AGENDA ITEM	
MEETING DATE	December 18, 2019

SOLANO COMMUNITY COLLEGE DISTRICT GOVERNING BOARD AGENDA ITEM

TO:			Members of the	e Governing Board
SUBJECT:			EXPENDITUR	T #4 TO KITCHELL CAPITAL RE MANAGERS, INC. FOR PROGRAM NT SERVICES – PHASE 2
REQUESTE) ACTI	<u>ON</u> :		
☐Informa☐Consen		OR OR	⊠Approval ⊠Non-Conse	ent
(KCEM) for P Board approve approved Ame development procurement o CONTINUED STUDENT SU Help our Basic sk Workfor Transfer	Phase 2 ed a con endmen of Crit f constr ON THE UCCES r studen tills edure dever-level e	Prograturate to the first test of the test	m Management of KCEM in the arm of manage the following the following management server and training on	t #4 to Kitchell Capital Expenditure Managers, Inc. Services for Measure Q. On November 5, 2014 the amount of \$6,376,735. On August 19, 2015 the Board ollowing for the Fairfield Science Building Project: citation and selection of the design-builder, and vices. On March 21, 2018 the Board approved
Other: Renovate and provide new instructional space and equipment.				
Ed. Code:	Во	ard Pol	icy:	Estimated Fiscal Impact: \$2,395,056 Measure Q Funds
SUPERINTEND	ENT'S I	RECOM	IMENDATION:	☑ APPROVAL☐ DISAPPROVAL☐ NOT REQUIRED☐ TABLE
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	00 Suisur Fairfield,			
	ADD	RESS		Celia Esposito-Noy, Ed.D.
	(707) 8	863-7855	;	Superintendent-President
	LEPHO	NE NUM	IBER	_
	Robert V			5 1 5 2010
			nistration	December 5, 2019
VICEP	KESIDI	MILAP.	PROVAL	DATE APPROVED BY SUPERINTENDENT-PRESIDENT
	Decemb	er 5, 201	19	
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SUPERINTENDENT-PRESIDENT

AGENDA ITEM MEETING DATE December 18, 2019

SOLANO COMMUNITY COLLEGE DISTRICT GOVERNING BOARD AGENDA ITEM

TO: Members of the Governing Board

SUBJECT: AMENDMENT #4 TO KITCHELL CAPITAL

EXPENDITURE MANAGERS, INC. FOR PROGRAM

MANAGEMENT SERVICES – PHASE 2

SUMMARY:

Amendment #2 to extend the program management services for two years to May 30, 2020. On January 16, 2019 the Board approved Amendment #3 for additional estimating hours related to the Library/Learning Resource Center project.

The current agreement for program management services is scheduled to complete on May 31, 2020. Approval of Amendment #4 is requested for additional program management services to extend beyond the current agreement, from June 1, 2020 through May 31, 2022. If approved, Amendment #4 shall be the final amendment to KCEM's existing agreement, and upon completion of the amended agreement, the District will solicit qualifications and proposals for firms to compete for award of a new agreement to provide program management services.

Contract Summary:

\$ 6,376,735	Original Contract Amount
\$ 2,832,578	Previously Approved Amendments (3)
\$ 2,395,056	Proposed Amendment #4
\$ 11,604,369	New Contract Amount, including Amendment #4

The Board is asked to approve this amendment to Kitchell Capital Expenditure Managers, Inc. in the amount of \$2,395,056, resulting in a new contract amount of \$11,604,369.

The contract can be reviewed at: http://www.solano.edu/measureq/planning.php

AMENDMENT # 4 TO AGREEMENT

PARTIES

This Third Amendment to Agreement ("Amendment") is entered into between Solano Community College District ("District") and **Kitchell Capital Expenditure Managers, Inc.** ("Consultant"), collectively the "Parties").

RECITALS

WHEREAS, District and Consultant entered into a Consulting Services Agreement ("Agreement"), dated November 5, 2014 for **Program Management Services** ("Project"); and

WHEREAS, District and Consultant previously amended the Agreement on August 19, 2015, March 21, 2018, and January 16, 2019, and

WHEREAS, District and Consultant agree to amend the Agreement to extend the services being performed for Measure Q Program Management beyond May 31, 2020,

NOW THEREFORE, in consideration of the mutual promises and covenants set forth above and contained herein, District and Consultant agree as follows:

AGREEMENT

- 1. Article 6.1 of the Agreement is amended to read in its entirety:
 Fee and Method of Payment: The District shall pay Program Manager an amount equal to Eleven Million, Six Hundred Four Thousand, Three Hundred Sixty Nine Dollars and No Cents (\$11,604,369). This fee is a total of November 5, 2014 Agreement in the amount of \$6,376,735, the August 19, 2015 Amendment #1 in the amount of \$138,180, the March 21, 2018 Amendment #2 in the amount of \$2,668,000, the January 16, 2019 Amendment #3 in the amount of \$26,398, and the December 18, 2019 Amendment #4 in the amount of \$2,395,056.
- 2. The first sentence in Article 4 shall be revised to read:
 The duration of Program Manager's Services under this Agreement shall be from June 1, 2014, through May 31, 2022.
- 3. Exhibit "D", Hourly Rates, item 1 is amended to read in its entirety:
 The following hourly rates, which include overhead, administrative cost and profit,
 shall be utilized in arriving at the fee for Extra Services and shall not be changed
 during the term of Amendment #4 (June 1, 2020 May 31, 2022). Program Manager
 shall bill in quarter-hour increments for all Extra Services.

POSITION	
Program Executive	\$228
Program Manager	\$207
Sr. Project Manager	\$197
Fiscal Controls Manager	\$185
Clerical	\$79
Estimating/EAS	\$160

4. Except as set forth in this Amendment, all provisions of the Agreement and any previous extension(s) and/or amendment(s) thereto shall remain unchanged, in full force and effect, and are reaffirmed. This Amendment shall control over any inconsistencies between it and the Agreement and/or any previous extension(s)

5. Consultant acknowledges and agrees that this Amendment shall not be binding on the Parties until and unless the Solano Community College District's Governing Board approves this Amendment.

IN WITNESS WHEREOF, the parties hereto have accepted and agreed to this Amendment on the dates indicated below.

Dated:, 2019	Dated:, 2019		
SOLANO COMMUNITY COLLEGE DISTRICT	KITCHELL CAPITAL EXPENDITURE MANAGERS, INC.		
Ву:	Ву:		
Print Name: <u>Lucky Lofton</u>	Print Name:		
Print Title: Executive Bonds Manager	Print Title:		

and/or amendment(s).