RESOLUTION - ACTION REQUESTED 2017-218

MEETING:  April 18, 2017

TO:  The Board of Supervisors

FROM:  Mike Healy, Interim Public Works Director

RE:  Approve a Fifth Amendment to the Agreement with ARG

RECOMMENDATION AND JUSTIFICATION:
Approve a Fifth Amendment to the Agreement with Architectural Resources Group (ARG) to Increase Compensation in the Amount of $20,850 for a total not to exceed amount of $169,270 for continued Engineering Services on Phase II of the Courthouse Rehabilitation Project; and Authorize the Board of Supervisors Chair to Sign the Amendment.

Design effort has increased given the segmentation approach to the project implementation and the modified design addressing ADA entry considerations and the corresponding review discussions with the Historic Design Review Commission concerning the front entrance of the facility and the center monument. Given that these review and discussions continue staff recommends that it is prudent to postpone entry and monument items until the next project phase to allow discussions to continue while further work is accomplished. Phase II will consist of Exterior Rehabilitation including paint, windows, doors, floor stabilization, repair of siding, seismic improvements to the vault and interior electrical upgrades.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
On September 9, 2014 Resolution 2014-471 the Board approved an agreement with ARG for Design and Development of Exterior Repairs. On April 5, 2016 Resolution 16-150 the Board approved a First Amendment to increase compensation by $9,000. On May 10, 2016 Resolution 16-226 the Board approved a Second Amendment to increase compensation by $3,740. On August 2, 2016 Resolution 16-416 the Board approved a Third Amendment to increase compensation by $10,240. On February 21, 2017 Resolution 2017-79 the Board approved a Fourth Amendment to extend the term of the Agreement to June 30, 2018.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve, Phase II of the Rehabilitation will not go forward.

FINANCIAL IMPACT:
Sufficient funding is available for this work within current funding allocation.

ATTACHMENTS:
ARG 5th amd  (PDF)
ARG 4th amd  (DOCX)
AGR 3rd amd  (PDF)
ARG 2nd amd  (PDF)
ARG 1st amend  (PDF)
ARG C# 15-006  (PDF)

CAO RECOMMENDATION
Requested Action Recommended

Dallin Kimble
Dallin Kimble, Interim CAO  4/13/2017

RESULT:  ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER:  Merlin Jones, District II Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
FIFTH AMENDMENT TO AGREEMENT FOR ENGINEERING SERVICES FOR COURTHOUSE REHABILITATION

THIS FIFTH AMENDMENT TO AGREEMENT FOR ENGINEERING FOR PHASE II OF THE COURTHOUSE REHABILITATION is made and entered into this 14th day of April, 2017, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as “County”, and Architectural Resources Group, hereinafter referred to as “Contractor”.

WHEREAS, the County and Contractor have heretofore entered into a Contract dated September 9, 2014, wherein Contractor agreed to provide Architectural and Engineering Services for the Mariposa County Courthouse Rehabilitation Project; and

WHEREAS, County and Contractor entered into a First Amendment to Professional Services Agreement dated April 5, 2016 to extend Term of Agreement from June 30, 2015 to December 31, 2016 and to add project scope and increase compensation by Nine Thousand Dollars ($9,000.) for a total compensation of One Hundred Thirty Four Thousand Two Hundred Ninety Dollars ($134,290.); and

WHEREAS, County and Contractor entered into the Second Amendment dated May 10, 2016 to add to scope of services and to increase compensation by Three Thousand Seven Hundred Forty Dollars ($3,740.) for a total compensation of One Hundred Thirty Eight Thousand Thirty Dollars ($138,030.);

WHEREAS, County and Contractor entered into the Third Amendment dated August 2, 2016 to add to scope of services and to increase compensation by Ten Thousand Two Hundred Forty Dollars ($10,240.) for a total compensation of One Hundred Forty Eight Thousand Two Hundred Seventy Dollars ($148,270.).

WHEREAS, County and Contractor entered into the Fourth Amendment dated February 21, 2017 to extend the term of the agreement to June 30, 2018 for continued Architectural and Engineering Services.
WHEREAS, County and Contractor desire to amend said Contract to increase compensation by Twenty Thousand Eight Hundred Fifty Dollars ($20,850.) for a total compensation of One Hundred Sixty Nine Thousand One Hundred Twenty Dollars ($169,120.) for Phase II of the Courthouse Rehabilitation to be provided to Contractor;

NOW, THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

1. Paragraph 4.01, “COMPENSATION”, is hereby amended to provide that an additional Twenty Thousand Eight Hundred Fifty Dollars ($20,850.) will be added to the amended contract price of One Hundred Forty Eight Thousand Two Hundred Seventy Dollars ($148,270.) making the total compensation paid to Contractor the not to exceed amount of One Hundred Sixty Nine Thousand One Hundred Twenty dollars ($169,120.).

2. Except as herein amended, the Agreement dated September 9, 2014, together with the First Amendment dated April 5, 2016, the Second Amendment dated May 10, 2016, the Third Amendment dated August 2, 2016, and the Fourth Amendment Dated February 21, 2017 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the date first above written.
COUNTY OF MARIPOSA:

[Signature]
Marshall Long, Chairman
Mariposa County Board of Supervisors

ATTEST:

[Signature]
RENE LAROCHE
Clerk of the Board

CONTRACTOR:

[Signature]
LISA YERLOVICH, PRINCIPAL
ARCHITECTURAL RESOURCES GROUP

APPROVED AS TO FORM:

[Signature]
STEVEN W. DAHLEM
County Counsel
March 16, 2017

Mike Healy, PWLF
Deputy Director Mariposa County
Department of Public Works
4639 Ben Hur Road
Mariposa, CA 95338

RE: Mariposa County Courthouse Rehabilitation, Amendment Proposal Phase Two

Dear Mike,

Below is our revised fee proposal for an Amendment to our contract with the County for professional services to develop limited scope packages for the Mariposa County Courthouse. We have incorporated the County comments to retitle the projects as requested.

**Phase 2: Exterior Rehabilitation and Electrical Upgrades within the Building:**

a. Exterior wood repairs (except tower): Paint removal, siding/trim repair
b. Exterior plaster repair
c. Preparation and painting of exterior wood and plaster repairs
d. Window and door repair, including all new hardware except wireless activator at main entrance (to be included in Accessible Entrance Project, Phase 3)
e. Electrical Work:
   i. Replace (4) light fixtures on Tower
   ii. Provide interior electrical subpanel replacement
   iii. Required woodwork cutting, patching and finishing at electric work
f. Bidding
   i. Architect: Attend Bid Walk
   ii. Design Team: Respond to Bidder questions
g. Construction administration Services
   i. Architect: (2) site visits, Electrical Engineer (3) site visit
   ii. Design Team: Respond to RFIs, submittal review, communication with Contractor/County
Our fees for the repackaging of the project are:

**PHASE TWO**

<table>
<thead>
<tr>
<th>Service</th>
<th>Hours</th>
<th>Cost</th>
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<tr>
<td>Architectural</td>
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<tr>
<td>Specification Revisions</td>
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<td>$840</td>
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<td>Construction Administration - Phase 2</td>
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<tr>
<td>- Review of submittals, RFIs, and telephone conference</td>
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<td>- 3 site visits including prep and follow-up</td>
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<td>Electrical – Design and Construction Administration (includes 10% ARG administrative mark-up)</td>
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<td>$9,790</td>
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The Phase Two amendment will increase ARG's contract for Professional services by $20,850. Estimated expenses (travel, telephone, reproduction) will be invoiced as cost plus 15% and are estimated to be an additional $1,000.

Please feel free to contact me you have any questions or wish to discuss further.

Best regards,

Lisa Yergovich, AIA  
Principal