

**PERALTA COMMUNITY COLLEGE DISTRICT  
Board of Trustees Agenda Report  
For the Trustee Meeting Date of April 13, 2010**

ITEM # 33

**ITEM TITLE:**

Consider Approval of Amendment No. 1 to the Agreement for Architectural Services with WLC Architects, Inc. for the Laney College Student Center Modernization

**SPECIFIC BOARD ACTION REQUESTED:**

Approval is requested for Amendment No. 1 to the agreement for architectural services with WLC Architects, Inc. for the Laney College Student Center Modernization, in the amount of \$410,600.

**ITEM SUMMARY:**

The increased fees for design items listed below are all related to increased scope and project budget, which in turn requires additional architectural and engineering services necessary to facilitate the modernization of the Laney Student Center.

- Increased project budget from \$15,000,000 to \$16,000,000
  - Fee adjustment as a result of increased project budget - \$100,000
- Increased scope
  - Extend 2<sup>nd</sup> floor for increased seating - \$98,000
  - LEED Silver Certification - \$48,000
  - Complete Construction Administration Phase - \$116,600
  - Complete DSA Closeout Phase - \$48,000

**TOTAL: \$410,600**

**BACKGROUND/ANALYSIS:**

The Laney College Student Center project has been discussed by the Board Facilities and Land Use Committee and approved by the Board of Trustees as part of the Bond Measure Spending Plan at the meeting of June 23, 2009.

The original agreement with WLC Architects, Inc., in the amount of \$1,500,000, is dated July 17, 2008. The Board approved negotiation of the agreement at the meeting of October 10, 2006, in the amount of \$1,708,000. Staff negotiated the agreement amount, and the actual contract was reduced to \$1,500,000. The change to the scope of services for the Student Center was made by the administration after the initial Board approval. The second floor is being designed to increase seating to accommodate a seating arrangement for 350 that can be utilized for major events District-wide. This will reduce the District general fund expense for rental of other outside facilities for District-wide functions that require accommodations for larger gatherings.

Including this Amendment No. 1, the total agreement amount will be \$1,910,600, which is 12% of the estimated construction cost.

**ALTERNATIVES/OPTIONS:**

Not applicable.

**EVALUATION AND RECOMMENDED ACTION:**

Approval is recommended for Amendment No. 1 to the agreement for architectural services with WLC Architects, Inc. for the Laney College Student Center Modernization, in the amount of \$410,600.

**SOURCE OF FUNDS (AND FISCAL/BUDGETARY IMPACT):**

Measure E and Measure A, as approved by the voters in Peralta's constituency and authorized under Resolution 05/06-45, Exhibit A-1, Laney College, L02 "Center for Student and Civic Engagement," L04 "Consolidate Student Services," L08 "Student Center," L13 "Student Center Food Services."

Budget Codes: 1-63-391-6206-1-710000-2318-00 (Measure A) and 1-65-391-6206-1-710000-2944-00 (Measure E).

**OTHER DEPARTMENTS IMPACTED BY THIS ACTION (E.G. INFORMATION TECHNOLOGY):**

YES \_\_\_\_\_ No  X

**COMMENTS:**

All Board recommended contracts are subject to negotiation and execution by the Chancellor.

**WHO WILL BE PRESENTING THIS ITEM AT THE BOARD MEETING?**

Vice Chancellor Ikharo

**DID A BOARD STANDING COMMITTEE RECOMMEND THE ITEM?** Yes  X  No \_\_\_\_\_

IF "YES", PLEASE INCLUDE THAT INFORMATION IN YOUR SUMMARY.

**PLEASE ACQUIRE SIGNATURES IN THIS ORDER:**

**DOCUMENT PREPARED BY:**  
Prepared by: Sadiq B. Ikharmo Date: 4/6/10  
Dr. Sadiq B. Ikharmo  
Vice Chancellor for General Services

**DOCUMENT PRESENTED BY:**  
Sadiq B. Ikharmo Date: 4/6/10  
Dr. Sadiq B. Ikharmo  
Vice Chancellor for General Services

**FINANCE DEPARTMENT REVIEW**  
 Finance review required  Finance review *not* required  
If Finance review is required, determination is:  Approved  Not Approved  
If not approved, please give reason: \_\_\_\_\_  
Signature: [Signature] Date: 4/7/10  
For Finance and Administration

**GENERAL COUNSEL (Legality and Format/adherence to Education Codes):**  
 Legal review required  Legal review *not* required  
If Legal review is required, determination is:  Approved  Not Approved  
Signature: [Signature] Date: 4/7/10  
Thuy T. Nguyen, General Counsel

**CHANCELLOR'S OFFICE APPROVAL**  
 Approved, and Place on Agenda  Not Approved, but Place on Agenda  
Signature: [Signature] Date: 4/6/10  
Elihu Harris, Chancellor



Larry Wolff, AIA • George M. Wiens, AIA • Robert J. Hensley, AIA • James P. DiCamillo, AIA  
Glenn Ueda, AIA • Max Medina, AIA • Kelley Needham, AIA • Kevin A. MacQuarrie, AIA

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January 22, 2010

Revised March 16, 2010

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Dr. Sadiq B. Ikhara  
Vice Chancellor of General Services  
Peralta Community College District  
Department of General Services  
333 East 8th Street  
Oakland, CA 94606

Re: Authorization to Proceed with Construction Cost and Fee Adjustment  
Laney College Student Center  
Project 0517401.06

Dear Sadiq:

Per our March 16, 2010 meeting I am pleased to provide this revised proposal. On January 13, 2009 Mark Sennette authorized the attached fee increase for WLC Architects, Inc. The revision was for the increased project scope and a revised construction cost for the Laney Student Center of \$21,140,350.00 including kitchen equipment. Subsequently, the District reduced that construction cost to \$16,000,000.00 including equipment. As a result, I am submitting this request for Authorization to Proceed with the adjusted construction cost for the Laney Student Center project and our revised fees. However, it appears that the District did not process the required amendment increases for our fees with the January 13, 2009 authorization, so the revised calculation is based upon our approved contract amounts.

As you recall, we were nearly complete with the Design Development Phase for the original project scope when the increased scope and fees were authorized. We then went back to the 75% Design Development drawings to incorporate the changes. Additionally, our original agreement indicated LEED Silver equivalency, not certification. The scope to provide LEED certification was also added. Because the original fee increase, based on the increased construction cost, was significant, I had included all of these additional items in our revised fee. The reduced budget is largely driven by the current bidding environment which is a significant benefit to the District. Our costs to produce the documents, however, have not gone down, but have increased significantly over the course of this project and we have completed considerable additional work. As such, I have included additional service fees in the updated fee calculation for the following items:

1. Increase in scope to design and add the capacity for seating 350 people in a "ballroom" setting on the second floor of the building and the resulting structure and curtain wall design.

2. Design meetings and coordination to address the evolving technology requirements, and programmatic and kitchen revisions as a result of the new staff joining the District.
3. Providing documentation, analysis, design, and coordination for LEED Silver certification.
4. The schedule has been extended significantly. This project started in September 2006 and was originally scheduled to complete construction by August 2009. Due to both project scope and budget changes that have been made by the District, the project timeline has been extended and additional design work has been done to respond to each change. After final project decisions were made our construction document drawings and specifications were completed and ready to be submitted to DSA on December 17, 2009. This submittal has been delayed due to the District's request that we receive additional approvals on the drawings from the new College President.

Approvals are being obtained as agreed to in our revised and approved schedule, and now as a result the anticipated construction completion date is December 2011. Additionally, we have been told that our schedule is also contingent upon the completion of the renovation of the Laney Tower Building. Due to the District extending the schedule for approximately two years, WLC has expended a significant amount of additional time on this project, totaling nearly 2,000 hours, for which we need to be compensated.

5. As you recall, our original contract fee was based on 10.5% of the estimated construction amount and we renegotiated the fee percentage amount down to 10% of estimated construction cost. **I have continued to use the 10% fee which saves the District \$80,000.**
6. The requested fee adjustment will make us whole and allow WLC to provide the comprehensive Bidding, Construction Administration, and DSA Closeout Phase services that a complex project like the Laney Student Center modernization will require.

Dr. Sadiq Ikhara  
 Authorization to Proceed with Construction Cost and Fee Adjustment  
 Laney College Student Center  
 Project 0517401.06  
 January 22, 2010  
 Revised March 16, 2010  
 Page 3

As per Appendix D of our contract, we request our fee for professional services be revised as follows:

<b>Laney College Student Center Fee Adjustment</b>	<b>Construction Cost</b>	<b>WLC Fee at 10%</b>
Approved Contract Amounts	\$ 15,000,000.00	\$ 1,500,000.00
Revised Contract Per Amendment 2	16,000,000.00	1,600,000.00
<b>Base Fee Adjustment</b> Includes: Technology, Kitchen, and Programmatic Revisions		\$ 100,000.00
Increased Scope (Extend Second Floor for Increased Seating)		\$ 98,000.00
LEED Silver Certification		48,000.00
Complete Construction Administration Phase		116,600.00
Complete DSA Closeout Phase		48,000.00
<b>Total Fee Adjustment</b>		\$ 410,600.00
<b>Final Fee Amount</b>		\$ 1,910,600.00

WLC will invoice monthly against Project 0517401 on a percentage complete for this work beginning with our January 2010 billing. Please increase the purchase order accordingly.

Please sign two copies of this request for Authorization to Proceed with the revised construction cost and increased WLC fees for the Laney College Student Center project, and return one copy to me.

Dr. Sadiq Ikharo  
Authorization to Proceed with Construction Cost and Fee Adjustment  
Laney College Student Center  
Project 0517401.06  
January 22, 2010  
*Revised March 16, 2010*  
Page 4

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As you know we will be submitting to DSA by the middle of this month and we look forward to the successful completion of this exciting project.

Sincerely,

Authorization to Proceed:

KEVIN A. MacQUARRIE  
Architect, AIA  
Principal

KAM:dr  
P0051740116-ltr

 3-17-10

DR. SADIQ IKHARO      Date  
Vice Chancellor of General Services  
Peralta Community College District  
Department of General Services

Attachment: Letter Dated January 13, 2009 from Mark Sennette

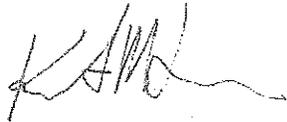
cc: Leopold Ray-Lynch, Architect, AIA, Associate, WLC Architects, Inc.  
Nanette Piccini, Director, Accounting, Associate, WLC Architects, Inc.  
Pat Rose-Cluster, Office Manager, WLC Architects, Inc.

Dr. Sadiq Ikharo  
Authorization to Proceed with Construction Cost and Fee Adjustment  
Laney College Student Center  
Project 0517401.06  
January 22, 2010  
*Revised March 16, 2010*  
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Sincerely,



KEVIN A. MacQUARRIE  
Architect, AIA  
Principal

KAM:dr  
P0051740116-ltr

Authorization to Proceed:

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DR. SADIQ IKHARO                      Date  
Vice Chancellor of General Services  
Peralta Community College District  
Department of General Services

Attachment: Letter Dated January 13, 2009 from Mark Sennette

cc: Leopold Ray-Lynch, Architect, AIA, Associate, WLC Architects, Inc.  
Nanette Piccini, Director, Accounting, Associate, WLC Architects, Inc.  
Pat Rose-Cluster, Office Manager, WLC Architects, Inc.



Larry Wolff, AIA • George M. Wiens, AIA • Robert J. Hensley, AIA • James P. DiCamillo, AIA  
Glenn Ueda, AIA • Max Medina, AIA • Kelley Needham, AIA • Kevin A. MacQuarrie, AIA

January 13, 2009

Mr. Mark Sennette  
Director of Capital Projects  
Peralta Community College District  
General Services  
333 East Eighth Street  
Oakland, CA 94606

Re: Authorization to Proceed with Increased Construction Cost  
Laney College Student Center  
Project 0517401.06

Dear Mark:

Pursuant to our meeting and agreement on January 12, 2009, I am pleased to submit this request for authorization to proceed with the increased construction cost for the Laney Student Center project. As indicated in the attached Updated Construction Costs letter, dated January 7, 2009, the new construction cost for the Laney Student Center is \$21,140,350.00 including equipment.

As per Appendix D of our contract, our fee for professional services is revised as follows:

Laney Student Center Fee Adjustment	Construction Cost	WLC Fee at 10%
Current Contract	\$15,000,000.00	\$ 1,500,000.00
Revised Contract per Amendment No. 1	\$21,140,350.00	2,114,035.00
Fee Adjustment		\$ 614,035.00

WLC will invoice monthly against Project 0517401 on a percentage complete for this work beginning with our January 2009 billing. Please increase the purchase order accordingly.

Because of the increased scope and budget, our previously submitted 100% Design Development set will be revised to include the new scope and be resubmitted in a few months. We will issue an updated schedule and a more detailed cost estimate shortly.

As per your direction, WLC will design the Laney Student Center to meet LEED silver certification requirements, not gold certification as previously discussed.

Mr. Mark Sennette  
Authorization to Proceed with Increased Construction Cost  
Laney College Student Center  
Project 0517401.06  
January 13, 2009  
Page 2

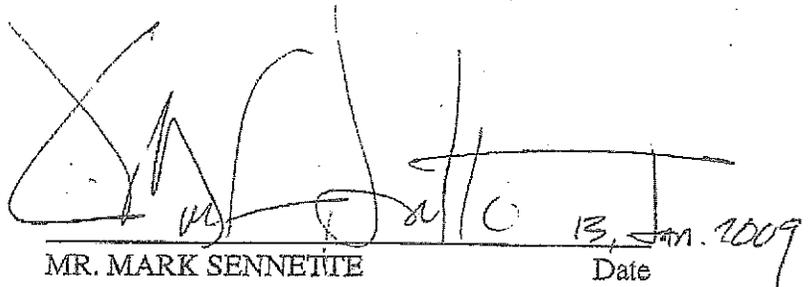
Please sign two copies of this request for authorization to proceed with increased construction cost and increased WLC fees for the Laney Student Center project and we will begin work immediately.

We look forward to the successful completion of this exciting project.

Sincerely,



KEVIN A. MacQUARRIE  
Architect, AIA  
Principal



MR. MARK SENNETTE  
Director of Capital Projects

13, Jan. 2009  
Date

KAM:jg  
P00517401x8-ltr

cc: Leopold Ray-Lynch, Architect, AIA, Associate, WLC Architects, Inc.  
Nanette Piccini, Director, Accounting, Associate, WLC Architects, Inc.  
Pat Rose-Cluster, Office Manager, WLC Architects, Inc.

Attachment: Construction Costs Letter Dated January 7, 2009



Larry Wolff, AIA • George M. Wiens, AIA • Robert J. Hensley, AIA • James P. DiCamillo, AIA  
Glenn Ueda, AIA • Max Medina, AIA • Kelley Needham, AIA • Kevin A. MacQuarrie, AIA

January 7, 2009

Mr. Mark Sennette  
Director of Capital Projects  
Peralta Community College District  
General Services  
333 East Eighth Street  
Oakland, CA 94606

Re: Updated Construction Costs  
Laney College Student Center  
Project 0517401.20

Dear Mark:

As you requested, the following is an updated cost for the complete renovation of the Laney College Student Center. This updated cost estimate includes the expansion of the floor plate on the third level of the building, the addition of a new curtain wall facing the central plaza, and the building modifications necessary to reach at least a LEED silver certification.

The Costs Are:

Cost Item	Amount
Existing Design (Including Kitchen Equipment)	\$ 15,398,432.00
New Curtain Wall and Addition	1,500,000.00
LEED Upgrades	3,053,286.00
<b>Total Construction Cost</b>	<b>\$ 19,951,718.00</b>
FF & E	\$ 1,188,632.00
<b>Total Cost</b>	<b>\$ 21,140,350.00</b>

If you have any questions regarding these costs please do not hesitate to contact me at (510) 499-6844.

Sincerely,



LEOPOLD RAY-LYNCH  
Architect, AIA  
Associate

LRL:drVP20517401x7-ltr

cc: Kevin A. MacQuarrie, Architect, AIA, Principal, WLC Architects, Inc.  
Carylon Tyler, Architect, WLC Architects, Inc.



Larry Wolff, AIA • George M. Wiens, AIA • Robert J. Hensley, AIA • James P. DiCamillo, AIA  
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January 13, 2009

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Authorization to Proceed with Increased Construction Cost  
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Project 0517401.06  
January 13, 2009  
Page 2

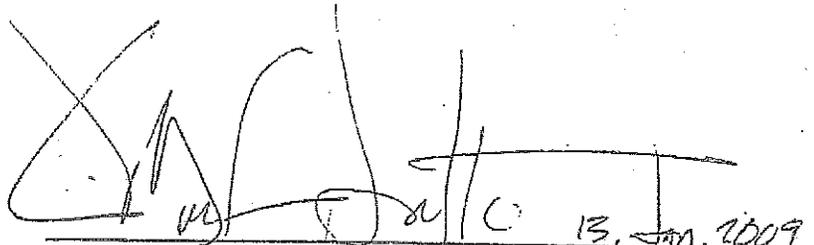
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KEVIN A. MacQUARRIE  
Architect, AIA  
Principal



MR. MARK SENNETTE  
Director of Capital Projects

13, Jan. 2009  
Date

KAM;jg  
P00517401x8-ltr

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 LEOPOLD RAY-LYNCH  
 Architect, AIA  
 Associate

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