

**AMENDMENT NO. 2
PROFESSIONAL SERVICES CONTRACT**

This **AMENDMENT No. 2** to the bo ARCH L.L.C., PROFESSIONAL SERVICES CONTRACT (“Contract”) executed on October 6, 2020, is hereby made and entered into this 8th day of July, 2021 by and between the **CITY OF EL MIRAGE, ARIZONA**, an Arizona municipal corporation (“City”) and bo ARCH L.L.C., an Arizona corporation (“Consultant”), collectively (“the Parties”).

RECITALS

WHEREAS, the City and the Consultant entered into a Professional Services Contract to provide design services and construction documents for the library remodel/relocation project, executed on October 6, 2020; and,

WHEREAS, on December 1, 2020, the City and Consultant entered into the Amendment NO. 1 to the Professional Services Contract; and,

WHEREAS, the City has requested the Consultant to prepare a scope of work for construction administrative services and compensation for those additional services as set forth in "Exhibit A"; and,

WHEREAS, the City has reviewed and agreed to amend the original Contract as stated.

CONTRACT AMENDMENT

NOW, THEREFORE, in consideration of the mutual promises and obligations set forth herein, the parties, hereby agree to amend the Contract as follows:

1. The Consultant shall provide construction administrative services, as described in the attached scope of services set forth in Exhibit "A".
2. The Contract shall be amended to include compensation for these additional services in an amount not to exceed \$98,980.00 and for a total Contract amount of \$295,820.00.
3. The Contract term shall be extended until June 30, 2022.
4. Except as specifically modified above, all of the remaining terms and conditions of said Contract shall remain and continue in full force and effect.

[Signature page follows]

IN WITNESS WHEREOF, the parties have executed this Contract Amendment as of the date first above written.

CITY:
City of El Mirage

CONSULTANT:
bo ARCH L.L.C.

By: J. Crystal Dyches
Its: City Manager

By: _____
Print Name

By: _____
Signature

ATTEST:

Its: _____

By: Sharon Antes
Its: City Clerk

APPROVED AS TO FORM:

Justin Pierce, City Attorney

Exhibit 'A'



June 6, 2021

Jorge Gastelum, P.E.
Community Development Director/City Engineer
City of El Mirage
10000 N. El Mirage
El Mirage, AZ 85335

RE: **Proposal for Construction Management Services**

Mr. Gastelum:

We are pleased to present our proposal for professional Construction Management services for the addition and adaptive reuse of the existing 5000 SF fire station, located at 13513 N. El Mirage Rd., to house a Library for Maricopa County. We understand the significance this undertaking represents to the City of El Mirage and Maricopa County Library District. Here within is our proposal for professional services associated with the subject project.

Fee Proposal: Not-To-Exceed \$98,980.00

We are prepared to offer our professional services in the amount of **\$98,980.00 (Ninety-Eight thousand, Nine Hundred Eighty dollars)**, inclusive of reimbursables. Please see attached documents delineating our project understanding, scope of work/services and probable manhours.

We are confident that **bo ARCH L.L.C.** can render all required services in their entirety to your satisfaction, upon receipt of a purchase order number we can commence with our services. Feel free to contact me should you need further clarification or have any questions. We look forward to working with you on this project.

Sincerely,
bo ARCH L. L. C.

David A Bosak Sr., AIA, LEED AP
Managing Partner
Director of Program/Construction Management | Principal Architect

Authorization and Acknowledgement:

If the services and fee described are acceptable, please sign and return a copy.

Acceptance: David A. Bosak Sr.
David Bosak, Managing Partner, bo ARCH LLC.

June 6, 2021
Dated

Acceptance: _____
Jorge Gastelum, P.E. City of El Mirage

Dated

Attachments: Project Understanding
Task Summaries
Probable Manpower Schedule

PROJECT UNDERSTANDING



Project:

1. Adaptive reuse of existing 5000 SF building, located at 13513 N. El Mirage Rd., to house a Library for Maricopa County Library District

Stakeholders:

1. The City of El Mirage
2. Maricopa County Library District
3. Neighboring businesses, homeowners, and adjacent school

Delivery Method:

1. Construction Management At Risk

Assumptions:

1. We have assumed (30) site meetings during construction plus time for agenda, travel, minutes, preparation, and distribution.

Scope of Work:

1. Based on 100% Construction Documents Dated May 26, 2021

Scope of Professional Services: Required services are outlined in detail in attached Task Summaries document

1. Construction Management services to include pre-construction conference: Chair weekly meetings, certify payment applications payments, change order review and processing, CMAR Sequencing Schedule and monitoring, Qwest, COX, FF&E Coordination, Project close-out.
2. Construction Administration services to include: construction observation QAQC Reports, review of submittals, responding to RFIs, preparing ASIs and PRs.
3. Prepare record drawings.

Supplemental Service as deemed necessary by the Client, will be billed at our standard hourly rate with client approval:

1. Additional City requested changes during Construction.
2. Additional City requested meetings beyond those specified.
3. Additional services required if CMARs contractual completion dates are exceeded.

Exclusions:

1. Special Inspections
2. Material Testing
3. CA services associated with Landscape and Civil Engineering

Deliverables:

1. Weekly Construction Minutes
2. Observation Reports
3. Punch List
4. Certificate of Substantial Completion

Budget:

1. Construction Budget is \$2.15M

Schedule: We have assumed an 8-month construction curve and 1 month for close out

1. <u>Construction Schedule</u>	<u>Calendar Target Dates</u>
Notice to Proceed for Project	Week 0
Preconstruction Conference	Week 1
Substantial Completion	Week 34
Final Completion	Week 38

Fee:

1. Our Manpower loading Schedule is attached, with the associated hours broken down by Task

TASK SUMMARIES



TASK 7.0 CONSTRUCTION ADMINISTRATION SERVICES

Subtask 7.1 Meetings

1. Facilitate a comprehensive Pre-Construction Conference (1) to discuss Stakeholder's goals and objectives, schedule requirements, time and cost control requirements, access requirements, administration requirements. Procedures will be established for the orderly exchange, processing and expediting of correspondence.
2. Chair weekly construction meetings (30 weekly meetings). Minutes are **detailed and comprehensive**. All outstanding items are **prioritized and delegated** to appropriate team members with completion dates identified. Provide **follow-up** to assure prompt response and implementation of directions given.
3. Assist with coordination of Client vendors, such as **Qwest, Cox, IT, Keying, Card Access, and FF&E** suppliers, and with the **CMAR** to help mitigate scheduling and installation issues.
4. A **CPM Baseline Construction Schedule** will be required from the GC for monitoring construction activities and for identifying any schedule variances well in advance of the time that they might affect the critical path to completion.

Subtask 7.2 Construction Observation

1. **bo ARCH** provides **weekly Field Reports**, distributed to the core team that identify areas of non-conformance, items requiring attention or potential problem areas.
2. We conduct **pre-installation meetings** to identify and discuss installation requirements.
3. Review any **mockups** for approval and as a standard for all subsequent installations.
4. Review **testing** required by the contract documents.
5. Ensure that contractor updates their drawings with as-built information.

Subtask 7.3 Submittals | RFIs | ASIs

1. Log and Review Submittals
2. Respond to RFIs, **analyze each RFI for Schedule, Quality, and Cost Impact**, and will explore alternatives if practical.
3. Prepare Architect's Supplemental Information forms as needed.

Subtask 7.4 Change Order Review | Review Progress Payments

1. Issue Proposal Requests
2. Review requests for change order
3. Prepare change orders.
4. Write recommendations regarding change orders.
5. Review actual progress versus progress claimed on progress payment request.
6. Certify Payment Applications

Subtask 7.5 Substantial Completion

1. Prepare, in conjunction with the Architect and GC, a **punch list** of deficiencies to be addressed to achieve substantial completion.
2. Issue Certificate of Substantial Completion punch
3. Sign off on completed corrections.

Subtask 7.6 Final Completion | Close-out | Record Drawings | 1-Year Warranty

1. Review O&M Manuals
2. **Review HVAC T&B Reports.**

3. Receive **keying** for all GC furnished equipment.
4. Verification of **attic stock** received by facilities personnel.
5. Prepare Certificate of Final Completion
6. Review Contractor's as-builts
7. Make one year inspection Provide 11-month warranty walk with Project Team to identify remaining warranty issues, compile list and forward to GC for timely completion. Provide follow-thru for proper completion.

*Probable Manpower Loading Schedule

Construction Management Services

Prepared 6/6/21
Library Project



I. bo ARCH Summary

		<i>Project Architect</i>	<i>Cost Estimator</i>	<i>Job Captain</i>			<i>Total Hours</i>	<i>bo Arch Labor cost</i>
		\$150.00	\$135.00	\$115.00				
Task 7.1 - Meetings								
1	Preconstruction Conference	4		4			8	\$1,060.00
2	On site meetings, Minutes and Distribution	99		99			198	\$26,235.00
3	Client vendor Coordination	6					6	\$900.00
4	Schedule Monitoring						0	\$0.00
Subtotal - Precon		0	109	0	103	0	212	\$28,195.00
Task 7.2 -Construction Observation								
1	Weekly Reports			30			60	\$7,950.00
2	Preinstall mtgs Mockups						0	\$0.00
3	Review Testing Reports	4					4	\$600.00
4	Not Used						0	\$0.00
Subtotal - Meetings		0	34	0	30	0	64	\$8,550.00
Task 7.3 -Submittals RFIs ASIs								
1	Submittal and Shop Drawing review	24		120			144	\$17,400.00
2	Respond to RFIs	5		45			50	\$5,925.00
3	Prepare ASIs			90			90	\$10,350.00
4	Not Used						0	\$0.00
Subtotal - Costs		0	29	0	255	0	284	\$33,675.00
Task 7.4 - Change Order Review Certify Progress Payr								
1	Issue Proposal Requests				8		8	\$920.00
2	Review and Process Change Orders	2	24	4			30	\$4,000.00
3	Certify Payment Applications	8		4			12	\$1,660.00
4	Not Used						0	\$0.00
Subtotal - Documents		0	10	24	16	0	50	\$6,580.00
Task 7.5 - Substantial Completion								
1	Punch List	4		4			8	\$1,060.00
2	Issue Certificate of Substantial Completion				2		2	\$230.00
3	Signoff on Punch List				4		4	\$460.00
4	Not Used						0	\$0.00
Subtotal - Documents		0	4	0	10	0	14	\$1,750.00
Task 7.6 - Final Completion Closeout Record Drawings 1-Year Warranty								
1	Review O&Ms				8		8	\$920.00
2	Close out Documentation				8		8	\$920.00
3	Prepare Certificate of Final Completion				2		2	\$230.00
4	Review As-builts	12		4			16	\$2,260.00
5	1-year Warranty						0	\$0.00
Subtotal - Closeout		0	12	0	22	0	34	\$4,330.00
Subtotal Hours - bo Arch Labor Summary		Hrs	198 Hrs	24 Hrs	436 Hrs	Hrs	658 Hrs	
Subtotal Fees - bo Arch Labor Summary		\$0	\$29,700	\$3,240	\$50,140	\$0		\$83,080

*Hours depicted are not a reflection of actual hrs to be billed, rather an analysis of the effort required in order to derive a fee.

II. Consultant Labor Summary

1	Rick Engineering - Civil Engineering	\$0.00
2	James Lane - Structural Engineering	\$7,600.00
3	AZPL - Mechanical/Plumbing/Electrical Engineering	\$8,300.00
4	Open	\$0.00
Subtotal - Consultant Labor Summary		\$15,900.00

III. Other Direct/Indirect Costs

Item No.	Expense Description	Unit	Cost/Unit	Total
1	Indirect - Reproduction	LS	\$	-
2	Indirect - Mileage	LS		
Subtotal - Direct/Indirect Costs				\$ -

IV. Recommended Allowances

1	CA Contingency for out of scope changes as requested by the City	\$	-
2	Open	\$	-
Subtotal - Allowances		\$	-

Total Fee		\$ 98,980.00
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