

CITY OF OAKLAND
AGENDA REPORT

OFFICE OF THE CITY CLERK
2005 OCT 13 AM 8:38

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Public Works Agency
DATE: October 25, 2005

RE: **RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE CONTRACT WITH SHAH KAWASAKI ARCHITECTS TO ADD ADDITIONAL DESIGN AND ENGINEERING SERVICES FOR THE STUDIO ONE ART CENTER REHABILITATION PROJECT AND TO INCREASE THE CONTRACT FROM ONE MILLION DOLLARS (\$1,000,000.00) TO A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED ONE MILLION ONE HUNDRED THOUSAND DOLLARS (\$1,100,000.00).**

SUMMARY

The Council is requested to approve a resolution authorizing the City Administrator to amend an existing contract with Shah Kawasaki Architects (SKA) for additional design and engineering services for the Studio One Art Center Rehabilitation project to increase the total contract from one million dollars (\$1,000,000.00) to an amount not-to-exceed one million one hundred thousand dollars (\$1,100,000.00). Funding is available from Measure DD – Oakland Trust for Clean Water and Safe Parks Bond, State Parks & Recreation grant, and Municipal Capital Improvement funds. The project is located in Council District 1.

The City Council approved and authorized an agreement with SKA in September 2003, under Resolution No. 78033 C.M.S., to provide engineering and design services and to prepare construction bid documents for the Studio One Art Center Rehabilitation project.

Approving the proposed resolution will continue the efforts of the project to meet City Council and Mayor's Goals and Objectives No. 2D – Provide for clean, well-maintained facilities, amenities, parks and recreational facilities and No. 3A – Provide effective community programs for seniors, youth, and people with disabilities.

FISCAL IMPACT

The Studio One Art Center project is identified in the City's Capital Improvement Program (CIP) for 2003-2005.

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On November 5, 2002, Oakland voters passed Measure DD (Oakland Trust for Clean Water and Safe Parks), a general obligation bond to fund a variety of parks, clean water protection and youth recreation projects, including Studio One Art Center that was funded for \$10,000,000.00. The ten million dollars is appropriated under Bond Measure DD, Oakland Trust for Clean Water and Safe Parks, Fund (5320), Studio One Art Center project (C244710).

The City also has existing funding of \$473,000.00 from State Proposition 12, the 2000 Park Bond Act, Murray Hayden Urban Youth Services Program, under California and Parks Recreation Fund (2134), Studio One Art Center project (C196810) and existing funding of \$195,000.00 in Municipal Capital Improvement Program Fund (5500), project (C71910) as matching funds for the Murray Hayden Grant. The total funding available for the project is \$10.668 million. On September 9, 2003, Council approved Resolution No. 78033 C.M.S. authorizing a base contract to Shah Kawasaki Architects (SKA) in the amount of one million (\$1,000,000.00) dollars for architectural and engineering services including programming, space planning, design, public/community outreach, bid support and construction administration.

An additional \$100,000.00 is necessary for unanticipated additional services required for project design coordination such as project stakeholders meetings, Public Art design coordination, extended Historic Landmark Preservation subcommittee reviews and related design revisions, and special construction inspection. Funding appropriated from Bond Measure DD is available for the additional contract increase in Bond Measure DD, Oakland Trust for Clean Water and Safe Parks, Fund (5320); Director's Unit (Organization #92110); Architectural and Engineering (account #54411); Studio One Art Center project (C244710).

The additional design and construction inspection services support the overall project scope and will not add to operation and maintenance (O&M) costs of the facility. The renovated facility will have new building systems that will minimize facility maintenance costs in the initial years. With proper annual maintenance and care, the building components should not incur replacement costs until five to seven years after renovation. Major building systems, such as heating and ventilation units, have standard life expectancy of 20 to 30 years with proper care. However, addition of new elevator equipment for facility access will require annual maintenance that previously did not exist. Additionally, some of the building systems will require added costs for periodic inspections and regulatory permits, such as fire sprinkler system inspections and testing, a county health permit for the kitchen and an elevator permit. The operational maintenance cost for the renovated facility is anticipated to increase as programs are expanded and the facility is used for longer program hours or weekend rentals. Building and custodial supply costs will also increase with higher building use and expanded new restroom facilities.

Estimated annual building system maintenance and custodial supply costs are \$70,000.00 per annum. Custodial services to maintain the existing facility and the increased program use will require one FTE with potential weekend support at an estimated cost of \$65,000.00 per annum. Total O&M cost for building systems maintenance and custodial services and supplies is

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expected to be in the range of \$135,000.00 per annum. The total cost is an increment of \$20,000.00 over the past annual operation and maintenance cost of \$115,000.00 per annum.

BACKGROUND

Studio One Art Center is a unique facility providing art programs that serve the entire City of Oakland. It is a building of significance to the North Oakland community. Since the early 1990s, the community strongly advocated for the facility to remain at the current location and has worked with the City to develop a rehabilitation project to meet both community and City needs. Through the efforts of the Studio One Task Force, composed of Council members, representatives of the Thousand Friends of Studio One (FOSO), and Oakland Studio Arts Association (OSAA), the project finally became possible with the passage of Measure DD and allocation of City and State grant funds.

Project design began in February 2004. Shah Kawasaki Architects (SKA) was selected through a competitive public process and contracted to perform full design and engineering services. During the initial programming and space-planning phase in the first five months of the project, SKA conducted two general community meetings and over five coordination meetings with a smaller group of community representatives as well as periodic progress meetings with City staff and instructors. The initial planning process was extended in order to carefully plan the program and address the needs of a complex mix of stakeholders.

Project construction documents were completed in June 2005. The rehabilitation project is currently in the bidding phase with bids due by the beginning of October 2005. Construction award will be scheduled for Council approval as soon as practicable thereafter. The first phase of construction for abatement of hazardous materials has been completed on September 26, 2005.

KEY ISSUES AND IMPACTS

In September 2003, Council awarded a contract not-to-exceed one million dollars to SKA to provide full architectural and engineering services from programming phase through construction administration phase for the Studio One project. The scope of services also includes community outreach, coordination with City departments, and limited participation in public meetings.

As the project advanced with strong stakeholder involvement and the intricacy of the related priorities unfolded, SKA applied extra staff time and design effort to incorporate and accommodate the requirements of the various stakeholders. SKA met extensively with community groups and related agencies regarding various aspects of the project above and beyond the standard anticipated effort. Design team coordination with various stakeholders

covered issues related to specific program needs, historical landmark elements, sustainability design development, adjacent property coordination, public art selection, and hazardous material abatement coordination. SKA was able to address the added service demands as well as complete the project design and minimize delays to the project schedule.

The community desired that artwork be incorporated in the Studio One project and the public art commissioning process is underway. Incorporation of the art piece will require coordination by the design team to modify site and electrical design, and develop foundation design for the art installation. As a result, additional services are required from SKA.

In terms of project construction, the current contract with SKA provides for a standard level of construction administration services, which consists of reviewing material & shop drawing submittals, responding to requests for clarification, reviewing construction progress against the design requirements, assisting the City in evaluating proposed scope of work changes, participating in construction progress meetings, and providing general support to the City during construction to ensure project construction meets contract requirements. Rehabilitation projects are generally more complex than new construction projects, and the City needs a contingency to address unforeseen conditions that require additional engineering design services.

A construction project of this magnitude requires special testing and inspection by independent consultants to verify the quality of installation relative to building code requirements. The project requires inspection and testing services of structural installation such as foundation construction, re-bar certification review, concrete strength confirmation tests, welding inspections, bolt strength tests, and field inspection of structural construction. The testing and inspection services were not included in the base contract. These additional services will increase the design cost. Testing and inspection services can usually be obtained as a separate contract or can be included under the consultant services contract. The service was not included in the base contract as the initial plan anticipated issuing separate as-needed contracts for testing and inspection services to cover various construction projects. Since as-needed contracts are not yet in place, testing services will not be available in time for construction of the Studio One project. By adding testing and inspection services to the SKA contract, the construction schedule will not be impacted.

The \$100,000.00 increase to the design contract will fund \$21,800.00 in design and engineering services related to additional efforts due to numerous stakeholders' detailed program requirements, such as extensive mechanical design revisions to accommodate ceramic and photography program ventilation needs above the code requirements, design changes and revisions relative to historical landmark requirements, structural support changes to accommodate increased mechanical units, and additional electrical engineering coordination to accommodate program equipment and machinery. Funds will also cover fees for special testing and inspection services estimated to be \$30,000.00 and additional design revisions for public art incorporation estimated to be \$10,000.00. The remaining \$38,200.00 will be reserved as contingency for any unforeseen conditions during construction that may require additional

design or construction administration support. Staff has reviewed the above costs and considers them fair and reasonable.

PROJECT DESCRIPTION

The project involves the rehabilitation of the existing Studio One Art Center, an approximately 20,000 square feet, U-shaped, 2-story, brick and wood-shingle building built in 1894 on an almost two-acre site art center, located at 365 – 45th Street. Rehabilitation includes major seismic upgrade, mechanical, plumbing and electrical system overhaul, and architectural and site improvements to the historically significant building. The building is evaluated based on Oakland Cultural Heritage Survey and is listed under City of Oakland’s Preservation List with a designation of B+ rating (major importance), which is covered by the State Historical Building Code.

The objective of the rehabilitation project is to provide a “state-of-the art” facility and provide an environment conducive to artistic creativity for arts and crafts activities that retains existing historic architectural characteristics. Studio One Art Center has been offering art programs since 1950s. The programs list over 50 art-related classes and subjects during each session, including ceramic, sculpture, fitness, metal/jewelry making, glass making, painting and drawing, photography, drama, yoga, crafts, etc. Part of the program is temporarily relocated to the Malonga Casquelourd Center in downtown Oakland while Studio One is under rehabilitation.

SUSTAINABLE OPPORTUNITIES

Economic: The project will provide additional employment opportunities during the construction of the facility. Upon completion of the rehabilitation project, the facility will allow expansion of programs and increase the number of participants and patrons using the facility, which in turn will generate more revenue for the City of Oakland.

Environmental: In collaboration with Alameda County, the project design incorporates sustainability design elements that meet LEED (Leadership in Energy and Environmental Design), a recognized industry standard established to incorporate and measure sustainability design in architectural and engineering projects. Although the project was deemed an unsuitable candidate to obtain full LEED Certification, the project managed to incorporate a substantial number of sustainability design elements that will enhance the use of the building, conserve natural resources, utilize recycled content building products, obtain alternative energy sources, reduce waste, and incorporate green operating and maintenance strategies.

Social Equity: With this project, the neighboring North Oakland residents and children and the community citywide will gain improved access to a treasured amenity. The improved Arts Center will provide updated building systems yet retain compatibility to the existing historical characteristics and continue to serve the community in generations to come.

DISABILITY AND SENIOR CITIZEN ACCESS

The existing structure limits building access for people with disabilities and senior citizens as the restrooms and the second floor are not wheelchair accessible. Studio One is one of the major city facilities scheduled for improvements in the City's federally-mandated Americans with Disabilities Act (ADA) Transition Plan. The renovated facility will comply with the California Code of Regulations, Title 24 and ADA Accessibility Guidelines. The renovated facility and site will include physical features such as disabled parking spaces, curb ramps and accessible walkways, accessible entrances, restrooms, drinking fountains, elevator, as well as full programmatic access.

RECOMMENDATION AND RATIONALE

It is recommended that the City Administrator be authorized to amend the professional services contract with Shah Kawasaki Architects for additional design and engineering services for the Studio One Art Center Rehabilitation Project and to increase the existing contract from one million dollars (\$1,000,000.00) to an amount not-to-exceed one million one hundred thousand dollars (\$1,100,000.00).

The approval of the contract amendment will enable staff to reasonably compensate SKA for services above and beyond the original scope of the contract for design coordination with numerous groups of stakeholders, complete remaining design coordination and construction administration required for the Studio One Art Center project, and provide a contingency to address design services due to unforeseen site conditions as the project continues into construction.

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ACTION REQUESTED OF THE CITY COUNCIL

Staff recommends that the City Council approve the resolution amending the professional services contract with Shah Kawasaki Architects for additional design and engineering services for the Studio One Art Center Rehabilitation Project and increasing the total contract from one million dollars (\$1,000,000.00) to an amount not-to-exceed one million one hundred thousand dollars (\$1,100,000.00).

Respectfully submitted,



RAUL GODINEZ, II, P.E.

Director, Public Works Agency

Reviewed by:

Michael Neary, P.E.

Assistant Director, Public Works Agency

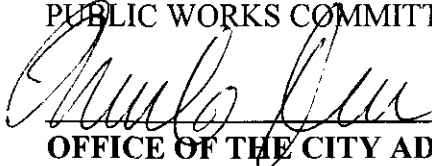
Design & Construction Services Department

Prepared by:

Lily Soo Hoo, C. I. P. Coordinator

Project Delivery Division

APPROVED AND FORWARDED TO THE
PUBLIC WORKS COMMITTEE:



OFFICE OF THE CITY ADMINISTRATOR

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OAKLAND CITY COUNCIL

RESOLUTION No: _____ C.M.S.

INTRODUCED BY COUNCILMEMBER _____

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO AMEND THE CONTRACT WITH SHAH KAWASAKI ARCHITECTS TO ADD ADDITIONAL DESIGN AND ENGINEERING SERVICES FOR THE STUDIO ONE ART CENTER REHABILITATION PROJECT AND TO INCREASE THE CONTRACT FROM ONE MILLION DOLLARS (\$1,000,000.00) TO A TOTAL CONTRACT AMOUNT NOT-TO-EXCEED ONE MILLION ONE HUNDRED THOUSAND DOLLARS (\$1,100,000.00)

WHEREAS, Studio One Art Center is an existing facility identified for renovation and rehabilitation under Capital Improvement program and in accordance with Measure DD passed by the Voters on November 5, 2003; and

WHEREAS, a professional services agreement was awarded to Shah Kawasaki Architects for design and engineering services and executed in accordance with Resolution No. 78033 C.M.S. ; and

WHEREAS, the City desires additional services to complete the above referenced project; and

WHEREAS, it is in the City's best interests to include the additional project services in the contract with Shah Kawasaki Architects for continuity of the project, to manage potential claims and risk and to avoid schedule delays; and

WHEREAS, the City lacks the equipment and qualified personnel to perform the necessary work; and

WHEREAS, the City Council finds and determines that the performance of this contract is in the public interest because of economy; and

WHEREAS, the project is designated in the Capital Improvement Plan for FY2003-2005, and funding exists in State Proposition 12, the 2000 Park Bond Act, under the Murray Hayden Urban Youth Services Program, Fund (2134), project (C196810), in Capital Improvement Program Fund (5500), project (C71910) as matching funds for the Murray Hayden Grant, and in Bond Measure DD – Oakland Trust for Clean Water and Safe Parks Fund (5320), project (C244710); and

WHEREAS, the funding for the contract amendment is available in Bond Measure DD, Oakland Trust for Clean Water and Safe Parks, Fund (5320); Director's Unit (Organization

#92110); Architectural and Engineering (account #54411); Studio One Art Center project (#C244710).

WHEREAS, the City Council finds and determines that the performance of this contract shall not result in the loss of employment or salary by any person having permanent status in the competitive services; now, therefore, be it

RESOLVED: That the City Administrator, or her designee, is hereby authorized to amend the contract with Shah Kawasaki Architects to provide additional services for the rehabilitation of the Studio One Art Center and to increase the contract from one million dollars (\$1,000,000.00) to an amount not-to-exceed one million one hundred thousand dollars (\$1,100,000.00); and, be it

FURTHER RESOLVED: That the City Council hereby finds that it would be in the best interests of the City to include the additional project services in the contract with Shah Kawasaki Architects: 1) to hold the current consultant, Shah Kawasaki Architects, responsible for all project work, 2) to best manage the City's potential claims and risk by contracting the same consultant for all project work, 3) to maintain continuity of the project, and 4) to avoid schedule delays; and, be it

FURTHER RESOLVED: That the City Administrator, or her designated representative, is hereby authorized to approve any subsequent amendments, modifications, or extensions of said agreement, excepting those related to increasing the amount of the contract above the amounts authorized under this Resolution, provided that such amendments or extensions shall be approved as to form and legality by the City Attorney's Office and filed with the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2005

PASSED BY THE FOLLOWING VOTE:

AYES - BRUNNER, KERNIGHAN, NADEL, QUAN, BROOKS, REID, CHANG, AND
PRESIDENT OF THE COUNCIL DE LA FUENTE

NOES -

ABSENT -

ABSTENTION -

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California