



City Council Report

915 I Street, 1st Floor

Sacramento, CA 95814

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File ID: 2018-00439

March 20, 2018

Consent Item 06

Title: Supplemental Agreement with Kitchell CEM for Trade Agreement with Bagatelos Architectural Glass Systems for Community Center Theater Renovation (M17100100)

Location: 1515 J Street, District 4

Recommendation: Pass a Motion authorizing the City Manager or his designee to execute a supplemental agreement with Kitchell CEM to enter into a trade agreement with Bagatelos Architectural Glass Systems for an amount not-to-exceed \$254,900, bringing the new total not-to-exceed amount of \$1,392,587.

Contact: Desmond Parrington, Project Manager, (916) 808-5044; Fran Halbakken, Assistant City Manager/Project Executive, (916) 808-7194; Office of the City Manager.

Presenter: None

Attachments:

1-Description/Analysis

2-Supplemental Agreement

Description/Analysis

Issue Detail: On June 20, 2017, City Council approved a Pre-Construction Services with an Option for a Guaranteed Maximum Price (GMP) Contract with Kitchell CEM for the Community Center Theater Renovation project.

The Contract contained provisions for Kitchell to enter into trade agreements for a curtain wall and scrim wall, as well as other work. Kitchell has requested a supplemental agreement in conformance with the Contract to compensate Bagatelos Architectural Glass Systems for structural engineering and construction shop drawings.

This work is necessary to complete the plans and specifications for the purpose of obtaining a building permit and avoids a deferred submittal building permit process, which results in reducing project cost.

Policy Considerations: Renovation of the Community Center Theater is consistent with Goal ERC 4.1 Policy 3 of the City's General Plan which states that the City shall enhance the quality of existing City-owned arts and cultural resources and facilities through reinvestment, communications and marketing.

Economic Impacts: Not applicable.

Environmental Considerations: On April 27, 2010, Council found the Theater Renovation to be exempt from CEQA, citing CEQA Guidelines section 15302, which provides that projects involving replacement or reconstruction of existing structures and facilities are exempt from CEQA. (Resolution #2010-208).

Sustainability: The project will be designed utilizing energy efficient standards and will reduce the carbon footprint contribution, therefore helping meet the City of Sacramento's sustainability goal. The facility will be designed in accordance with City policy LU 8.1.5 LEED Standard for City-Owned Buildings, which requires LEED (Leadership in Energy and Environmental Design) Silver or equivalent standard.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: Renovation of the Community Center Theater will address compliance with Americans with Disabilities Act (ADA) requirements, improved patron experience including better sound and acoustics, and theater operations and functionality.

Financial Considerations: The original not-to-exceed amount was \$1,137,687. Staff recommends the approval of the supplemental agreement for a not-to-exceed amount of

\$254,900, bringing the new total not-to-exceed amount to \$1,392,587. There is sufficient funding available in the Convention Center Complex Renovation Project (M17100100) to execute a supplemental agreement. The anticipated construction cost is \$59,740,000. The GMP would be part of a future amendment which will be brought separately to Council in the fall of 2018.

Local Business Enterprise (LBE): Kitchell CEM, Inc. is a local business enterprise.

SUPPLEMENTAL AGREEMENT

Project Title and Job Number: Community Center Theater Renovation (M17100102)

Date: 3/13/2018

Purchase Order #: 0000004711

Supplemental Agreement No.: 1

The City of Sacramento ("City") and Kitchell CEM ("Contractor"), as parties to that certain Professional Services Agreement designated as Agreement Number 2017-0781, including any and all prior supplemental agreements modifying the agreement (the agreement and supplemental agreements are hereafter collectively referred to as the "Agreement"), hereby supplement and modify the Agreement as follows:

1. The scope of Services specified in Exhibit A of the Agreement is amended as follows:

Kitchell CEM shall enter into a trade agreement with Bagatelos Architectural Glass Systems for engineering and shop drawings of a curtain wall and scrim as provided for in the original agreement. City Project Manager shall review and approve trade agreement prior to its execution.


2. In consideration of the additional and/or revised services described in section 1, above, the maximum not-to-exceed amount that is specified in Exhibit B of the Agreement for payment of Contractor's fees and expenses, is increased by \$254,900, and the Agreement's maximum not-to-exceed amount is amended as follows:

Agreement's original not-to-exceed amount:	<u>\$1,137,687</u>
Net change by previous supplemental agreements:	<u>0</u>
Not-to-exceed amount prior to this supplemental agreement:	<u>\$1,137,687</u>
Increase/Decrease by this supplemental agreement:	<u>\$254,900</u>
New not-to exceed amount including all supplemental agreements:	<u>\$1,392,587</u>

3. Contractor agrees that the amount of increase or decrease in the not-to-exceed amount specified in section 2, above, shall constitute full compensation for the additional and/or revised services specified in section 1, above, and shall fully compensate Contractor for any and all direct and indirect costs that may be incurred by Contractor in connection with such additional and/or revised services, including costs associated with any changes and/or delays in work schedules or in the performance of other services or work by Contractor.
4. Contractor warrants and represents that the person or persons executing this supplemental agreement on behalf of Contractor has or have been duly authorized by Contractor to sign this supplemental agreement and bind Contractor to the terms hereof.
5. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect, and Contractor shall perform all of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by this supplemental agreement.

Approval Recommended By:

Approved As To Form By:



Project Manager

Approved By:

City Attorney



Contractor

Approved By:

Attested To By:

City of Sacramento

City Clerk