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**AGENDA FOR THE ADJOURNED SPECIAL MEETING
OF THE CITY COUNCIL OF THE CITY OF COMMERCE
COUNCIL CHAMBERS
5655 JILLSON WAY, COMMERCE, CALIFORNIA**

TUESDAY, MAY 8, 2012 – 3:00 P.M.

CALL TO ORDER

Mayor Leon

ROLL CALL

City Clerk Olivieri

PUBLIC COMMENT (TIME LIMITATION – 5 MINUTES)

Citizens wishing to address the City Council on any item on the agenda or on any matter not on the agenda may do so at this time. However, State law (Government Code Section 54950 et seq.) prohibits the City Council from acting upon any item not contained on the agenda posted 72 hours before a regular meeting and 24 hours before a special meeting. Upon request, the City Council may, in their discretion, allow citizen participation on a specific item on the agenda at the time the item is considered by the City Council. Request to address City Council cards are provided by the City Clerk. If you wish to address the City Council at this time, please complete a speaker's card and give it to the City Clerk prior to commencement of the City Council meeting. Please use the microphone provided, clearly stating your name and address for the official record and courteously limiting your remarks to five (5) minutes so others may have the opportunity to speak as well.

To increase the effectiveness of the Public Comment Period, the following rules shall be followed:

No person shall make any remarks which result in disrupting, disturbing or otherwise impeding the meeting.

SCHEDULED MATTERS

1. **Presentation and Review of Proposed 2012/2013 Fiscal Year Budget Relating to Capital Outlay**

The City Council will receive, and provide appropriate direction as deemed necessary with respect to, the City Administrator's proposed operating budget for fiscal year 2012/2013 relating to Capital Outlay.

COUNCIL ADJOURNED SPECIAL AGENDA

05/08/12 – 3:00 p.m.

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2. Presentation and Review of Proposed 2012/2013 Fiscal Year Capital Improvement Project Budget

The **City Council** will receive, and provide appropriate direction as deemed necessary with respect to, the City Administrator's proposed operating budget for fiscal year 2012/2013.

3. A Resolution of the City Council of the City of Commerce, California, Approving the First Amendment to Services Agreement Between the City of Commerce and Adrian-Gaus Architects, Inc., for the Central Library Renovation Project

The **City Council** will consider for approval and adoption a proposed Resolution approving the first amendment to the services agreement between the City of Commerce and Adrian-Gaus Architects, Inc., for the Central Library Renovation project.

4. Presentation and Review of Proposed 2012/2013 Fiscal Year Budget

The **City Council** will receive, and provide appropriate direction as deemed necessary with respect to, the City Administrator's proposed operating budget for fiscal year 2012/2013.

RECESS TO CLOSED SESSION

5. Pursuant to Government Code §54957.6,

A. The **City Council** will confer with its labor negotiator, Jorge Rifá, with respect to labor negotiations pertaining to the Memoranda of Understanding between the City and the City of Commerce Employees Association on behalf of the mid-management and non-management full-time employees and part-time employees.

ADJOURNMENT

Adjourn to Wednesday, May 9, 2012, at 9:00 a.m. in the Emergency Operations Center.

**LARGE PRINTS OF THIS AGENDA ARE AVAILABLE UPON REQUEST
FROM THE CITY CLERK'S OFFICE, MONDAY-FRIDAY,
8:00 A.M.-6:00 P.M.**



AGENDA REPORT

MEETING DATE: May 8, 2012

TO: Honorable City Council

FROM: City Administrator

SUBJECT: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, APPROVING THE FIRST AMENDMENT TO THE SERVICES AGREEMENT BETWEEN THE CITY OF COMMERCE AND ADRIAN-GAUS ARCHITECTS, INC., FOR THE CENTRAL LIBRARY RENOVATION PROJECT

RECOMMENDATION:

Approve the Resolution and assign the number next in order.

MOTION:

Move to approve the recommendation.

BACKGROUND:

On April 21, 2009, the City Council approved a Service Agreement between the City and Adrian-Gaus Architects, Inc., (Adrian-Gaus Architects) for architectural design and support services for the renovation of the Central Library. The Agreement is for \$380,423.50 with a project contingency of \$31,542.35.

On October 18, 2011, the City Council approved the Project Plans and Specifications, as prepared by Adrian-Gaus Architects and Notice Inviting Sealed Bids.

On December 20, 2011, the City Clerk received and opened 14 bids for this project. The bids ranged from \$5,149,000 to \$7,736,000.

On December 21, 2011, the lowest bidder submitted a letter withdrawing its bid for the project.

On February 7, 2012, the City Council approved a resolution rejecting all bids submitted for the project.

On February 16, 2012, the City Council received a presentation from Adrian-Gaus Architects that contained several alternatives on the next step for this project. At the meeting, the City Council directed staff to proceed with an alternative project design and a reduced budget.

On April 17, 2012, the City Council continued this item to a future date.

On May 1, 2012, the City Council received a presentation from the Director of Finance, indicating that the project was being funded by bond funds. The bond states that the funds can only be used for improvements of the Central Library and City Hall.

ANALYSIS:

Adrian-Gaus Architects has submitted for the City's consideration and approval a Fee Proposal for Additional Services for the Central Library Re-scope and Redesign for an amount not to exceed \$120,000. It is estimated that the re-scoping and redesigning of the project will require three to four months to complete, at which time the project will be ready for final City approval and advertisement for bids. The proposed work is significant; however, it is consistent with the City's goal and desire to modernize, upgrade and provide the residents of this community with an outstanding library and library services.

FISCAL IMPACT:

As part of the FY 2011/2012 Capital Improvement Project Budget, the City Council approved the following funding allocations:

- Central Library Renovation Project (040-5180-54043-10134).....	\$6,600,000
- Council Chambers/Sr. Ctr. Walkway Project (040-5180-57010-10144)..	\$ 500,000
Total Funding.....	\$7,100,000

As of January 9, 2012, the City has expended \$1,237,794 on this project, leaving a balance of \$5,862,206.

On February 16, 2012, the City Council approved Alternative 2 – Re-Design with the following funding allocation:

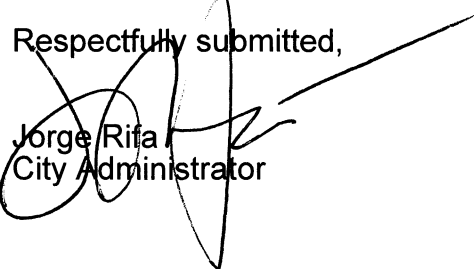
Admin. and Design Services Expenditures up to 1/09/12	\$1,237,794
Estimated Admin. and Design Services to complete Redesign	\$600,000
Estimated Construction Cost	\$3,000,000
TOTAL PROJECT BUDGET (ADJUSTED/REDUCED)	\$4,837,794

The Adrian-Gaus proposed fee of \$120,000 will be funded from the \$600,000 estimated for Administration and Design Services to complete the project redesign.

Finally, based on the approved FY 2011/2012 CIP allocation of \$7,100,000, redesigning the project will result in a project savings of \$2,262,206.

RELATIONSHIP TO 2009 STRATEGIC GOALS:

The issue before the Council is applicable to the following Council's strategic goal: *"Protect and Enhance Quality of Life in the City of Commerce."* Although, there are no specific objectives connected to this issue, the City is responsible for ensuring that city-owned buildings and grounds are in good and safe order for public and staff use.

Respectfully submitted,

 Jorge Rifa
 City Administrator

Recommended by:


 Beatriz Sarmiento
 Interim Director of Library Services

Prepared and Recommended by:


 Danilo Batson
 Assistant Director of Public Services

Fiscal impact reviewed by:


 Vilko Domic
 Director of Finance

Approved as to form:


 Eduardo Olivo
 City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE
CALIFORNIA, APPROVING THE FIRST AMENDMENT TO THE SERVICES
AGREEMENT BETWEEN THE CITY OF COMMERCE AND ADRIAN-GAUS
ARCHITECTS, INC., FOR THE CENTRAL LIBRARY RENOVATION PROJECT

WHEREAS, on April 21, 2009, the City of Commerce and Adrian-Gaus Architects, Inc., entered into a Services Agreement for architectural, engineering, project support and consultation services associated with the City's Central Library Renovation Project (the "Agreement"); and

WHEREAS, Adrian-Gaus has provided all necessary services required by the Agreement to prepare and complete the project Plans and Specifications; and

WHEREAS, On February 16, 2012, the City opted to proceed with an alternative project design and a reduced budget that is consistent with the City's goal and desire to modernize, upgrade and provide the residents of this community with an outstanding library and library services; and

WHEREAS, on February 16, 2012, Adrian-Gaus Architects, Inc., provided the City with a fee proposal to re-scope and redesign the project. Staff recommends that the City Council approve an amendment to the Agreement that would allow Adrian-Gaus Architects to perform the additional work that is required.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. The City Council hereby approves the First Amendment to the Services Agreement between the City of Commerce and Adrian-Gaus Architects, Inc. The Mayor is hereby authorized and directed to execute the First Amendment for and on behalf of the City of Commerce.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2012.

ATTEST:

Linda Kay Olivieri, MMC
City Clerk

Lilia R. Leon, Mayor

FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN
THE CITY OF COMMERCE AND ADRIAN-GAUS ARCHITECTS, INC., FOR THE
CENTRAL LIBRARY RENOVATION PROJECT

This First Amendment is made and entered into as of the ____ day of _____ 2012, ("Effective Date") by and between the CITY OF COMMERCE, a Municipal Corporation (the "CITY") and ADRIAN-GAUS ARCHITECTS, INC., ("CONSULTANT").

WITNESSETH

This First Amendment is made with reference to the following facts:

- A. On April 21, 2009, the CITY and CONSULTANT entered into a Services Agreement for Architectural Design and Support Services associated with the renovation of the City's Central Library (the "Agreement").
- B. Adrian-Gaus has provided all necessary services required under the Agreement in order to prepare and complete the project Plans and Specifications.
- C. On February 16, 2012, the CITY opted to proceed with an alternative project design and a reduced budget that is consistent with the CITY's goal and desire to modernize, upgrade and provide the residents of this community with an outstanding library and library services.
- D. On February 21, 2012, the CONSULTANT provided the CITY with a fee proposal to re-scope and redesign the project.
- E. CITY and CONTRACTOR need to modify the Scope of Services and Compensation set forth in the Agreement in order to address the changed conditions.

NOW, THEREFORE, in consideration of mutual promises, conditions and covenants herein contained, the parties hereto agree that the Agreement will be amended as follows:

1. Section 1: Scope of Services and Schedule of Performance

The Scope of Services that was set forth in Exhibit "A" and that was referenced in Section 1 of the Agreement is hereby expanded to include the Scope of Services set forth in the attached Exhibit "A-1" which is incorporated herein by reference.

2. Section 4: Compensation

The fees to be paid by the City for the additional services to be provided by CONSULTANT are also set forth in the attached Exhibit "A-1."

3. All other terms and conditions of the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have each executed or caused to be executed, this First Amendment on the dates set forth below.

CITY OF COMMERCE


Dated: _____

By: _____
Lilia R. Leon, Mayor

ATTEST:

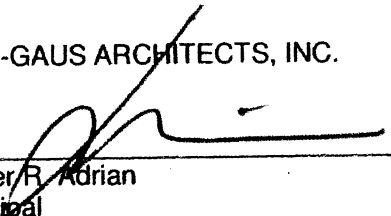
APPROVED AS TO FORM:

Linda Kay Olivieri, MMC
City Clerk


Eduardo Olivo
City Attorney

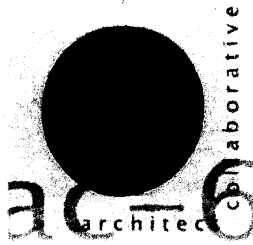
Dated: 4/13/12

ADRIAN-GAUS ARCHITECTS, INC.

By: 
Xavier R. Adrian
Principal

ADRIAN-GAUS - FIRST AMENDMENT - 04-17-2012

4842-9159-6047, v. 1



Adrian.Gaus Architects

February 21, 2012

EXHIBIT A - SCOPE OF SERVICES

Danilo Batson
Assistant Director of Public Services
City of Commerce
2535 Commerce Way
Commerce, CA 90040

Regarding: **Proposal For Additional Services for Library Re-scope and Redesign**

Dear Mr. Batson,

Thank you for the opportunity to submit this fee proposal for professional architectural and engineering services for the library redesign per the City Council's direction on February 16, 2012.

A. SCOPE OF WORK

The goal is to maintain as many elements of the current library design as possible while reducing overall cost and minimizing the time required to re-bid the project.

Research & Investigation:

- Review current design, propose floor plan revisions
- Specify new finish materials, door and window systems
- Revise Furniture Package
- Redesign electrical system for streamlining of circuitry
- Two design meetings with library team
- One City Council presentation as required

Drawings and Specification for plan check and bidding:

- New floor plans, elevations, finish schedules and ceiling plans
- New HVAC and plumbing plans
- New electrical plans
- Revised Specifications
- Revised structural drawings, coordinate with bid package
- Meet all plan check submittal requirements
- Procure Plan check approvals
- One meetings with library team
- Assist City staff in preparing bid documents
- One City Council presentation as required

Bidding and Negotiations:

- Answer Requests for information and substitutions
- Attend pre-bid conference
- Prepare Addenda as required

300 east state street , suite 620, redlands, california, 92373
phone 909.748.0444 fax 909.748.0559



- One meeting with library team
- One City Council presentation as required

B. SCHEDULE AND COMPENSATION

It is anticipated that the process will require three to four months. The services outlined in this proposal will be provided for a not-to-exceed fixed fee, calculated as follows:

Architectural, Structural, Mechanical, and Electrical Engineering Services @ 100 hrs/wk (2.5 Full-time equivalent) for 12 weeks at an average hourly rate of \$100.00 = **\$120,000.00** (One Hundred And Twenty Thousand Dollars).

If this proposal meets with your approval, you may sign below to authorize us to proceed with the work. Please feel free to call should you have any questions. Otherwise, please return one original for our records.

Sincerely Yours,

Xavier Adrian, Principal
Adrian-Gaus Architects, Inc.

City of Commerce Representative (date)