OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees

FROM: Dr. Douglas Treadway

DATE: September 14, 2005

SUBJECT: Approval of Amendment 4 to tBP Architectural Services contract, Project Assignment #2, Student Support Services building.

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tBP Architecture is proposing the following services for the Student Support Services Building.

- Acoustical service, utilizing the professional services of Charles M. Salter & Associates, Inc., for a fixed fee of $40,400 and reimbursable expenses of approximately $600, for total fee of $41,000.

- Professional engineering services of Infrastructure Design Associates (same firm working in Ohlone College Newark) for Telecom/AV/Security, Toft Wolff Farrow for Electrical, and Ainsworth Associates, for Mechanical systems for a fixed fee of $125,477 and reimbursable expenses of approximately $6,500 for a total of $131,977.

With this amendment the total contract amount for Project Assignment 2 will be a lump sum fee of $1,546,877.00 plus reimbursables not to exceed $40,800.00.

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RECOMMENDATION

President/Superintendent recommends approval of Amendment #4 to Project Assignment #2 with tBP Architecture, for Acoustical Services in the amount of $41,000 and Telecom Infrastructure, Structured Cabling, AV, and Security Systems in the amount of $131,977.
Ohlone Community College District

PROJECT ASSIGNMENT 2, AMENDMENT #4

Contract #193-0604-001
Date of original contract: September 8, 2004
Date of Project Assignment #2: September 8, 2004
Date of Amendment: September 14, 2005

This is an amendment to the Project Assignment Number Two for the Agreement dated September 8, 2004, between tBP Architecture ("Architect") and Ohlone Community College District ("District") for On-Going Architectural Services for the Ohlone College, Fremont Campus, as detailed in Contract number 193-0604-001.

The parties agree to the following changes and/or additions to the Agreement:

1. Architect will perform additional services in accordance with the tBP Proposal dated August 25, 2005, utilizing Infrastructure Design Associates (IDA), Toft Wolff Farrow (TWF) and Ainsworth Associates (AA as Subconsultants for professional engineering services for Telecom Infrastructure, Structured Cabling, AV and Security, Electrical and Mechanical Design as proposed for the Student Support Services Building.

2. Architect will perform additional services in accordance with the tBP Proposal dated March 28, 2005 utilizing Charles M. Salter & Associates, Inc. as Subconsultant for professional engineering services for Acoustical design as proposed for the Student Support Services Building.

3. Fees will be paid for these additional services as detailed in the tBP Architecture Proposals, which are attached hereto. The Total Fee for the additional services shall not exceed $125,477.00 for the Telecom Infrastructure, Structured Cabling, AV and Security, Electrical and Mechanical services and $40,400.00 for the Acoustical services. The total for this amendment is $165,877.00 and increases the amended fixed price lump sum Project Assignment #2 amount of $1,381,000.00 to a revised total of $1,546,877.00 which consists of the original Project Assignment total-$1,294,600.00, Amendment 1-$17,420.00 Amendment 2-$3,980.00 and Amendment 3-$65,000 and Amendment 4-$165,877.00.

4. Reimbursable expenses relating to these additional services shall not exceed $6,500 for the Telecom Infrastructure, Structured Cabling, AV and Security, Electrical and Mechanical services and $600.00 for the Acoustical services. Total allowable reimbursables relating to Project Assignment 2 shall not exceed $40,800.00 which consists of the reimbursable amounts budgeted for the original Assignment-$32,000.00, Amendment 1-$1,500.00, Amendment 2-$200.00 and Amendment 4-$7,100.00.

In all other respects, the terms of the original agreement remain in full effect. However, if there is a conflict between this Amendment and the original agreement, the terms of this amendment will prevail.

Mr. Richard A. Mangum, AIA
tBP Architecture
1000 Burnett Ave., Suite 140
Concord, CA 94520

Marian Castaneda
Director of Purchasing, Contract Administration, Auxiliary Services
Ohlone Community College District
43600 Mission Blvd.
Fremont, CA 94539

________________________________ ________________________________
Signature Signature

________________________________ ________________________________
Date Date
August 25, 2005 (Revised)

Ohlone College
43600 Mission Boulevard
PO Box 3909
Fremont, CA. 94539-0390

Attention: Deanna Walston, Vice President of Business Services

Subject: Additional Services Proposal
Telecom Infrastructure, Structured Cabling, AV and Security Systems
Student Support Services Center
Ohlone College Fremont Campus
TBP Project No.: 20446.02

Dear Ms. Walston:

Attached for District review and approval is a Professional Services Authorization for providing additional Telecom Infrastructure, Structured Cabling, AV and Security Systems design and construction administration services for the Subject Project.

Scope of Design and Construction Administration Services:
TBP/Architecture will provide the following Additional Architectural Services as set out in the "Agreement for On-Going Architectural Services, dated September 8, 2004" and as modified herein.

2. Additional Electrical Consulting services to coordinate site and building electrical with Telecom/AV/Security systems.
3. Additional Mechanical Consulting services to coordinate building mechanical systems with Telecom/AV/Security systems.
4. Additional Architectural services to coordinate client requirements with building systems.

Architectural and Engineering Design Services:
Our Proposal provides Architectural, Telecom/AV/Security, Electrical, and Mechanical design services only.

We propose utilizing the professional engineering services of Infrastructure Design Associates (IDA) for Telecom/AV/Security, Toft Wolff Farrow (TWF) for Electrical, and Ainsworth Associates (AA) for the Mechanical systems design for the Subject Project.

District Furnished Information:
1. Campus Telecom Standards, if any exist.
2. Campus Audio Visual Standards, if any exist.
3. Campus Security Standards, if any exist.
4. Existing Site and Building Telecom infrastructure drawings.
Compensation for Additional Services:

Compensation shall be a fixed fee of One Hundred Twenty-Five Thousand Four Hundred Seventy-Seven Dollars ($125,477.00). This breaks down as follows:

- Telecom Infrastructure Systems Design (IDA) $77,044.00
- Audio Visual Systems Design (IDA) $13,025.00
- Security Systems Design (IDA) $16,501.00
- Electrical Engineering (TWF) Design/Coordination $5,000.00
- Mechanical Engineering (AA) Design/Coordination $2,500.00
- Sub Total Consultants Fee $114,070.00
- Architectural Administration of Consultants and Architectural Design/Coordination $11,407.00

Total Fixed Fee: $125,477.00

Reimbursable Expenses:

Reimbursable expenses are in addition to the fee and include expenses incurred in the interest of the Project as identified in the attached Professional Services Agreement. We recommend a budget allowance of Six Thousand Five Hundred Dollars ($6,500.00) for project-related expenses.

Please review our proposal and feel free to contact us to discuss the details. Thank you again for asking our team to perform these professional services.

Sincerely,

Richard A. Mangum, AIA
Executive Vice President

cc Simon Barros, Director of Facilities, Ohlone College
      Jay Malone, tBP/Architecture
      Gary Frye, tBP/Architecture
      Contract File

Attachments: Professional Services Agreement
             IDA Letter Proposal, March 10, 2005
PROFESSIONAL SERVICES AGREEMENT

Between the Client:

Ohlone Community College District
43600 Mission Boulevard
Fremont, CA. 94520

and the Architect:

tBP/Architecture, Inc.
1000 Burnett Avenue, Suite 140
Concord, CA. 94520

Richard A. Mangum, AIA     CA     License # C8685

for tBP Project No.: 20446.02

Location: Ohlone College
43600 Mission Blvd.
Fremont, CA 94539


Fee: Compensation for services shall be a fixed fee of $125,477.00 plus budgeted reimbursable expenses of approximately $6,500.00 for a total approximate fee of One Hundred Thirty-One Thousand Nine Hundred Seventy-Seven Dollars ($131,977.00).

Reimbursable Expenses: Reimbursable Expenses are in addition to the fee and include those expenses incurred in the interest of the project. They include project-related mileage/travel expenses, long distance communications, fees paid for securing approval of authorities having jurisdiction over the project, approved expense of reproducing, postage and handling of Drawings, Specifications and other documents in excess of the number of copies provided by the Agreement, expense of renderings, model and mock-ups requested by the District. These expenses will be compensated at 1.0 times the amounts invoiced to the Architect. Six Thousand Five Hundred Dollars ($6,500.00) should be budgeted for project-related expenses.

Client:
Ohlone Community College District
Fremont, California

By: Deanna Walston
Vice President Business Services

Date:______________

Architect:
tBP/Architecture, Inc.

By: Richard A. Mangum, AIA
Executive Vice President

Date: 8/25-05
March 28, 2005

Ohlone College
43600 Mission Boulevard
PO Box 3909
Fremont, CA. 94539-0390

Attention: Deanna Walston, Vice President of Business Services

Subject: ADDITIONAL SERVICES -- ACOUSTICAL
Student Support Services Center
Ohlone College Fremont Campus
tBP Project No.: 20446.03

Dear Ms. Walston:

Attached for District review and approval is a Professional Services Authorization for providing additional Acoustical services for the Subject Project.

Scope of Additional Acoustical Services:
tBP/Architecture will provide the following Additional Acoustical Services as set out in the “Agreement for On-Going Architectural Services, dated September 8, 2004” and as modified herein.

1. Establish project noise criteria and acoustical design issues.
2. Prepare an acoustical report outlining the interior building requirements. This will include typical sound-rated wall types, sound-isolating ceiling constructions, doors and sound absorbing finishes. This scope includes both sound transmission and reduction of reverberant noise. Provide typical details and specification input.
3. Provide mechanical ventilation system design guidance to reduce noise and vibration to meet project design criteria. This work will include the review of mechanical drawings during the Preliminary Design and Contract Documents Phases. Prepare a report outlining noise reduction requirements, including comments on duct routing, and the need for internal lining and sound attenuators. Provide input to the vibration isolation specifications based on the equipment list.
4. Review the Construction Documents for inclusion of acoustical recommendations. Review two sets of drawings and provide comments.
5. Acoustical consultant will attend up to three design meetings.
6. During the Construction Phase, review architectural submittals of acoustical interest, review mechanical submittals containing noise attenuation and vibration reduction hardware, provide clarifications for RFI’s relating to the acoustical work, and conduct up to three site visits on an as requested basis.

Architectural and Acoustical Design Services:
Our Proposal provides Architectural and Acoustical design services only.

We propose utilizing the professional engineering services of Charles M. Salter & Associates, Inc. for the acoustical systems design for the Subject Project.
Compensation for Additional Services:
Compensation shall be a fixed fee of Forty Thousand Four Hundred Dollars ($40,400.00).

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
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<tbody>
<tr>
<td>Acoustical Consultant</td>
<td>$34,000.00</td>
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<tr>
<td>Architectural Administration of Consultant</td>
<td>$3,400.00</td>
</tr>
<tr>
<td>Architectural Design/Coordination</td>
<td>$3,000.00</td>
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<tr>
<td><strong>Total Fixed Fee:</strong></td>
<td><strong>$40,400.00</strong></td>
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Reimbursable Expenses:
Reimbursable Expenses are in addition to the fee and include expenses incurred in the interest of the Project as identified in the attached Professional Services Agreement. We recommend a budget allowance of Six Hundred Dollars ($600.00) for project-related expenses.

Services Not Included
The following services are not included in the above scope of work and fee.
- Environmental noise measurements
- Audio/visual and Telecommunications design,
- Ground-borne vibration analysis,
- Acoustical measurements beyond those identified,
- Witnessing performance tests,
- Acoustical mock-ups and simulations,
- Attendance at public hearings,
- Substantial redesign,
- Pursuit of LEED innovation points

Should these services become necessary, we can provide an additional proposal for this work.

If this proposal is acceptable, please signify your acceptance and District authorization to proceed by signing and returning the attached Professional Services Agreement. Thank you again for asking our team to perform these professional services.

Sincerely,
tBP/Architecture, Inc.

Richard A. Mangum, AIA
Executive Vice President

cc Simon Barros, Director of Facilities, Ohlone College
Don Eichelberger, Stegeman and Kastener, Inc.
Jay Malone, tBP/Architecture, Inc.
Gary Frye, tBP/Architecture, Inc.
Contract File

Attachments: Professional Services Agreement
PROFESSIONAL SERVICES AGREEMENT

Between the Client:

Ohlone Community College District
43600 Mission Boulevard
Fremont, CA. 94520

and the Architect:

tBP/Architecture, Inc.
1000 Burnett Avenue, Suite 140
Concord, CA. 94520
Richard A. Mangum, AIA  CA  License # C8685

for tBP Project No.: 20446.03

Location:   Ohlone College
            43600 Mission Blvd.
            Fremont, CA 94539


Fee:  Compensation for services shall be a fixed fee of $40,400.00 plus budgeted reimbursable expenses of approximately $600.00 for a total approximate fee of Forty-One Thousand Dollars ($41,000.00).

Reimbursable Expenses:  Reimbursable Expenses are in addition to the fee and include those expenses incurred in the interest of the project. They include project-related mileage/travel expenses, long distance communications, fees paid for securing approval of authorities having jurisdiction over the project, approved expense of reproducing, postage and handling of Drawings, Specifications and other documents in excess of the number of copies provided by the Agreement, expense of renderings, model and mock-ups requested by the District. These expenses will be compensated at 1.0 times the amounts invoiced to the Architect. Six Hundred Dollars ($600.00) should be budgeted for project-related expenses.

Client:  Ohlone Community College District
         Fremont, California

Architect:  tBP/Architecture, Inc.

By: ___________________________  By: ___________________________
    Deanna Walston             Richard A. Mangum, AIA
    Vice President Business Services   Executive Vice President

Date: _________________________  Date: _________________________