

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees
FROM: Dr. Douglas Treadway
DATE: January 25, 2005
SUBJECT: Approval of Amendment 5 to tBP Architectural Services contract, Project Assignment #2, Student Support Services building

tBP Architecture is proposing the following changes for the Student Support Services Building, Project Assignment #2.

Since the original Project Assignment #2 was signed, the scope and the location for the New Student Services building have changed. The original Project Assignment #2 Basic Services fee was \$1,294,600, which included additional LEED Services for \$69,000.00. Amendment #3 increased the Basic Services fee by \$65,000.00 as an interim adjustment until the final scope was determined. This amendment further increases the fee for the Basic Architectural Services by \$420,970.00 to cover the additional work required for the scope and location changes. Furthermore, the architects have agreed that there will be no increases in their fees relating to increases in construction costs.

With this amendment the total contract amount for Project Assignment 2 will be a lump sum fee of **\$1,967,847.00** plus reimbursables not to exceed \$40,800.00.

RECOMMENDATION

President/Superintendent recommends approval of Amendment #5 to Project Assignment #2 with tBP Architecture for \$420,970.00.

Attachments: Amendment #5
TBP Proposal

#12

Ohlone Community College District

PROJECT ASSIGNMENT 2, AMENDMENT #5

Contract #193-0604-001

Date of original contract: September 8, 2004

Date of Project Assignment #2: September 8, 2004

Date of Amendment #5: January 25, 2006

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. The original project Assignment #2 fee was \$1,294,600, which included additional LEED Services for \$69,000.00. Amendment #3 increased this fee by \$65,000.00. Since the contract was signed, the scope/location for the New Student Services building has changed. **This amendment increases the fee for the basic Architectural services by \$420,970.00.** The Total fixed fee for Basic Architectural Design services shall be a fixed fee of \$1,780,570.00.
2. **This amendment increases the amended fixed price lump sum Project Assignment #2 amount of \$1,546,877.00 to a revised total of \$1,967,847.00. The amended total consists of the original fee-\$1,294,600.00, Amendment 1-\$17,420.00 Amendment 2-\$3,980.00 and Amendment 3-\$65,000, Amendment 4-\$165,877.00 and Amendment #5-\$420,970.00**
3. **Add the following language to section #3: Architect Compensation:**
"D. The contract price will not be increased due to increased construction costs for this project."

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 the original agreement 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



Architecture
Planning
Interiors
Management

January 10, 2006

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

Attention: Deanna Walston, Vice President of Business Services

Subject: **Professional Services Fee Adjustment**
Student Support Services Center
Ohlone College Fremont Campus
tBP Project No.: 20446.00

Dear Ms. Walston:

It is our understanding the Ohlone Community College District Board approved the Preliminary Design Documents and JCAF 32 for the Subject Project and authorized proceeding with the Construction Documents Phase at their meeting of December 14, 2005. The approved estimated construction cost budget is \$21,394,630.00.

Based on this approval, our Contract, and as previously discussed and agreed, we request the District issue an amendment to our Contract #193-0604-001 Project Assignment #2 increasing our base fee (\$1,225,600.00) and the interim adjustment (\$65,000.00) by an additional \$420,970.00 for a total fee of \$1,711,570.00, reflecting 8% of the approved estimated construction cost budget.

Attached is a fee analysis prepared by Don Eichelberger which may be helpful.

Should you have any questions, please give us a call.

Sincerely,
tBP/Architecture, Inc.

Richard A. Mangum, AIA
President/COO

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

Attachments: tBP SSB Contract Analysis, Don Eichelberger, 12-6-05

