies**

- Maintain and enhance San Leandro's infrastructure
- Support and implement programs, activities and strengthen communication that enhances the quality of life and wellness, celebrates the arts and diversity and promotes civic pride

### **Previous Actions**

- On April 16th, 2018 by Resolution 2018-031, the City Council approved the original design contract with Glass Architects for \$277,127, and authorized cumulative change orders up to 25% (\$69,282) of the original contract amount.
- On April 22, 2019 by Resolution 2019-077, CC awarded a \$134,185 Construction Contract to Demolition Services and Grading, Incorporated for the Farrelly Pool Replacement - Demolition Phase, Project No. 2018.3420; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders Up to a Cumulative Value of 25% of the Original Contract Amount;
- On April 22, 2019 by Resolution 2019-078, CC and to Authorize the City Manager to Execute a Memorandum of Understanding Between the San Leandro Unified School District and the City of San Leandro for the Construction of the Farrelly Pool Replacement.

### **Committee Review and Actions**

- On April 3, 2019, staff presented the 50% design plans and updated project cost projection to the City Council Facilities and Transportation Committee.
- On February 7, 2018, staff presented information on this project as well as the Boys and Girls Club Pool Resurfacing and Family Aquatics Center Competition Pool projects to the City Council Facilities and Transportation Committee

### **Applicable General Plan Policies**

- Policy OSC-1.2 Park Maintenance. Provide for the regular, systematic maintenance of San Leandro's parks and recreational facilities to prevent deterioration, ensure public safety, and permit continued public use and enjoyment.
- Policy OSC-1.4 Priority on Renovation. Where cost savings and equivalent benefits would be achieved, rehabilitate existing recreational facilities before building entirely new facilities. A priority should be placed on renovating athletic fields and swimming pools, improving energy efficiency, and replacing outdated facilities with new facilities that are safe, attractive, and more responsive to current needs.
- Policy OSC-4.1 Joint Use Agreements. Promote joint use agreements between the City and the San Leandro Unified School District and San Lorenzo School District to maximize public access to school recreational facilities and grounds during non-school hours.

### **Permits and/or Variances Granted**

- A City of San Leandro Building Permit will be obtained for this work.
- A Department of State Architect (DSA) permit will be obtained for the perimeter security fence separating this project from the school grounds.

### **Environmental Review**

- This project was deemed Categorical Exempt per California Environmental Quality Act (CEQA) section 15310 Class 1 (d) for existing structures. A CEQA Notice of Exemption was recorded on February 4, 2019 with the Alameda County Recorder's Office.

### **Code Compliance Review**

- A city of San Leandro Building permit will be obtained for the project.
- A permit from Alameda County Health Department will be obtained for the swimming pool.
- A permit from the Department of State Architect (DSA) will be obtained for the perimeter site fence and boundary with the Roosevelt Elementary school grounds.

### **Summary of Public Outreach Efforts**

- A public meeting and open house was held on Wednesday March 27, 2019 at Roosevelt Elementary School. Recreation and Human Services staff distributed flyers to nearby residents. The proposed project, including the pool size and depth, and the building area and footprint, was presented to the public. Staff was available to answer questions and the public was invited to submit comments or suggestions.

**Fiscal Impacts**

The cost of Amendment No. 1 is \$140,640, for a total contract amount of \$417,767; an increase of 50.7% over the original contract amount.

The total expected cost of the pool replacement project, including design, construction, construction management, and contingency was \$4,600,000 and now is estimated at \$6,250,000. Appropriation of additional funds will be requested at the time of award of the contract for the construction phase.

**Budget Authority**

This project is funded as follows:

*Farrelly Pool Replacement*

<u>Account No.</u>	<u>Resolution. Appropriation Date</u>	<u>Amount</u>
210-62-123	Res. 2017-072, June 5, 2017	\$2,300,000
210-62-131	Res. 2017-072, June 5, 2017	\$1,200,000
210-62-131	Res. 2019-094, June 3, 2019	\$1,100,000
<b>Total Available Funding:</b>		<b>\$4,600,000</b>

**ATTACHMENT**

Amendment No. 1 to Contract Services Agreement with Glass Architects

**PREPARED BY:** Mark Goralka, Associate Engineer, Engineering and Transportation Department



# City of San Leandro

Meeting Date: July 15, 2019

## Resolution - Council

---

**File Number:** 19-258

**Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Jeff Kay  
City Manager

**BY:** Keith Cooke  
Engineering & Transportation Director

**FINANCE REVIEW:** David Baum  
Finance Director

**TITLE:** RESOLUTION of the City of San Leandro City Council to Approve Amendment No. 1 to an Existing Consulting Services Agreement with Glass Architects for the Preparation of Construction Ready Plans, Specifications and Estimates for the Farrelly Pool Replacement Project, Project No. 2018.3420 to Increase the Amount of Compensation by \$140,640 for a Total not to Exceed Amount of \$417,767.00 (Provides for additional consulting services necessary to achieve LEED Certification)

---

WHEREAS, an agreement dated April 16, 2018 exists between the City of San Leandro and Glass Architects; and

WHEREAS, a contract change order is required to compensate for additional services; and

WHEREAS, Amendment No. 1 to the agreement, a copy of which is attached and incorporated herein, is presented to this City Council; and

WHEREAS the City Council is familiar with the contents thereof; and

WHEREAS, the City Manager recommends approval of said amendment to the agreement to increase the amount not to exceed \$417,767, and extend the term from June 30, 2020 to December 31, 2020.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That said amendment is hereby approved and execution by the City Manager is hereby authorized.

**AMENDMENT NO. 1 TO CONSULTING SERVICES AGREEMENT BETWEEN  
THE CITY OF SAN LEANDRO AND  
GLASS ARCHITECTS  
FOR  
FARRELLY POOL REPLACEMENT  
PROJECT NO. 2018.3420**

This **Amendment No.1** (“Amendment”) is made by and between the City of San Leandro (“City”) and Glass Architects (“Consultant”) (together sometimes referred to as the “Parties”) as of May 7, 2019, and amends that certain Consulting Services Agreement (“Agreement”) dated May 30, 2018, between the Parties.

**WHEREAS**, City and Consultant have executed the Agreement, pursuant to which Consultant has provided certain consulting services to City with regard to Farrelly Pool Replacement, and

**WHEREAS**, the Parties desire to amend the Agreement to include the necessary additional design revisions and construction administration task necessary for a (LEED) Silver Accreditation

**NOW THEREFORE**, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Agreement as follows:

1. Section 1.1 of the Agreement entitled “Term of Services” is hereby amended to extend the term from June 30, 2020, to December 31, 2020 and

2. Section 2 of the Agreement entitled “Compensation” is hereby amended to pay Consultant a sum not to exceed **FOUR HUNDRED SEVENTEEN THOUSAND SEVEN HUNDRED SEVEN SIXTY SEVEN DOLLARS (\$417,767)**; and

3. Exhibit A of the Agreement entitled “Scope of Services” is hereby amended to add the following at the end of the section

**Leadership in Energy and Environmental Design (LEED) Services**

Consultant will identify and incorporate sustainable building strategies and specific LEED.v4 credits into the project design, including the following tasks and deliverables:

- Review and prioritize LEED credits with Owner to select suitable design features to incorporate into project.
- Coordinate with the Owner’s Commissioning Agent, including organizing and attending coordination meeting if needed.
- Assemble and complete all design phase LEED documentation, online credit statements, and submit the final completed package to the United States Green Building Council (USGBC).
- Incorporate specific LEED credit requirements into contract documents (PS&E).
- Oversee and coordinate the Mechanical Engineer in preparing Building Energy Modeling iterations.

- Support Development of Innovation Credit Documentation (if any such credits are identified and attempted)
- Prepare and submit Design Phase LEED Documentation to USGBC
- Respond to any additional credit documentation requested and resubmit to USGBC as needed.

### **Construction Phase**

Consultant will provide consulting and oversight during the Construction Phase to help ensure implementation of sustainable design strategies and achievement of LEED credits, including the following tasks and deliverables:

- Coordinate with the Owner's Commissioning Agent and participate in a LEED construction kick-off meeting to clarify responsibilities of the contractor and major subcontractors
- Track and address design team documentation responsibilities during the Construction Phase.
- Review, comment, and approve/disapprove contractor LEED submittals
- Work closely with the project team, especially the contractor and major subcontractors, to oversee ongoing performance and track compliance with LEED requirements.
- Obtain the contractor's and subcontractor's Construction Phase LEED documentation,
- Assemble and complete all LEED credit documentation online during the project construction

### **Close-Out Phase**

Consultant will prepare the final LEED documents for submittal to the USGBC for review and certification. Consultant to review the Preliminary Response received from the USGBC and coordinate with the design and construction team in preparing any materials necessary for re-submittal to the USGBC, including the following:

- Final LEED Documentation
- Response to USGBC Preliminary LEED Review
- Communication with USGBC and Acceptance of Final LEED Certification

4. Exhibit B of the Agreement entitled "Compensation Schedule & Reimbursable Expenses" is hereby amended to add the following table:

**Fees for LEED Services**

Discipline	ORIG CSA TOTAL	LEED Design	LEED CA	LEED Registration	TOTAL
Architectural	\$111,945	\$28,850	\$32,000	\$5,150	\$177,945
Aquatics	\$56,396	--	--	--	\$56,396
Structural	\$13,800	\$2,025	\$2,000	--	\$17,825
Mechanical	\$14,864	\$3,650	\$2,100	--	\$20,614
Electrical	\$16,142	--	--	--	\$16,142
Civil	\$37,404	\$16,275	\$2,415	--	\$56,094
Landscape	\$12,176	\$2,375	\$1,900	\$1,900	\$18,351
Estimator	\$14,400	--	--	-	\$14,400
Revision Allowance		\$40,000			\$40,000
<b>TOTALS</b>	<b>\$277,127</b>	<b>\$93,175</b>	<b>\$40,415</b>	<b>\$7,050</b>	<b>\$417,767</b>

5. All other terms shall remain in full force and effect.

This Amendment may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

**SIGNATURES ON FOLLOWING PAGE**



The Parties have executed this Amendment as of the date first written above. The persons whose signatures appear below certify that they are authorized to sign on behalf of the respective Party.

CITY OF SAN LEANDRO

GLASS ARCHITECTS

\_\_\_\_\_  
Jeff Kay, City Manager

\_\_\_\_\_  
Eric Glass, AIA

Attest:

\_\_\_\_\_  
Leticia I. Miguel, City Clerk

Approved as to Fiscal Authority:

\_\_\_\_\_  
David Baum, Finance Director

210-62-123-5120

\_\_\_\_\_  
Account Number

Approved as to Form:

\_\_\_\_\_  
Richard D. Pio Roda, City Attorney