

**TOWN OF
APPLE VALLEY, CALIFORNIA**

AGENDA MATTER

Subject Item:

**AWARD PROFESSIONAL SERVICES AGREEMENT FOR CONSTRUCTION
MANAGEMENT SERVICES FOR PUBLIC WORKS FACILITY**

Summary Statement:

On May 26, 2009, the Town Council authorized a modification to an existing professional services agreement with Adrian-Gaus; (AC-6) Architects, Inc. to complete the Town's 20 year build-out design for a purpose built Public Works Facility. The work associated with this design has been proceeding on schedule since that time, and construction bidding is anticipated to commence in mid-February. The estimated construction cost for the facility is \$5,635,000. The design has now reached the point where final design-phase construction management services should commence. This project, like the Town Hall Expansion and the Animal Shelter project, is to be constructed as a multi-prime project, employing the services of a construction manager to oversee the work of the multiple contractors, while at the same time coordinating the quality control and quality assurance necessary for a project of this size and scope.

The Town Council authorized a professional services agreement with Eberhardt Construction, Inc. to provide construction management services on the Town Hall Expansion, Animal Shelter and the original proposed Public Works Facility. The Public Works Facility was subsequently removed from the scope of work due to construction cost estimates that exceeded the Town's funding commitment. After receiving favorable bid pricing on the Town Hall Expansion and the Animal Shelter, Council authorized staff to proceed with the Public Works design and construction project.

Recommended Action:

Award a Professional Services Contract to Eberhardt Construction, Inc. in the amount of \$534,880 for construction management services for the Public Works Facility project subject to approval by the Town Manager as to content, and the Town Attorney as to form.

Proposed by: Dennis L. Cron, Assistant Town Manager Item Number _____

T. M. Approval: _____
N/A

Budgeted Item Yes No

Summary Statement
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At the Town's request, Eberhardt Construction has submitted an updated proposal that includes, but is not limited to, design phase review, bidding services and construction management. Eberhardt has the knowledge and experience necessary to perform this work, and the Town is satisfied with their performance on the two projects that are currently in progress.

Eberhardt Construction, Inc.

General Contractor

License No. 723703

September 24, 2009

Mr. Claude Stewart
Building Official
Town of Apple Valley
14955 Dale Evans Parkway
Apple Valley, CA 92307

Re: Construction Management Fee Schedule

Dear Claude,

Eberhardt Construction, Inc. is pleased to submit our Construction Management Fee Schedule for your review and consideration for the proposed Public Works/Corporate Yard facility.

Due to the size of the project and it being a single stand alone project to be constructed after the completion of the other two projects we are currently managing for the Town, the fee quoted is a lump sum with no minimum or maximum caps. Please note that although this is a smaller project, we have provided no increases to our overhead and profit. We have outlined our fee structure and provided a breakdown of those fees for your convenience.

We sincerely thank you for your consideration of our proposal. If you should have any questions, please call Dan Eberhardt at (760) 242-0161.

Sincerely,



Valery Eberhardt
Eberhardt Construction, Inc.

19031 HWY 18, Suite 250
Apple Valley, CA 92307

(760) 242-0161
FAX: (760) 242-0380
e-mail: eci@charter.net

Construction Management Fee Schedule

Eberhardt Construction, Inc.'s Construction Management Fees are based upon the set construction budget amount of \$5,600,000.00 with the entire project duration time projected to span approximately eighteen months. Our proposal fee is all inclusive, with no separate or additional fees for change orders and general conditions.

The Construction Management fee will be divided and broken out into two parts: the Preconstruction Phase and the Course of Construction Phase. The Preconstruction Phase is based upon a 4 month duration period, and the Course of Construction fee is based upon a fourteen month duration. We have adjusted the preconstruction fees to be consistent with the amounts of time spent on the two jobs we are currently managing. Please keep in mind that the preconstruction fees are not a fixed fee but are estimated fees subject to the actual number of hours spent and dependent upon the duration time for preconstruction services. The Course of Construction fees, however, are fixed based on a monthly period.

Following is an example fee schedule using the stated above referenced durations.

Public Works/Corporate Yard Facility

a.) Preconstruction Phase

Principal:	93 hours/month x 4 months x \$120.00/hour =	\$ 44,640.00
Administrative:	176 hours/month x 4 months x \$60.00/hour =	\$42,240.00
	Subtotal Preconstruction Fees	<u>\$86,880.00</u>

b.) Course of Construction Phase

A monthly rate of \$14,000.00/mo. will apply. This fee includes all services described in Exhibit A under Course of Construction and also now includes the cost for all General Condition items set forth below:

- Salary plus benefits for full time superintendent
- Vehicle expense for superintendent
- Jobsite office trailer with fax/copier, etc.
- Temporary telephone/fax line for management staff
- Temporary electric/telephone setup and monthly fees
- Required site fencing

- Temporary labor fees for general cleanup and safety which are not included within the multiple prime contract scopes of work
- Temporary toilet/hand wash facilities as required
- Jobsite drinking water

Based upon a 14 month construction schedule for the Public Works/Corporate Yard Facility, the Course of Construction management fees would be as follows:

\$14,000.00/month x 14 months = \$196,000.00

Subtotal Course of Construction Costs	\$196,000.00
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The overhead and profit fees are fixed and based upon the estimated total project cost of \$5,600,000.00. The summarized costs are as follows:

Preconstruction Fees:	\$ 86,880.00
Course of Construction Costs:	\$ 196,000.00
Overhead @ 1 ½ %:	\$ 84,000.00
Profit @ 3 %:	\$ 168,000.00
Total Construction Management Costs	\$ 534,880.00