

**RESOLUTION NO. 2023- \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO  
AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENT AMENDMENTS WITH  
GROUP 4 ARCHITECTURE, GRIFFIN STRUCTURES, NINYO & MOORE, AND  
CONSOR PMCM, INC. FOR THE RECREATION AND AQUATICS CENTER PROJECT IN  
AMOUNTS NOT TO EXCEED \$80,000 FOR EACH AGREEMENT AMENDMENT, FOR  
A TOTAL AMOUNT NOT TO EXCEED \$320,000**

**WHEREAS**, the new Recreation and Aquatic Center (RAC) will be located at 251 City Park Way, replacing the former Veterans Memorial Recreation Center, and will be a modern, 2-story, 49,500 square foot facility that will operate as the City's aquatic, recreation, and community center; and

**WHEREAS**, the City Council has adopted the following project budget appropriations:

**WHEREAS**, on June 8, 2021, the City Council adopted a resolution approving the FY2021-22 Budget that included an overall \$50,000,000.00 commitment to the City for the RAC project funded by 8 grants from the San Bruno Community Foundation (SBCF); and

**WHEREAS**, on June 8, 2021, the City Council adopted a resolution that executed a contract with Lathrop Construction, Inc., in an amount not to exceed \$43,031,000.00 and approved an additional construction contingency of \$4,687,046.00 (10.9% of the construction contract amount); and

**WHEREAS**, on February 8, 2022, the City Council adopted a resolution authorizing the City Manager to appropriate a not-to-exceed amount of \$1,039,456.00 from construction contingency to fund the project's soft costs, reducing the construction contingency from \$4,687,046.00 to \$3,647,590.00 (8.5% of the original construction contract amount); and

**WHEREAS**, on January 24, 2023, the City Council adopted a resolution to transfer \$201,600.00 from the construction contingency to fund the tree removal on Crystal Springs, reducing the RAC's construction contingency of \$3,647,590.00 to \$3,445,990.00 (8% of the original construction contract amount); and

**WHEREAS**, approved change orders in the contract, including Design Discrepancy Resolution (DDR) and Unknown and Unforeseen (UU) circumstances; Public Safety & Convenience (PS&C); Owner Request; and Value Engineering, amounted to \$2,095,714.69, reducing the construction contingency budget from \$3,445,990.00 to \$1,624,322.40 (3.77% of the original construction contract amount); and

**WHEREAS**, staff anticipate additional change orders in the amount of \$1,018,922.00, reducing the construction contingency from \$1,624,322.40 to \$605,400.75; and

**WHEREAS**, staff recommends replenishing the construction contingency with SBCF funds in the amount of \$1,500,000.00, increasing the overall total construction contingency to \$4,945,990.00 (11.5% of the original construction contract amount); and

**WHEREAS**, approximately \$15,000,000.00 worth of work remains, and the additional \$1,500,000 will supplement the forecasted \$605,400.75 remaining construction contingency balance, increasing the remaining total to \$2,105,400.75 (14% of the remaining work); and

**WHEREAS**, the Beckner Shelter Road and Parking Lot Repaving improvements was a project previously identified as an ancillary project to the RAC, allowing for funds from the Beckner Shelter Road and Parking Lot Repaving Project (Project #51022) to be shifted to the RAC project without utilizing additional SBCF funds; and

**WHEREAS**, on March 28, 2023, the City Council adopted a resolution authorizing the City Manager to appropriate an additional contingency of \$1,750,000.00, with \$1,500,000.00 funded from available SBCF funds, along with a \$250,000.00 fund transfer from the General Fund Capital Reserve; and

**WHEREAS**, staff seek to use a portion of the March 28, 2023 City Council approved contingency to amend and increase current professional services agreements with four firms, in amounts not to exceed \$80,000 for each firm, for the following services: Group 4 Architecture for architectural design; Griffin Structures for construction management; Ninyo & Moore for geotechnical engineering, testing, and inspection; and Consor PMCM, Inc. for project management; and

**WHEREAS**, as these professional service agreement amendments will be funded from existing RAC project contingency, no additional funding is requested to the existing City Council approved project budget of \$62,290,228.00; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council hereby adopts a resolution authorizing the City Manager to execute consultant services agreement amendments with Group 4 Architecture, Griffin Structures, Ninyo & Moore, and Consor PMCM, Inc. for the Recreation and Aquatics Center Project for an amount not to exceed \$80,000 for each agreement amendment, for a total amount not to exceed \$320,000.

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I hereby certify that foregoing **Resolution No. 2023 - \_\_\_\_\_**  
was introduced and adopted by the San Bruno City Council at a regular meeting on  
\_\_\_\_\_, 2023, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers

ABSENT: Councilmembers:

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Lupita Huerta, City Clerk