

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: 2/10/20

AGENDA ITEM:	
Botesch, Nash & Hall Architects, P.S. Professional Service Agreement-Supplemental Agreement No. 1	
PREPARED BY:	DIRECTOR APPROVAL:
Gloria Hirashima, Chief Administrative Officer	
DEPARTMENT:	
Executive	
ATTACHMENTS:	
1. Proposed Supplemental Agreement No. 1	
BUDGET CODE:	AMOUNT:
	\$200,000.00
SUMMARY:	

The City executed a Professional Services Agreement (PSA) with Botesch, Nash & Hall Architects, P.S. and DLR Group to provide architectural, engineering and consultant services for the Civic Center Project in September 2018. The existing contract covers programming, design, construction drawings, and construction management for the project duration.

During the design and construction document and bidding phases, the City requested that two options be developed (Base Bid A and Base Bid B). This required development of two separate construction concepts, drawing sets and bid documents- one for the Courts, Police Station and Jail, and a second concept that included the entire project. This was necessary due to uncertainty on final construction costs, budget and potential phasing of the project. In addition, the initial contract did not establish budget for associated work such as wayfinding and signage plans and miscellaneous expenses such as print/advertising/travel etc. (these costs were indicated in the contract as hourly and reimbursable). As a result, funds from later phases of the project were reallocated to cover additional design expenses.

Supplemental Amendment No. 1 will re-establish sufficient funds for services remaining including construction management. Construction management services include expenses for responding to requests for information (RFI's); preparation of change orders and change order pricing, review of technical submittals, and other expenses anticipated to take the project through construction and occupancy. Supplement No. 1 adds an additional \$200,000, resulting in a new contract total of \$3,054,156.00. The contract is also time extended through September 1, 2022 to run through building occupancy and closeout. The Civic Center was awarded to Lydig Construction at a contract amount of \$47.6 million. Total contract costs for programming, design, construction drawings and construction management provided by the architectural/design/engineering firms represents approximately 6.4% of the project construction.

<p>RECOMMENDED ACTION: Staff recommends that Council authorize the Mayor to sign and execute Supplemental Agreement No. 1 with Botesch, Nash & Hall Architects P.S. for the Civic Center Project, increasing the contract amount to \$3,054,156.00 and extending the term to September 1, 2022.</p>
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**SUPPLEMENTAL AGREEMENT NO. 1 TO
PROFESSIONAL SERVICES AGREEMENT BETWEEN
CITY OF MARYSVILLE
AND BOTESCH, NASH & HALL ARCHITECTS, P.S.**

THIS SUPPLEMENTAL AGREEMENT NO. 1 (“Supplemental Agreement”) is made and entered into as of the date of the last signature below, by and between the City of Marysville, a Washington State municipal corporation (“City”) and BOTESCH, NASH & HALL ARCHITECTS, P.S., a professional services corporation (“Consultant”).

WHEREAS, the parties hereto have previously entered into an agreement for architectural services for construction of the Marysville Civic Campus Project (the “Original Agreement”), said Original Agreement being dated August 15, 2018; and

WHEREAS, both parties desire to supplement the Original Agreement, by expanding the Scope of Services to provide for additional work under section 4.2 of the Original Agreement by DLR Group, a subcontractor and to provide compensation therefore;

WHEREAS, both parties desire to supplement the Original Agreement, by extending the term of the Original Agreement;

NOW THEREFORE, in consideration of the terms, conditions, covenants, and performances contained herein or attached and incorporated, and made a part hereof, the parties hereto agree as follows:

1. Exhibit A, as referenced and incorporated in Section 1 of the Original Agreement, “SCOPE OF SERVICES”, shall be replaced by Exhibit A-1, attached hereto and by this references made part of this Supplemental Agreement No. 1, and a part of the Original Agreement.
2. Section 2 of the Original Agreement, “TERM”, is amended to add that the parties agree to extend the term of the Original Agreement to terminate at midnight September 1, 2022.
3. Section 3 of the Original Agreement, “COMPENSATION”, is amended to include the additional Consultant fee of \$ 200,000 and shall read as follows: “In no event shall the compensation paid to Consultant under this Agreement exceed \$3,054,156.00 within the term of the Agreement, including extensions, without the written agreement of the Consultant and the City.”

The total compensation payable to the Consultant is summarized as follows:

Original Agreement	\$ 2,854,156.00
Supplemental Agreement No.1	\$ 200,000.00
Grand Total	\$3,054,156.00

4. Each and every provision of the Original Agreement for Professional Services dated August 15, 2018, shall remain in full force and effect, except as modified herein.

DATED this _____ day of _____, 2020.

CITY OF MARYSVILLE

By _____
Jon Nehring, Mayor

DATED this _____ day of _____, 2020.

BOTESCH, NASH & HALL ARCHITECTS,
P.S.

By _____
Andrew M. Hall
Its: President

ATTEST/AUTHENTICATED:

_____, Deputy City Clerk

Approved as to form:

Jon Walker, City Attorney