



Meeting Date: 07/01/08

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input type="checkbox"/> Other _____

Prepared By: Sabrina Rodriguez, Management Analyst *SR* Agenda Item No. I-1
 Reviewed By: City Manager *[Signature]* City Attorney *[Signature]* Finance *[Signature]* Other (Specify) _____

DATE: June 16, 2008

TO: City Council

FROM: Matthew G. Winegar, Development Services Director *[Signature]*
Development Services Department

SUBJECT: **Second Amendment to Consulting Services Agreement with Douglas E. Barnhart, Inc.**

RECOMMENDATION

That City Council approve and authorize the Mayor to execute the Second Amendment to Agreement (3385-05-DS) with Douglas E. Barnhart, Inc. in the amount of \$224,952, for construction management service costs for a total of \$2,937,540.

DISCUSSION

Agreement No. 3385-05-DS was originally executed on June 1, 2005 between the City of Oxnard and Douglas E. Barnhart, Inc. (DEB) for construction management services for the Civic Center Renovation Project. The first amendment added services, based on an estimated construction cost of \$2.7 million, for the Downtown Street Tree & Sidewalk Replacement Project. Due to additional project costs, the final cost of construction was approximately \$3.4 million. Construction costs for Phase 2 of the Civic Center Renovation Project have also exceeded the estimated amount by approximately \$1.5 million. DEB's fee for services is based on the total value of construction and must now be adjusted due to the increase in cost for both projects. The second amendment will increase the contract amount by \$224,952 so that final construction management costs can be paid.

FINANCIAL IMPACT

The cost of the second amendment to agreement with Douglas E. Barnhart, Inc. is \$224,952, which brings the total cost of the agreement to \$2,937,540. There are sufficient funds in the Central Business District Streetscape Project #048204 and the Civic Center Upgrade Project #995801 to pay the additional cost of the amendment.

MGW/sbr
Attachment #1 – 2nd Amendment to Agreement between the City of Oxnard and DEB, Inc.

SECOND AMENDMENT TO AGREEMENT FOR CONSULTING SERVICES

This Second Amendment to Agreement, entered into in Ventura County, California on June 11, 2008, amends that certain Agreement for Consulting Services ("Agreement"), entered into by and between the City of Oxnard, a municipal corporation ("City"), and Douglas E. Barnhart, Inc. ("Consultant"), on June 1, 2005 and amended for the first time on January 1, 2007.

A. City and Consultant agree that the Agreement shall be amended as follows:

1. Subsection a of section 14 of the Agreement is amended as follows:

- a. The figure "\$2,712,588" is replaced by the figure "\$2,937,540".
- b. Exhibit C is supplemented by Exhibit C2, attached hereto and incorporated herein by this reference.

2. In Section 12 of the Agreement, Term of Agreement, the date "June 30, 2008" is replaced by the date "December 30, 2008".

B. City and Consultant agree that as so amended, the Agreement remains in full force and effect.

CITY OF OXNARD

DOUGLAS E. BARNHART, INC.



Brian H. Cahill
Executive Vice President

Dr. Thomas E. Holden, Mayor

Brian Cahill, Executive Vice President

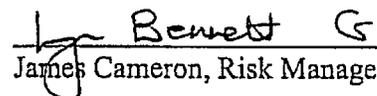
APPROVED AS TO FORM:

APPROVED AS TO INSURANCE:



06-12-08

Gary L. Gillogly, City Attorney

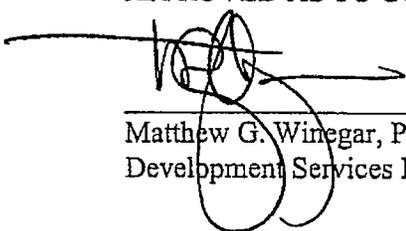


James Cameron, Risk Manager

ATTEST:

APPROVED AS TO CONTENT:

Daniel Martinez, City Clerk



Matthew G. Winegar, Project Manager
Development Services Director

EXHIBIT C2
COMPENSATION

Consultant shall be compensated at the following rates for services provided:

douglas e. barnhart, inc.

<i>Civic Center Renovation Project</i>		Costs
<i>Construction Management:</i>		
<i>Original Contract Amount</i>		\$2,182,955
<i>Estimated Cost of Construction</i>	\$21,550,000	
<i>Actual Cost of Construction (to date)</i>	\$23,000,000	
<i>Total Construction Management Fee</i>		\$2,350,000
<i>Cost Difference</i>		(167,045)
<i>Contract Increase (2nd Amendment)</i>		\$167,045

<i>Downtown Street Tree & Sidewalk Replacement Project</i>		Costs
<i>Construction Management:</i>		
<i>Original Contract Amount</i>		\$529,633
<i>Estimated Cost of Construction</i>	\$2,700,000	
<i>Actual Cost of Construction</i>	\$3,400,000	
<i>Total Construction Management Fee</i>		\$577,540
<i>Cost Difference</i>		(47,907)
<i>Contract Increase (2nd Amendment)</i>		\$47,907

Contingency	\$10,000
2nd Amendment Total	\$224,952