

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Capital Improvement Department

AGENDA DATE: April 19, 2016

CONTACT PERSON NAME AND PHONE NUMBER:

Monica Lombraña, A.A.E, Director of Capital Improvement 212-1831
Steve Marshall, Zoo Director 212-2800

DISTRICT(S) AFFECTED: 8

SUBJECT:

That the City Manager is authorized to sign a Second Amendment for Professional Services between the City of El Paso and Wu & Associates, Inc. for a project known as "Project Management Services for El Paso Zoo Program" to amend the scope of work which includes construction administrations services and extend the term for an additional six (6) month period effective April 23, 2016 and an option to extend the agreement on a month-to-month basis up to six (6) months, which may be exercised by the Director of Capital Improvement Department, at an additional total cost not to exceed \$75,660.00 for the initial six (6) month period and an amount not to exceed \$75,660.00 for the option period to be paid on a time and materials basis, thereby extending the contract amount from \$552,075.00 to \$703,395.00. Funding Source: 2012 Quality of Life Bonds.

BACKGROUND / DISCUSSION:

This amendment is to the scope of work which includes construction administrations services and extend the term for an additional six (6) month period effective April 23, 2016 and an option to extend the agreement on a month-to-month basis up to six (6) months, which may be exercised by the Director of Capital Improvement Department, at an additional total cost not to exceed \$75,660.00 for the initial six (6) month period and an amount not to exceed \$75,660.00 for the option period to be paid on a time and materials basis

PRIOR COUNCIL ACTION:

April 22, 2014 – City Council approved an agreement between the City of El Paso and the Consultant.

AMOUNT AND SOURCE OF FUNDING:

\$151,320.00: 2012 Quality of Life Bonds

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

 *for all*

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager is authorized to sign a Second Amendment for Professional Services between the City of El Paso and Wu & Associates, Inc. for a project known as "Project Management Services for El Paso Zoo Program" to amend the scope of work which includes construction administrations services and extend the term for an additional six (6) month period effective April 23, 2016 and an option to extend the agreement on a month-to month basis up to six (6) months, which may be exercised by the Director of Capital Improvement Department, at an additional total cost not to exceed \$75,660.00 for the initial six (6) month period and an amount not to exceed \$75,660.00 for the option period to be paid on a time and materials basis, thereby extending the contract amount from \$552,075.00 to \$703,395.00.

ADOPTED THIS _____ DAY OF _____ 2016.


CITY OF EL PASO:

Oscar Leeser,
Mayor

ATTEST:


Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:



Sol M. Cortez
Assistant City Attorney

APPROVED AS TO CONTENT



Monica Lombraña, A.A.E., Director
Capital Improvement Department

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

SECOND AMENDMENT
AGREEMENT
FOR PROFESSIONAL SERVICES

This Second Amendment to that certain Agreement for Professional Services is made this _____ day of _____, 2016, by and between the City of El Paso, a Texas municipal corporation (the "**Owner**"), and Wu & Associates, Inc. (the "**Consultant**").

WHEREAS, on April 22, 2014, the Owner entered into an Agreement for Professional Services (the "**Agreement**") with the Consultant for a Project known as "Project Management Services for El Paso Zoo Program" (the "**Project**");

WHEREAS, on April __, 2016 the Owner entered into a First Amendment pursuant to the Director of Capital Improvement Department's authority to authorize additional services administratively in an amount not to exceed \$50,000.00, thereby extending the contract amount from \$502,075.00 to \$552,075.00.

WHEREAS, the Agreement may be amended under the provisions of Section 3.2 and Attachment "C"; and

WHEREAS, the parties hereto desire to amend the Agreement for construction administration services pursuant to the amended scope of work of this Second Amendment; and

WHEREAS, the parties further desire to amend the term of the agreement to extend the term for an additional six (6) month period and an option to extend the agreement on a month-to-month basis up to six (6) months, which may be exercised by the Director of Capital Improvement Department, at an additional total cost not to exceed \$75,660.00 for the initial six (6) month period and an amount not to exceed \$75,660.00 for the option period to be paid on a time and materials basis, thereby extending the contract amount from \$552,075.00 to \$703,395.00.

NOW THEREFORE, in consideration of the mutual promises set forth in this Amendment and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. **Scope of Services.** The Owner hereby authorizes the Consultant to perform the amended Scope of Services as described in Attachment "A" of this Second Amendment.
2. **Payments to Consultant.** Payment to the Consultant for the services the subject of this Second Amendment shall not exceed Seventy Five Thousand Six Hundred Sixty and 00/100 Dollars (\$75,660.00) for the initial six (6) month period and Seventy Five Thousand Six Hundred Sixty and 00/100 Dollars (\$75,660.00) for option month-to-month period not to exceed six (6) month period. All payments shall be made on a Time and Materials basis pursuant to Attachment "A".

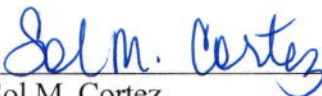
3. **Time of Completion.** The term of the Agreement is hereby amended to add six (6) months and an option to extend the agreement on a month-to month basis up to six (6) months which may be exercised by the Director of Capital Improvement Department by giving a ten (10) days written notice to the Consultant prior to the beginning of the following month that the City will exercise the option for an additional month.
4. **Terms and Conditions.** All terms and conditions of the Agreement and all subsequent Amendments thereto, except as herein revised, shall remain in full force and effect.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

THE CITY OF EL PASO


Tomás González
City Manager

APPROVED AS TO FORM:



Sol M. Cortez
Assistant City Attorney

APPROVED AS TO CONTENT:



Monica Lombraña, A.A.E., Director
Capital Improvement Director

**CONSULTANT
WU & ASSOCIATES, INC.**

Kirby Wu, President

(Acknowledgements begin on the following page.)

ACKNOWLEDGEMENTS

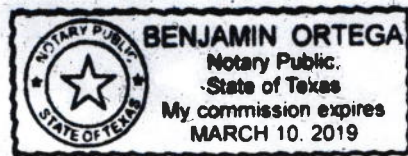
THE STATE OF TEXAS §
§
COUNTY OF EL PASO §

This instrument was acknowledged before me on this 11th day of April, 2016,
by **Monica Lombraña, A.A.E.**, as **Director of Capital Improvement Department** of the City
of El Paso, Texas.

Benjamin Ortega
Notary Public, State of Texas

My commission expires:

3/10/2019



ID # 13014880-1

THE STATE OF TEXAS §
§
COUNTY OF EL PASO §

This instrument was acknowledged before me on this _____ day of _____, 2016,
by **Kirby Wu**, as **President of Wu & Associate, Inc.**

Notary Public, State of Texas

My commission expires:

ATTACHMENT "A"



100 Gaither Drive, Suite C, Mt. Laurel, NJ 08054
T: (856) 857-1639 | F: (856) 857-1729
www.wuassociates.com

April 7, 2016

Yvette Hernandez
Project Manager
Engineering and Construction Management Department
218 N. Campbell Street
El Paso, TX 79901

**RE: El Paso Zoo Master Plan Implementation –
Processing of Submittals and Certified Payroll Documents (v4)**

Dear Yvette,

Wu & Associates is greatly appreciative of the opportunity we have had to work with the El Paso Zoo to provide Project Management Services for the contract period commencing May 1, 2014.

Per the direction of the Zoo, we have shaped our current proposal to include the following scope of work:

a. Submittal Processing

W&A will provide the document control and technical review services for all submittals during the construction phase of each project. Once a construction award is made, W&A will produce a submittal register based on the specifications provided by the Zoo, in order to track the necessary documents required from the contractor. Submittals may include general condition items, schedules, safety declarations, critical work plans, shop drawings, material data, samples, product data, and closeout documents. Submittals will be received, logged, and reviewed by W&A for compliance to specifications only, then passed to the Zoo for final approval or returned to the contractor for revision.

W&A will provide document control via an online platform for exchanging documents between all necessary parties. To maintain the accuracy and effectiveness of the submittal process, W&A requests that the Zoo provide weekly updates pertaining to any changes to the established submittal register, such as field decisions or coordination matters.

Exclusions: Enforcement of obtaining submittals; recommended modifications to specifications coordination of specifications with drawings; RFIs, clarifications sketches, change order logs, meeting minutes; participation in progress meetings; analysis of CPM schedules; design phase reviews; construction project management.



b. Certified Payroll Processing

W&A will manage the LCP Tracker project launch and review of certified payrolls for all active construction projects. These reviews will be performed for each project on a rolling monthly basis to ensure compliance with established wage rates. W&A will set up new projects in the LCP Tracker system as projects are awarded. Certified payroll status will be provided to the Zoo to coincide with monthly payment applications from contractors.

The following projects are projected to be in construction phase over the next year and thus requiring the services listed above:

- Event Tent
- Wildlife Theater & Education Animal Holding
- Red River Hog
- Animal Holding I
- Aviary Upgrades
- Asia Gateway

The W&A team assigned to execute this scope of work will consist of a Design Quality Control Manager to provide master review and guidance; a Design Quality Control Assistant to provide document coordination, maintenance, and initial technical review; and a Project Assistant to provide certified payroll support.

For a proposed contract period of 4/22/2016 – 10/22/2016, the fee schedule and anticipated hours allotted to the project are as follows:

	Design QC Manager	Design QC Assistant	Project Assistant
Hourly Rate	\$110	\$90	\$55
# of Hours	104	650	104
Subtotal	\$11,440	\$58,500	\$5,720

Exclusion: Project Management

W&A proposes a **not-to-exceed fee of \$75,660 for this period.** The same hourly rates would apply on a month-to-month basis thereafter up to 6 additional months.



100 Gaither Drive, Suite C, Mt. Laurel, NJ 08054
T: (856) 857-1639 | F: (856) 857-1729
www.wuassociates.com

Thank you very much for the opportunity to present our services to the Zoo. Our goal is to provide the best blend of services to match the wishes of the Zoo for a mutually beneficial outcome. Please let us know if you require any further documents or clarifications for consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kirby Wu', written in a cursive style.

Kirby Wu, AIA, LEED AP
President



Agenda Item

El Paso Zoo – Program Management Services Professional Services Contract Amendment

Strategic Plan Goal:

3) Promote the Visual Image of El Paso

4) Enhance El Paso's Quality of Life through Recreational, Cultural and Educational Environments

4.1 Deliver bond projects impacting quality of life across the city in a timely, efficient manner

April 19, 2016

"Delivering Outstanding Services"



El Paso Zoo – Program Management Services

Project Scope

The Consultant shall:

- Provide document control and technical review for all submittals during the construction phase of each project
 - Event Tent
 - Wildlife Theater & Educational Animal Holding
 - Red River Hog
 - Animal Holding I
 - Aviary Upgrades
 - Asia Gateway
- Manage certified payrolls submitted for each construction project greater than \$2,000 to include management of LCP Tracker

"Delivering Outstanding Services"



El Paso Zoo – Program Management Services

Project Schedule

Additional Contract Days extended:

Upon execution of contract the consultant shall provide services for up to six months, with the option to continue on a monthly basis not to exceed six additional months.

April 19, 2016

"Delivering Outstanding Services"



El Paso Zoo – Program Management Services

Request for Action

Award of the Second Amendment to the agreement for Professional Services to Wu & Associates, Inc.

Proposed contract period: 4/22/2016 – 10/22/2016

Total Contract Amendment: \$151,320.00

New Contract amount: \$703,395.00

April 19, 2016

"Delivering Outstanding Services"



El Paso Zoo – Program Management Services

Questions?

"Delivering Outstanding Services"