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**Title:** Approve Second Amendment to Agreement with Jeff Katz Architecture adding \$50,700 for a total of \$559,700 for the Fire Station No. 18 project (Council District 1).

**Sponsors:** Public Works Department, Fire Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 22-341 Second Amendment to Agreement for Consultant Services, 2. 22-341 Agreement for Consultant Services

Date	Ver.	Action By	Action	Result
3/10/2022	1	City Council	ADOPTED	Pass

**REPORT TO THE CITY COUNCIL**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

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Fire Department

**BY:** WILLIAM C. HERR, Assistant Director  
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Public Works Department, Facilities Management Division

**SUBJECT**

Approve Second Amendment to Agreement with Jeff Katz Architecture adding \$50,700 for a total of \$559,700 for the Fire Station No. 18 project (Council District 1).

**RECOMMENDATION**

Staff recommends that Council approve the Second Amendment to Agreement with Jeff Katz Architecture (JKA) in the amount of \$50,700 for the Fire Station No. 18 project and authorize the Public Works Director or designee to sign and execute the standard second amendment on behalf of the City of Fresno.

**EXECUTIVE SUMMARY**

Additional compensation is appropriate for the architectural firm for Fire Station No. 18, due to

changes that were necessary in the overall design of the project and the unforeseen delays experienced during construction. Due to the concrete slab being constructed measurably above the designed elevation, the design consultant was required to redesign the site grades to slope from the as-built conditions down to the correct grades of the surrounding site concrete driveways, sidewalks and pathways. Also, due to the various unforeseen conditions caused by the COVID-19 pandemic and the contractor's performance on the project, the length of construction contract administration time the design consultant has expended on the project is double what was expected.

## **BACKGROUND**

On July 28, 2016, Council approved an agreement with Jeff Katz Architecture (JKA) of San Diego, CA in the amount of \$465,000 with a contingency amount not to exceed \$15,000 for the design of plans, cost estimates and general construction documents for the Fire Station No. 18 project. On May 14, 2020, Council approved the First Amendment to Agreement with JKA in the amount of \$44,000 for code required commissioning of the building, bringing the agreement total to \$509,000. During construction of the fire station the contractor constructed the concrete slab between 0.10 and 0.14 feet above the designed elevation, requiring JKA to redesign the site grades to slope from the as-built conditions down to the proposed elevations shown on the construction plans for the parking lot, driveways and pedestrian walkways.

Also, due to various unforeseen conditions, including COVID-19 and related shipping delays and unavailability of staffing and materials, as well as the contractor's performance on the project, the length of construction has been extended well beyond the predicted 12 months, requiring JKA to continue working on the project after depleting their proposed construction contract administration agreement amount.

To accommodate these required revisions and unforeseen conditions, the Public Works Department is requesting the approval of the second amendment to the agreement with JKA and the authorization of the Public Works Director or designee to sign and execute the second amendment to agreement of behalf of the City of Fresno. The second amendment to agreement is to redesign the site grades and properly reimburse JKA for the additional time spent on the construction contract administration for the new Fire Station No. 18 for a total fee of \$50,700.

The second amendment to agreement has been approved as to form by the City Attorney's Office.

## **ENVIRONMENTAL FINDINGS**

Design of plans is not a "project" pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378.

## **LOCAL PREFERENCE**

Not applicable for this amendment for services which could only be performed by the architect of record.

## **FISCAL IMPACT**

All costs associated with this amendment are included in the adopted budget for the Fire Station No. 18 capital project.

Attachments:  
Second Amendment to Agreement for Consultant Services  
Agreement for Consultant Services