ACTION SHEET
CITY COUNCIL MEETING OF 05/14/08
ITEM FROM FINANCE COMMITTEE MEETING OF 05/05/08

ISSUE:

10. REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT BETWEEN OWNER AND ARCHITECT – GENOVEVA CHAVEZ COMMUNITY CENTER; AUTOTROPH, INC. (PETER GREENE)

    A. REQUEST FOR APPROVAL OF REIMBURSABLE EXPENSES

    B. REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT – PROJECT FUND

FINANCE COMMITTEE ACTION: APPROVED AS CONSENT ITEM

Requested approval of amendment no. 1 to agreement between owner and architect for Genoveva Chavez Community Center with Autotroph, Inc. in the amount of $15,111 inclusive of gross receipts tax and reimbursable expenses in the amount of $6,000 for a total of $29,143.13. Budget is available in project fund.

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR WURZBURGER	excused		
COUNCILOR CALVERT	X		
COUNCILOR CHAVEZ	X		
COUNCILOR DOMINGUEZ	not present		
CHAIRPERSON ORTIZ	X		

DISK fc1/fcmissue

ACTION SHEET
ITEM FROM THE
PUBLIC WORKS/CIP AND LAND USE COMMITTEE MEETING
OF
MONDAY, APRIL 28, 2008

ITEM 8

GENOVEVA CHAVEZ COMMUNITY CENTER – AMENDMENT NO. 1

- REQUEST FOR APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN OWNER AND ARCHITECT, AUTOTROPH, INC., IN THE AMOUNT OF $15,111 INCLUSIVE OF NMGRT
- REQUEST FOR APPROVAL OF REIMBURSABLE EXPENSES IN THE AMOUNT OF $6,000
- REQUEST FOR APPROVAL OF BUDGET ADJUSTMENT **(PETER GREENE)**

PUBLIC WORKS COMMITTEE ACTION: Approved on Consent

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON BUSHEE			
COUNCILOR CALVERT	X		
COUNCILOR CHAVEZ	Excused		
COUNCILOR ROMERO	X		
COUNCILOR TRUJILLO	X		

City of Santa Fe, New Mexico

memo

DATE: April 28, 2008

TO: Public Works, CIP and Land Use Committee

VIA: Robert Romero, Public Works Department Director
Chris Ortega, Engineering Division Director
Martin Valdez, Community Facilities Section Manager

FROM: Peter Greene, Special Projects Administrator

ISSUE: Genoveva Chavez Community Center—Amendment No. 1 to the Agreement between Owner and Architect, Autotroph, Inc. in the amount of $15,111, inclusive of gross receipts tax (Exhibit "A")
Approval of Reimbursable Expenses in the amount of $6,000
Approval of BAR (Exhibit "B")

SUMMARY:

On February 15, 2008, the City Manager approved the Agreement between Owner and Architect with Autotroph, Inc., in the amount of $29,143.13 to design an ADA accessible parking lot and entry into the therapy pool and modifications to the front entry to provide a more functional space.

Funding for these improvements was derived from 2007 Legislative Appropriations, in the amount of $295,000. The Parks Bond Initiative approved in the March Municipal election provided additional funding to resolve drainage issues at the east side of the facility and to redesign the front counter.

Amendment No. 1, in the amount of $15,111 authorizes Autotroph Inc. to design those improvements. The Engineering Division is also requesting approval of $6,000 in reimbursable expenses to compensate Autotroph, Inc. for required survey information and for printing of the construction documents. These expenses will be reimbursed at cost.

BUDGET:
Funding is available in Business Unit # 52721, GCCC CIP Construction. A BAR (Exhibit "B"), in the amount of $21,111 from 52721.572500, remodeling and replacement, to 52721.572960, WIP Design, is required.

SCHEDULE:

Public Works, CIP, LU Committee Approval of Amendment 1	4/28/08
Finance Committee Approval of Amendment 1	5/5/08
City Council Approval of Amendment 1	5/14/08
Design Completion	5/30/08
Construction Completion	12/12/08

ACTION:
Please recommend to the Finance Committee and the City Council the approval of Amendment No. 1 with Autotroph, Inc. for additional architectural services at the Genoveva Chavez Community Center, approval of the reimbursable expenses, and approval of the attached BAR.

xc: Kathryn Raveling, Finance Director
Terrie Rodriguez, Community Services Director
Liz Roybal, GCCC Division Director
Project File

EXHIBIT A

CITY OF SANTA FE
AMENDMENT No. 1
TO
AGREEMENT BETWEEN OWNER AND ARCHITECT

Amendment No. 1 (the "Amendment") to the Agreement between Owner and Architect, dated February 15, 2008 (the "Agreement") between the City of Santa Fe (the "City") and Autotroph Inc., (the "Architect"). The date of this Amendment shall be the date it is executed by the City.

RECITALS

WHEREAS, the Governing Body of the City of Santa Fe has funded the architect design services for improvements to the Main Entry and Therapy Pool Entry at the Genoveva Chavez Community Center; and

WHEREAS, the Owner desires this Amendment for Professional Architectural Services required for additional services to compensate the Architect for increase in the Scope of Work to include: the design of entry lobby improvements and additional civil engineering to address the steepness of the road grade and drainage problems associated with the therapy pool access. Additionally the design of a new drainage pond will be necessary.

THEREFORE, pursuant to Article 2, paragraph 2.8 and Article 11, paragraph 11.28, Article 13 and Article 14 of the Agreement and for good and valuable consideration, the receipt and sufficiency of which are acknowledge by the parties, the Owner and the Architect agree as follows:

1. MAXIMUM ALLOWABLE CONSTRUCTION COST

Article 5, paragraph 5.1, of the Agreement is amended to increase the Maximum Allowable Construction Cost by one hundred fifty-six thousand two hundred fifty dollars ($156,250) so that Article 5, paragraph 5.1 reads as follows: The Maximum Allowable Construction

Cost (MACC) shall not exceed Three Hundred Eighty-One Thousand Two Hundred and Fifty Dollars ($381,250), including taxes, furnishings, equipment, and contingencies.

2. BASIS OF COMPENSATION

Article 13, paragraph 13.2, subparagraph 13.2.1 of the Agreement is amended to increase the compensation by Fourteen Thousand Dollars ($14,000), so that Article 13, paragraph 13.2, subparagraph 13.2.1, of the Agreement reads in entirety as follows:

13.1 FOR SERVICES, as described in Paragraph 2.0 through 2.6, and any other services included in Article 14 as part of Services, compensation shall be computed as follows:

On the basis of a FIXED FEE of Forty-one Thousand Dollars ($41,000), plus all applicable gross receipts taxes @ 7.9375% = ($3,254.37) for a total compensation of Forty-Four Thousand Two Hundred Fifty-four Dollars and thirty-seven cents ($44,254.37).

13.2.2 Payments for Basic Services shall be made monthly in proportion to services performed so that the compensation at the completion of each Phase, except when the compensation is on the basis of a Multiple of Direct Personnel Expense, shall equal the following percentages of the total Basic Compensation:

Programming Phase/Design Phase.....	(25%)..	$11,063.59
Construction Design/Bid Documents.....	(50%)	$ 22,127.18
Bidding and Negotiations.....	(3%)	$ 1,327.63
Construction Administration.....	(20%)	$ 8,850.87
Acceptance of Project, Release of Liens, Approval by The OWNER of As-Built Drawings and Inspection and Report Eleven Months after Substantial Completion.....	(2%)	$ 885.10
TOTAL COMPENSATION	(100%)	$44,254.37

3. AGREEMENT IN FULL FORCE

Except as specifically provided in this Amendment the Agreement remains and shall remain in full force and effect, in accordance with its terms.

IN WITNESS WHEREOF, the parties have executed this Amendment No.1 to the Agreement between OWNER and ARCHITECT as of the date set forth below.

CITY OF SANTA FE:

_____
DAVID COSS, MAYOR

_____
Date

ATTEST:

_____
YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:

_____
FRANK D. KATZ, CITY ATTORNEY

CONTRACTOR:
AUTOTROPH, INC.

APPROVED:

By: _____
ALEXANDER DZUREC, PRESIDENT

_____
KATHRYN RAVELING, DIRECTOR
FINANCE DEPARTMENT

NM Taxation & Revenue
CRS # 03-082021-00-9
City of Santa Fe Business
Registration # 08-00013599

EXHIBIT B

City of Santa Fe, New Mexico
BUDGET ADJUSTMENT REQUEST (BAR)

DEPARTMENT / DIVISION / SECTION / UNIT NAME	DATE
PUBLIC WORKS/ENGINEERING/GCCC	04/17/2008

ITEM DESCRIPTION	B.U. / LINE ITEM	SUBLEDGER (Finance Dpt. Use Only)	INCREASE	DECREASE
WIP REMODELING	52721.572500		0	21,111
WIP DESIGN	52721.572960		21,111	0
		TOTAL	$ 21,111	$ 21,111

JUSTIFICATION: *(use additional page if needed)*

It is necessary to transfer $21,111 from the remodeling line item 572500 to the design line item 572960 for the additional design services specified in Amendment No.1 Between Owner and Architect with Autotroph Inc. at the Genoveva Chavez Community Center.

Peter Greene 4/17/08		CITY COUNCIL APPROVAL		
Prepared By	Date	City Council Approval Required	Budget Officer	Date
		City Council Approval Date		
Division Director	Date		Finance Director	Date
4.21.08		Agenda Item #:		
Department Director	Date		City Manager	Date