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December 1, 2010

Mr. Jonathon Goldman, Public Works Director
City of Sausalito
420 Litho Street
Sausalito, CA 94965

RE: ADJUSTMENT TO PROPOSAL TO PLAN NEW DOWNTOWN RESTROOMS

Dear Mr. Goldman,

On November 23, 2010, the City Council compared the two proposals submitted for planning the new Downtown Restrooms, one submitted by RHAA and one from my architecture firm. Because the two proposals differed significantly in both content and fee range, the Council continued the selection process to allow time for the two firms to refine their proposals.

Regarding the proposal from my firm, the Council asked that we explain in more detail the planning process and methodology we propose, define our deliverables better and re-evaluate our fee to insure that the City will receive the level of service needed. This letter is our response to the Council's request and supplements our November 11, 2010 proposal.

Since the Council's hearing, we have accomplished the following tasks:

1. For comparison, reviewed in more detail the time our firm spent planning the MLK Field House, a recent project similar in many ways to this project.
2. Contacted all members of the Project Team to confirm the fee projections for their services.
3. Reconsidered the composition of the Project Team, deleting a few consultants and adding others.
4. Studied further the services requested by City Staff to insure that these services are provided.
5. Further evaluated the potential construction costs, based on building a new restroom building at the existing location and replacing or renovating the existing bus shelter.
6. Determined a separate and fixed fee to evaluate the feasibility of alternate locations for the restroom facility.

Based on these additional efforts, we have made adjustments to the Project's fee structure. Below, we provide a new fee structure, plus a brief description of the planning process as we see it, which defines our scope of work and the deliverables.

MLK FIELD HOUSE COMPARISON:

In our November 11 proposal, we noted that even though our effort was volunteered as a Rotary Community Service Project, the value of our firm's architectural services to design, document and administrate the construction of the MLK Filed House totaled \$43,440. This sum does not include the cost of services provided by consultants. The approximate break down of this \$43,440 value into the four standard phases of our work is as follows:

Phase I – Existing Conditions and Program Development:	\$ 3,000
Phase II – Design:	12,000
Phase III – Construction Documents:	20,000
Phase IV – Construction Administration:	8,440

Only four consultants helped plan the MLK Field House, as follows:

- Landscape Architect (Site planning, landscaping, irrigation & drainage)
- Structural Engineer
- Soils Engineer
- Surveyor

While the fee for architectural services shouldn't differ greatly between the MLK Field House and this project, consultant fees for the Downtown Restroom project will be higher due to the need for additional consultants.

PLANNING PROCESS:

Placing new public restrooms fronting on Bridgeway in the heart of Sausalito's Historic Downtown District may not be the best site for locating such a facility. It may be worthwhile to first explore alternative sites, before embarking on a significant planning effort to rebuild at the present location. It may be that the existing site could be put to better use to benefit both the City and the public. For this reason, we propose that the first task be to study the feasibility of alternative sites.

At the Council's November 23 hearing, I presented simple sketches illustrating two other sites worthy of consideration, one being within the east end of the Bank of America building and the other in the southeast corner of Lot 2. Both these sites would be more discreet than the current location, be easily found by visitors, plus would better serve what could be an upgraded bus arrival and departure center on Humboldt Street.

We propose exploring the pros and cons of these options with affected parties, City Staff and perhaps with the public during a workshop or a study session with the Planning Commission. We propose a fixed fee of \$5,000 for this feasibility study, which is additive to our November 11 proposal and the fee structure noted below.

Once the location is selected, we will, if appropriate, provide several initial design options that could be considered and present these at a second public workshop or Planning Commission study session. In this manner, an acceptable location and design direction can be established based on broad input, in order to build consensus around a concept before the plan is developed in much detail or significant fees incurred.

SCOPE OF WORK AND DELIVERABLES FOR THIS PROJECT:

Once the location of the Restroom facility is defined, we propose following our standard four-phase approach to planning this Project, summarized as follows:

Phase I: Pre-Design

1. *Communications:* All meetings, telephone calls & correspondence.
2. *Project Administration:* Clerical services related to the Project.
3. *Project Consultants:* Coordinate the work provided by the Project Team.
4. *Document Existing Conditions:* Assess the existing facilities. If portions of the existing structure are to remain, measure and prepare existing condition plans for this portion.
5. *Site Plan:* Prepare a site plan based on a new survey provided by the Project's Surveyor.
6. *Photography:* Take photos of the site.
7. *Zoning Code Analysis:* (Not included)
8. *Project Program:* Prepare a needs assessment, develop a written program and a Project budget.
9. *Scheduling:* Prepare a Project timeline establishing general target dates and milestones through the completion of construction. Update the timeline periodically as necessary as the Project progresses.

Phase II: Design

1. *Communications*: All meetings, workshops or study sessions, telephone calls & correspondence.
2. *Project Administration*: Clerical services related to the Project.
3. *Project Consultants*: Coordinate the work by the Project Team.
4. *Schematic Design*: Prepare sketches illustrating recommended design solutions that incorporate the program requirements.
5. *Preliminary Design*: Reflecting the response to the schematic design, refine the design further and prepare preliminary design drawings for the City's approval.
6. *Cost Estimates*: Coordinate obtaining from the Project Consultant a preliminary cost estimate based on the preliminary design drawings.
7. *City Approval*: Prepare and submit required applications, and attend hearings for Project planning approval
8. *Design Development*: Upon approval of the preliminary design and estimated construction cost, develop the design further to define key elements and details.

Phase III: Construction Documents

1. *Communications*: All meetings, telephone calls & correspondence.
2. *Project Administration*: Clerical services related to the Project.
3. *Project Consultants*: Coordinate the work by the Project Team.
4. *Construction Documents*: Upon completion of Phase II, prepare drawings of sufficient detail that, when included with the work of outside consultants, will be sufficient for submitting to the City for a building permit, obtaining bids from qualified Contractors and to serve as a guide in the field. Incorporate written specifications provided by a Project Consultant. Submit a Building Permit application and respond to plan check comments to obtain a Building Permit.
6. *Bid Process*: Administrate the bid process, including responding to Requests for Information (RFI's).

Phase IV: Construction Administration (During Construction)

1. *Communications*: All meetings, telephone calls & correspondence.
2. *Project Administration*: Clerical services related to the Project.
3. *Project Consultants*: Coordinate the work by the Project Team.
4. *Clarification of the Work*: Clarify the intent of the construction documents.
5. *Shop Drawings*: Review shop drawings prepared by the Contractor or subcontractors for adherence to design intent, and return them as accepted or with a request for revisions prior to commencing work.
6. *Change to the Construction Documents*: Administrate supplemental instructions, change orders and change directives.
7. *Substitutions*: Evaluate and administrate decisions in response to substitutions proposed by the Contractor, or the City, or as directed by the contract documents.
8. *Site visits*: To help insure that the intent of the construction documents is being carried out, the Architect will attend weekly site meetings with the Contractor and a City Staff representative. A punch list will be prepared at substantial completion and a certificate of compliance at final completion. An As-built set of plans will be delivered to the City within 30 days of final completion.

Additional Services: (Work provided for compensation in addition to the fee schedule below)

1. *Revisions*: Modify, re-design or re-document elements of the Project that have been previously approved.
2. *New Work*: Provide services for new work not included in the original scope of work or Agreement for Services.
3. *CAD Model Rendering*: Provide a photo-real computer generated artist rendering of the proposed design set into a digital photograph of the site.

CONSTRUCTION COST PROJECTION:

New Restroom Building:	15' x 30' = 450 sq.ft. at \$500/sq.ft.* =	\$225,000
Bus Shelter: (Budget for renovated or new)		50,000**
Site Improvements: (Budget)		<u>75,000</u>
Total:		\$350,000

*Note that compared to our November 11 proposal, we have bumped the unit cost for the Restroom building from our previous \$450 per sq.ft. figure to \$500 per sq.ft. based on our experience that smaller footprints result in higher unit costs, because the cost is spread over a smaller area.

** The new bus shelter at Turney St. & Bridgeway cost \$30,000, but with donated labor.

FEE STRUCTURE:

Architect (Michael Rex Associates)

• Phase I – Existing Conditions and Program Development:	\$ 4,000	
• Phase II – Design:	20,000	
• Phase III – Construction Documents:	23,000	
• <u>Phase IV – Construction Administration:</u>	<u>8,000</u>	
Total for Architect:	\$55,000	\$55,000

Geotechnical Engineer (Nersi Hemati) \$5,000

Structural Engineer (Larsen Engineering) 7,000

Civil Engineer (Carlile-Macy)

• Surveying	\$3,500	
• Landscaping	5,000	
• <u>Drainage & Grading</u>	<u>8,000</u>	
Total:	\$16,000	16,000

Mechanical/Plumbing Engineer (Nexus Engineering) 5,000

Electrical Engineer (Ray El. Slaughter & Associates) 3,000

ADA Consultant (Access Compliance Services – Jonathan Alder) 1,000

Specifications Writer (To be selected by the Architect) 2,500

Construction Cost Estimator (To be selected by the Architect) 2,000

Utility Engineer (Not required if location remains the same) NIC

Arborist (Not required if location remains the same as existing) NIC

Total for Consultants: \$41,500 41,500

Total for Professional Services: \$96,500

Notes:

1. Compared to our November 11, 2010 proposal, our fee has increased from \$30,375 to \$55,000, primarily to add in for additional public workshops or study sessions, responding to multiple RFI's from bidders, and for weekly site meetings requested by City Staff.
2. The Architect's fee above represents 15.7% of the projected construction cost compared to the industry standard of 12% to 18%.
3. Compared to our November 11, 2010 proposal, the consultant fees remain basically the same, from \$41,313 to \$41,500. We deleted the \$5,000 fee for the Utility Engineer based on the location remaining the same. Structural Engineering went up \$2,000 and Geotech went up \$2,500. But Electrical Engineering and Mechanical/Plumbing both went down \$2,000. We added \$1,000 for an ADA consultant; \$2,000 for an Estimator and \$2,500 for a Spec Writer.
4. Total fees for professional services represents 27.5%, which is higher than the industry standard, but attributed to the project being small, significant public input and the need for numerous consultants to achieve a comprehensive bid package and limited Staff involvement.
5. We do not markup consultant fees, but include coordinating their work in the Architect's fee.
6. We do not markup reimbursement costs, but only pass the actual cost to the Client for reimbursement.

Conclusion:

Based on this opportunity to refine our proposal and speak with each of the key Project consultants to confirm their fees, combined with further assessment of City requirements, we are confident that our proposed services and deliverables will meet the City's needs. Our proposed fee structure will allow us to devote the time necessary to do a good and thorough job.

Michael Rex Associates has a well known and respected reputation for producing quality designs and fully detailed sets of plans. Being in business here in Sausalito for 28 years, our firm has a proven track record and significant experience in working with the City and the public on both private and public projects. We ask that the City give us this opportunity to serve the town once again by accepting our proposal to assist in planning the new Downtown Restrooms.

Thank you for considering our proposal.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Rex". The signature is fluid and cursive, with a long horizontal stroke at the beginning.

Michael Rex, Architect

RESOLUTION No. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE
AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES AGREEMENT WITH
NOBLE CONSULTANTS FOR ADDITIONAL PRE-BID DESIGN AND
GEOTECHNICAL TESTING SERVICES FOR
THE SAUSALITO YACHT HARBOR – BAY STREET BULKHEAD REPLACEMENT
PROJECT**

WHEREAS, at regular meetings since 1999 or before and most recently on June 29, 2010 and with Minute Entry of September 28, 2010 the City Council of the City of Sausalito has considered the need for replacement of the bulkhead serving the Bay Street extension, Sausalito Yacht Harbor, the Spinnaker Restaurant and Spinnaker Point; and

WHEREAS, with said Minute Entry of September 28, 2010 the City Council of the City of Sausalito approved continued negotiations, finalization of agreements and return of necessary documents for financing and construction to Council for further discussion and approval; and

WHEREAS, the plans, specifications and other details for construction of the Sausalito Yacht Harbor – Bay Street Bulkhead Replacement Project (the “Project”) have been completed by the designer of the Project, Noble Consultants, Inc.; and

WHEREAS, in order to comply with the conditions of approval for the Project from some of the regulatory agencies with jurisdiction over the Project certain additional testing and design revisions have been identified as necessary; and

WHEREAS, progress on the necessary price, terms and the agreement(s) necessary for Project delivery is being diligently made in parallel to the design and other processes necessary for construction; and

WHEREAS, Noble Consultants has the necessary skills, experience and expertise to provide the necessary additional testing and design revisions; and

WHEREAS, Noble Consultants has submitted a proposal for Amendment No. 2 to its existing Professional Services Agreement with the City to perform the necessary additional testing and design revisions (the “Proposal”); and

WHEREAS, said Proposal has been reviewed and approved by the City Engineer, the Director of Public Works, the City’s pre-bid construction management consultant, Riedinger Consultants, and representatives of the Sausalito Yacht Harbor (who have agreed to continue to contribute 50% of the funding for the design process); and

WHEREAS, said Proposal requests a budget of \$33,000 for the labor, materials, subconsultant testing services, and administration thereof necessary for the timely delivery of the Project; and

WHEREAS, the approved budget for FY2010-11 includes \$4,200,000 from the combined resources of the Tidelands Fund and said price, terms and agreement(s) necessary for Project delivery – an amount which, taking into account the encumbrance for Riedinger Consultants

authorized by Council action of November 23, 2010 with Resolution No. ____, leaves adequate funds available for compensation of Noble under the Proposal.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sausalito:

1. Approves and authorizes the City Manager to execute the attached and incorporated by reference herein Amendment No. 2 to the Professional Services Agreement with Noble Consultants for the labor, materials, subconsultant testing services, and administration thereof for the additional testing and design revisions necessary for timely delivery of the Project.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Sausalito on the 7th day of December, 2010 by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSTAIN: Councilmembers:
ABSENT: Councilmembers:

MAYOR OF THE CITY OF SAUSALITO

ATTEST:

CITY CLERK

