CITY OF WEST DES MOINES
CITY COUNCIL MEETING COMMUNICATION

DATE: June 1, 2020

ITEM:

Motion – Approving Amendment No. 1 to Professional Services Agreement
Park Restrooms/Shelters – Phase 2 Miscellaneous Repairs

FINANCIAL IMPACT:

The original Professional Services Agreement included a maximum fee of $25,600.00 for Basic Services of the Consultant and $9,700.00 for Resident Consultant Services. Amendment No. 1 increases the Basic Services of the Consultant by $8,472.00 and the Resident Consultant Services by $1,800.00. The new maximum not-to-exceed fee thus becomes $45,572.00. All costs for these services can be paid from account no. 500.000.000.5250.495 with ultimate funding intended to come from General Funds.

BACKGROUND:

Benjamin Design Collaborative, P.C. is working under an existing Agreement dated September 3, 2019 to perform the professional services necessary for miscellaneous repairs to restrooms and shelters at various Park locations throughout the City.

Amendment No. 1 includes additional Basic Services of the Consultant and Resident Consultant Services to accommodate the addition of two (2) parks shelters not included on the original list, additional site visits to maximize budget allotted for project, additional work necessary to accommodate replacement of all light fixtures and controls at all buildings included with the project, and additional efforts necessary during the bidding process to address restrictions imparted due to the COVID-19 situation.

The Engineering Services Department retains professional consultants based on their past work experience, qualifications of their staff, familiarity with the project, staffing availability, and past performance. Once a firm has been selected based on the above criteria, City staff then negotiates a fee with the consultant for performing the desired scope of services. City staff attempts, whenever feasible, to distribute professional services work on an equitable basis to qualified firms maintaining local metropolitan area offices who have expressed interest in working for the City of West Des Moines.

This agenda item was distributed to the Public Services Subcommittee by e-mail only since there was no meeting.

OUTSTANDING ISSUES: None.

RECOMMENDATION:

City Council Adopt:

- Motion Approving Amendment No. 1 to Professional Services Agreement for Park Restrooms/Shelters – Phase 2 Miscellaneous Repairs.

Lead Staff Member: Brian J. Hemesath, P.E., City Engineer BJH

STAFF REVIEWS

Department Director	Brian J. Hemesath, P.E., City Engineer
Appropriations/Finance	Tim Stiles, Finance Director TS
Legal	Richard Scieszinski, City Attorney
Agenda Acceptance	

PUBLICATION(S) (if applicable)

Published In	
Dates(s) Published	

SUBCOMMITTEE REVIEW (if applicable)

Committee			
Date Reviewed			
Recommendation	Yes	No	Split

AMENDMENT NO. 1
TO THE AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES

This AMENDMENT is made and entered into this First day of June, 2020, by and between the CITY OF WEST DES MOINES, a municipal corporation, hereinafter referred to as "City", and Benjamin Design Collaborative, (Fed. I.D. #01-0789077), a professional corporation incorporated and licensed under the laws of the State of Iowa, party of the second part, hereinafter referred to as "Consultant", hereby amends the original Agreement dated September 3, 2019, as follows:

1. SCOPE OF SERVICES

   The Scope of Services as described in the original Agreement for the Parks Restrooms / Shelters – Phase 2 Misc. Repairs (Project No. 0510-026-2019), Attachment 1 are amended as follows:

   The original Design Scope was increased by Three factors: The addition of two Parks Shelters not originally included in the list, the increased available budget causing us to revisit each park structure to add to their Scope of Work, and the increased Scope of Work needed to include replacing all light fixtures and controls at all buildings. Also, there have been additional efforts during the Bidding process that were necessary due to the COVID-19 crisis and all of its resulting restrictions.

2. SCHEDULE

   The Project Schedule of the professional services as described in the original Agreement, Attachment 2 is amended as follows: No Change.

3. COMPENSATION

   In consideration of the additional professional services provided, the City agrees to pay the Consultant the additional fees to increase the original sum NOT-TO-EXCEED, including any authorized reimbursable expenses, pursuant to the Schedule of Fees set forth in the original Agreement, Attachment 3.

	Original Fee	Additional Fee	Total Fee
I. Basic Services of the Consultant	$25,600.00	$8,472.00	$34,072.00
II. Resident Consultant Services	$9,700.00	$1,800.00	$11,500.00
Total Services	**$35.300.00**	**$10,272.00**	**$45,572.00**

This AMENDMENT is subject to all provisions of the original Agreement. This AMENDMENT together with the Agreement represents the entire and integrated AGREEMENT between the City and Consultant, as executed on the date written above.

BENJAMIN DESIGN COLLABORATIVE

DocuSigned by:

BY: _____

John Lott, President

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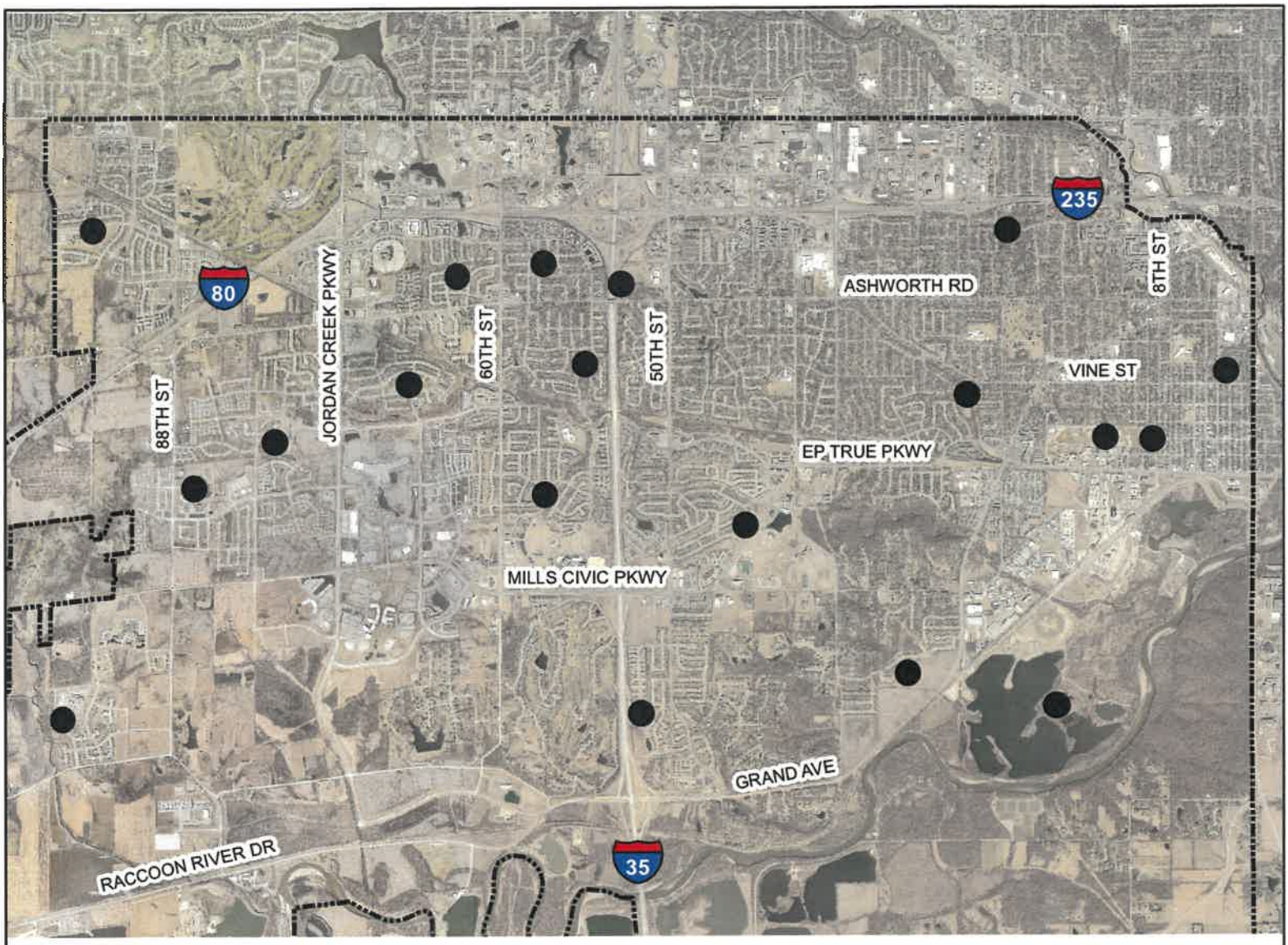
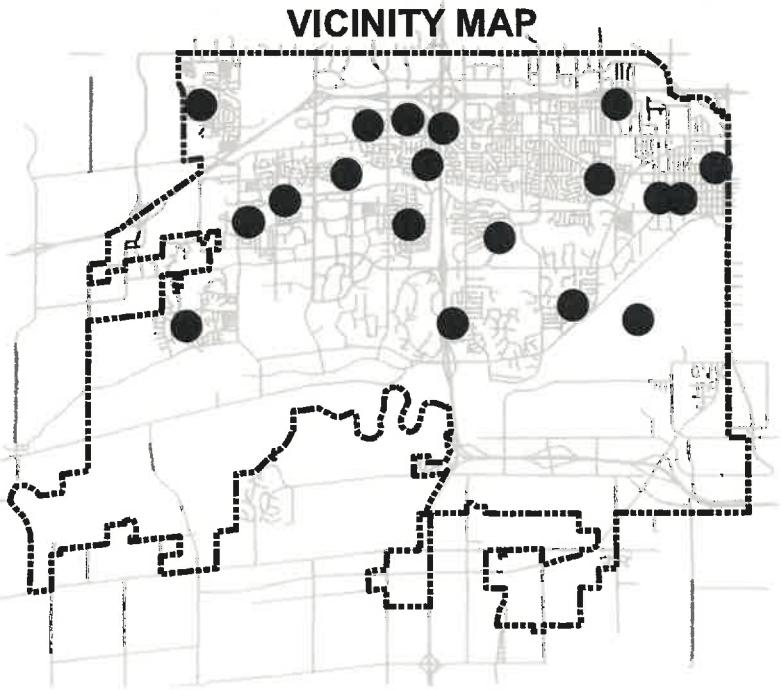
CITY OF WEST DES MOINES

BY: _____

Ryan T. Jacobson, City Clerk



VICINITY MAP



LEGEND

PROJECT LOCATION ●

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THE CITY OF WEST DES MOINES

PROJECT:	**Park Restrooms/Shelters Misc Repairs**		
LOCATION:	**Various Locations**		
DRAWN BY: JDR	DATE: 3/10/2020	PROJECT NUMBER : 0510-026-2019 SUBDIVISION NAME:	SHT. 1 of 1