

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

CONTRACT AMENDMENT FOR NEW PUBLIC WORKS FACILITY IMPROVEMENTS

Summary Statement:

On July 10, 2007, Council awarded Adrian-Gaus Architects, Inc. (AC-6 Architects Collaborative) the contract for architectural design services for a new Public Works facility to be constructed on a 7 acre parcel in the North Apple Valley airport/industrial area. The original construction cost for the project was estimated at \$7.5 million. Additionally at that time, construction costs for the new Town Hall Annex and Municipal Animal Shelter were estimated at \$14 million and \$11 million respectively. Due to these higher-than-expected estimates and due to the fixed amount of RDA money available to fund the projects, the decision was made to continue to occupy the existing Public Works facility in the short term, dismiss plans for the design and construction of a new facility and instead look for an existing industrial property to purchase and refurbish at a third of the original estimated cost for the new building.

On July 17, 2008, the Town purchased a 4.53 acre parcel located at 13450 Nomwaket Road, APN 3087-391-04. The property contains an existing commercial/industrial warehouse, office and storage yard. At the direction of Interim Town Manager Jim Cox, staff reengaged Adrian-Gaus Architects, Inc. to provide design services for a tenant improvement of the existing buildings. Accordingly, the Town entered into an agreement with Adrian-Gaus Architects, Inc. for an amount not-to-exceed \$75,000. Subsequent to this agreement, additional RDA funds became available when construction bids for the Town Hall Annex and Animal Shelter were approx. 30% less than originally anticipated. As a result of this new development, it was deemed appropriate to halt plans for the tenant improvement and move forward with design for a full build out of the Public Works facility while prices are favorable.

The Town is in receipt of a proposal (Exhibit A) from Adrian-Gaus Architects, Inc. dated May 4, 2009, in which the architectural and engineering fees for the design of the full build out of the new Public Works facility are \$376,338. The construction cost estimate for new construction & remodel of the existing buildings is \$5,635,000.

Recommended Action:

Authorize a contract amendment to the existing professional services contract with Adrian-Gaus Architects, Inc. in an amount not to exceed \$376,338, subject to "Approval as to Form" by the Town Attorney and "Approval as to Content" by the Town Manager.

Proposed by: Assistant Town Manager – Municipal Ops & Contract Svcs **Item Number** _____

T. M. Approval: _____ **Budgeted Item** Yes No N/A



Adrian · Gaus Architects May 4, 2009

Town of Apple Valley
Assistant City Manager
14955 Dale Evans Parkway
Apple Valley, CA 92307

Attention: Dennis Cron

Regarding: Proposed Architectural and Engineering Fees for
New Public Works Facility on Nomwakett Road

Dear Mr. Cron:

The A/E fees for the work required to achieve a full build out of the Nomwakett Public Works Facility are **\$376,338** (Three Hundred Seventy Six Thousand Three Hundred and Thirty Eight Dollars) per the attached Fee Calculation Sheet plus \$25,000 for Surveys and Geotechnical Reports. This includes A/E Services, Solar Design, Site Survey, Geotechnical Report and Audio/ Visual Design. The project will be designed for LEED certification but the LEED documentation and procedure will be a separate fee.

Normally we calculate fees based on the State Fee Schedule since those percentages have been validated by years of experience (see Attachment A). However, for the Nomwakett facility we subtracted work that has already been accomplished as well as savings anticipated because of repetitive building elements. Please see Attachment B for the detailed fee calculation.

A. SCOPE OF WORK

- Provide complete architectural services for a full build out of the Nomwakett Public Works Facility.
- Provide Civil, Structural, Mechanical, Electrical, Plumbing, and Landscape Architectural Services.

B. EXCLUSIONS

Specialty consultants (other than those mentioned above.), surveys, reports, application fees.

C. OTHER TERMS AND CONDITIONS

Town of Apple Valley Standard Professional Service Agreement.

Sincerely yours,

Xavier Adrian, Principal

300 East State Street, Suite 620, Redlands, California, 92373, Phone 909.748.0444

ATTACHMENT A

ARCHITECT'S FEE SCHEDULE (New Construction)

1. Nine percent (9%) of the first Five Hundred Thousand Dollars (\$500,000) of computed cost.
2. Eight and one-half percent (8½%) of the next Five Hundred Thousand Dollars (\$500,000) of computed cost.
3. Eight percent (8%) of the next One Million Dollars (\$1,000,000) of computed cost.
4. Seven percent (7%) of the next Four Million Dollars (\$4,000,000) of computed cost.
5. Six percent (6%) of the next Four Million Dollars (\$4,000,000) of computed cost.
6. Five Percent (5%) of computed cost in excess of Ten Million Dollars (\$10,000,000).

COMPUTED COST

The total award from the initial construction contract(s), plus the cost of all approved additive contract change orders with the exception of items resulting from errors and omissions on the part of the architect unless such Change Order results in value added to the project to the extent that such item or component would have been otherwise valued at bid time. In addition, the computed cost will include General Conditions and related Construction management fees for CM/Multiple Prime Contracts.

ARCHITECT'S FEE SCHEDULE (Modernization/Reconstruction)

1. Twelve percent (12%) of the first Five Hundred Thousand Dollars (\$500,000) of compute cost.
2. Eleven and one half percent (11½%) of the next Five Hundred Thousand Dollars (\$500,000) of computed cost.
3. Eleven percent (11%) of the next One Million Dollars (\$1,000,000) of computed cost.
4. Ten percent (10%) of the next Four Million Dollars (\$4,000,000) of computed cost.
5. Nine percent (9%) of the next Four Million Dollars (\$4,000,000) of computed cost.
6. Eight percent (8%) of computed cost in excess of Ten Million Dollars (\$10,000,000).

COMPUTED COST

The total award from the initial construction contract(s), plus the cost of all approved additive contract change orders with the exception of items resulting from errors and omissions on the part of the architect unless such Change Order results in value added to the project to the extent that such item or component would have been otherwise valued at bid time. In addition, the computed cost will include General Conditions and related Construction management fees for CM/Multiple Prime Contracts.

ATTACHMENT B

**Fee Calculation for A/E Services for
Full Built-Out of Apple Valley Nomwakett Public Works Facility**

NEW CONSTRUCTION PORTION

Based on an estimated Construction Cost of	\$4,875,000
New 5,000 SF Vehicle Maintenance Facility, including equipment	1,700,000
New 8,500 SF Storage Facilities	1,000,000
15,000 SF Covered Parking with solar panels	600,000
6,500 SF Household Hazardous Waste Collection Station with solar panels	400,000
Wash Rack	75,000
Fueling Station	600,000
Site and offsite improvements (demolition, parking, driveways, landscaping, fencing, etc.)	500,000

	PERCENTAGES Based On State Fee Schedule	CALCULATION BASED ON ESTIMATED CONSTRUCTION COST	FEE BREAKDOWN IN DOLLARS
1.	Nine percent (9%) of the first Five Hundred Thousand Dollars (\$500,000) of computed cost.	0.09 x 500,000	45,000
2.	Eight and one-half percent (8½%) of the next Five Hundred Thousand Dollars (\$500,000) of computed cost.	0.085 x 500,000	42,500
3.	Eight percent (8%) of the next One Million Dollars (\$1,000,000) of computed cost.	0.08 x 1,000,000	80,000
4.	Seven percent (7%) of the next Four Million Dollars (\$4,000,000) of computed cost.	0.07 x 2,875,000	201,250
	Minus pre-design work already accomplished based on previous design		(50,000)
	Minus (15%) fifteen percent bonus for repetitive elements	0.15x348,750	(52,312)
SUB TOTAL		4,875,000	266,438

REMODEL/RENOVATION PORTION

Based on an estimated construction cost of	\$760,000
Remodel of Existing 11,200 SF Warehouse Building	500,000
Limited Site work \$	260,000

	PERCENTAGES Based On State Fee Schedule	CALCULATION BASED ON ESTIMATED CONSTRUCTION COST	FEE BREAKDOWN IN DOLLARS
1.	Twelve percent (12%) of the first Five Hundred Thousand Dollars (\$500,000) of computed cost.	0.12 x 500,000	60,000
2.	Eleven and one-half percent (11½%) of the next Five Hundred Thousand Dollars (\$500,000) of computed cost.	0.115 x 260,000	29,900
	Minus pre-design work already accomplished based on previous design		(15,000)
SUB TOTAL		760,000	74,900
Reimbursables (mass printing of bidding documents)not to exceed			10,000

TOTAL	\$5,635,000	\$351,338
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