

**SOLANO COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD AGENDA ITEM**

TO: **Members of the Governing Board**

SUBJECT: **CONTRACT AMENDMENT #1 TO NOLL & TAM
ARCHITECTS FOR PROFESSIONAL SERVICES FOR THE
LIBRARY AND LEARNING RESOURCE CENTER
PROJECT (BUILDING 100 REPLACEMENT)**

REQUESTED ACTION:

Information **OR** **Approval**
 Consent **OR** **Non-Consent**

SUMMARY:

On November 15, 2017 the Board approved a professional services contract to Noll & Tam Architects for architectural services for the Library and Learning Resource Center Project (Building 100 Replacement) on the Fairfield Campus.

Board approval is now requested for the attached Amendment #1 to decrease the original professional services agreement with Noll & Tam for costs incurred resulting from Construction Change Document No. 9.

CONTINUED ON THE NEXT PAGE

STUDENT SUCCESS IMPACT:

- Help our students achieve their educational, professional and personal goals
- Basic skills education
- Workforce development and training
- Transfer-level education
- Other: Renovating existing instructional space and equipment.

Ed. Code: Board Policy: Estimated Fiscal Impact: (\$100,000) State and Measure Q Funds

SUPERINTENDENT'S RECOMMENDATION: **APPROVAL** **DISAPPROVAL**
 NOT REQUIRED **TABLE**

Lucky Lofton
Executive Bonds Manager

PRESENTER'S NAME

4000 Suisun Valley Road
Fairfield, CA 94534

ADDRESS

(707) 863-7855

TELEPHONE NUMBER

Robert V. Diamond
Vice President, Finance & Administration

VICE PRESIDENT APPROVAL

October 13, 2020

**DATE SUBMITTED TO
SUPERINTENDENT-PRESIDENT**

Celia Esposito-Noy, Ed.D.
Superintendent-President

October 13, 2020

**DATE APPROVED BY
SUPERINTENDENT-PRESIDENT**

**SOLANO COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD AGENDA ITEM**

TO: Members of the Governing Board

**SUBJECT: CONTRACT AMENDMENT #1 TO NOLL & TAM
ARCHITECTS FOR PROFESSIONAL SERVICES FOR THE
LIBRARY AND LEARNING RESOURCE CENTER
PROJECT (BUILDING 100 REPLACEMENT)**

SUMMARY:

CONTINUED FROM THE PREVIOUS PAGE

Construction Change Document No. 9, (CCD 009), was a significant change to the fire sprinkler system and steel manufacturing that was identified during construction due to a combination of constructability issues that include structural steel, water pressure for the fire protection system, and other conflicts with utilities. The agreement with Noll & Tam Architects to reduce their fee is in consideration of the costs associated with CCD 009.

\$ 2,892,309.00 Original Contract Amount
\$ (100,000.00) Proposed Amendment #1
\$ 2,792,309.00 New Contract Amount

The Board is asked to approve this contract Amendment #1 to Noll & Tam in an amount of (\$100,000.00).

The contract amendment is available online at: <http://www.solano.edu/measureq/planning.php>

**AMENDMENT NO. 1 TO
AGREEMENT FOR ARCHITECTURAL SERVICES**

This Amendment No. 1 to the Agreement for Architectural Services ("Amendment") for the Library/Learning Resource Center Project (Building 100 Replacement) at Fairfield Campus, is made and entered into this 21st day of October, 2020, by and between the Solano Community College District ("District") and Noll & Tam Architects ("Architect") (each a "Party" and, together, "Parties") as follows:

RECITALS

WHEREAS, the Parties entered into the Agreement for Architectural Services on November 1, 2017 ("Agreement"), relating to the Library/Learning Resource Center Project (Building 100 Replacement) at Fairfield Campus, located at 4000 Suisun Valley Road, Fairfield, CA 94534 ("Project"), as further described in the Agreement;

WHEREAS, pursuant to the Agreement, Architect's contract price for architectural services ("Services") satisfactorily rendered is a not-to-exceed amount of Two Million Nine Hundred Ninety-Two Thousand Three Hundred Nine and 00/100 Dollars (\$2,992,309.00) ("Fee");

WHEREAS, at this time, the Parties wish to amend the Agreement to decrease the Fee amount by One Hundred Thousand and 00/100 Dollars (\$100,000.00) for costs incurred by the District resulting from Construction Change Document No. 9 for the Project, as more particularly described in Exhibit "1" attached hereto and incorporated herein by this reference;

WHEREAS, the new Fee will be Two Million Eight Hundred Ninety-Two Thousand Three Hundred Nine and 00/100 Dollars (\$2,892,309.00); and

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

1. Amendments to Agreement.

1.1 Fee. Article 6.1 of the Agreement, Fee and Method of Payment, shall be deleted in its entirety and amended to read as follows:

6.1. The District shall pay Architect for all Services contracted for under this Agreement an amount equal to the following ("Fee"):

An amount equal to **Two Million Eight Hundred Ninety Two Thousand Three Hundred Nine Dollars (\$2,892,309)** based on the rates set forth in **Exhibit "D."**

1.2 Release. Article 28 shall be added to read as follows:

28.4. Release of Claims by the District

Except as reserved in section 28.4.1 below, the District releases and discharges all claims of every kind whatsoever (including, without limitation, claims for breach of contract, breach of fiduciary duty, negligence, breach of statutory duties, compensatory damages, direct/indirect/consequential damages,

liquidated damages, interest, penalties, punitive damages, specific performance, injunctive or declaratory relief, costs, attorneys' fees and/or expert fees) ("Released Matters"), which the District and/or any of its agents, trustees/directors, representatives, employees, predecessors, successors, and/or assigns, asserts or could assert against Architect, its agents, subcontractors, suppliers, shareholders, representatives, sureties, insurers, employees, predecessors, successors, and/or assigns, based upon or arising out of Construction Change Document No. 9.

28.4.1. Matters Not Included in the Release

The Released Matters do not include, and the Parties do not discharge, waive, or otherwise negate any covenants, duties, or warranties, or claims for indemnity and contribution therefor, which may exist in the Agreement and/or Amendment and survive completion of the Project and final payment, and/or relate to a latent deficiency as defined in Code of Civil Procedure section 337.15. Further, it is the intent of the Parties that this Amendment does not discharge, waive, or otherwise negate any contractual indemnity or insurance obligation, which may survive completion of the Project and final payment. Such obligations, rights, and defenses remain in full force and effect notwithstanding this Amendment.

28.5 Release of Claims by Architect

Architect releases and discharges the District from any and all claims, claims for indemnification or contribution, complaints, causes of action, demands, liabilities, losses, or damages, including attorneys' fees and costs, experts' and consultants' fees and costs, known or unknown, which Architect may now or hereafter have against the District based upon or arising out of Construction Change Document No. 9.

2. Other Provisions Reaffirmed.

All other provisions of the Agreement shall remain in full force and effect and are reaffirmed. If there is any conflict between this Amendment and any provision of the Agreement, the provisions of this Amendment No. 1 shall control.

IN WITNESS WHEREOF, the Parties have executed and entered into this Amendment No. 1 as of the date set forth above.

Dated: _____, 2020

NOLL + TAM ARCHITECTS

Dated: _____, 2020

SOLANO COMMUNITY COLLEGE DISTRICT

By: _____

Print Name: _____

Print Title: _____

By: _____

Dr. Celia Esposito-Noy
Superintendent/President

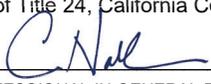
EXHIBIT "1"

CONSTRUCTION CHANGE DIRECTIVE NO. 9

APPLICATION FOR SUBMITTAL OF POST-APPROVAL DOCUMENT

This application is for submittal of documents, after the initial approval of the project (post-approval documents), that require Division of the State Architect (DSA) review and approval. This form shall be completed by the Design Professional in General Responsible Charge of the project, in accordance with California Code of Regulations, Title 24, Part 1, Sections 4-317, 4-323 and 4-338 and in compliance with DSA IR A-6: Construction Change Document Submittal and Approval Process.

DSA documents referenced within this form are available on the [DSA Forms](#) or [DSA Publications](#) webpages.

1. SUBMITTAL TYPE: (Is this a resubmittal? Yes <input type="checkbox"/> No <input type="checkbox"/>)			
Deferred Submittal <input type="checkbox"/>	Addendum Number:	Revision Number: V4	CCD Number: 009 Category A <input checked="" type="checkbox"/> or B <input type="checkbox"/>
2. PROJECT INFORMATION:			
School District/Owner: Solano Community College District		DSA File Number: 48-C1	
Project Name/School: New Library/Learning Resource Center (Building 100 Replacement)		DSA Application Number 02 116761	
3. APPLICANT INFORMATION:			
Date Submitted: 07/02/20		Attached Pages? No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Number of pages? 120	
Firm Name: Noll & Tam Architects		Contact Name: Beckie Denio	
Work Email: beckie.denio@nollandtam.com		Work Phone: (510) 542-2233	
Firm Address: 729 Heinz Ave., #7		City: Berkeley	State: CA Zip Code: 94710
4. REASON FOR SUBMITTAL: (Check applicable boxes)			
<input type="checkbox"/> For revision or addendum prior to construction.		<input checked="" type="checkbox"/> For a project currently under construction.	
<input type="checkbox"/> For a project that has a form <i>DSA 301-N: Notification of Requirement for Certification</i> , <i>DSA 301-P: Posted Notification of Requirement for Certification</i> or a 90-Day Letter issued.			
<input type="checkbox"/> To obtain DSA approval of an existing uncertified building or buildings.			
<input type="checkbox"/> For Category B CCD this is: <input type="checkbox"/> a voluntary submittal, <input type="checkbox"/> a DSA required submittal (attach DSA notice requiring submission).			
5. DESIGN PROFESSIONAL IN GENERAL RESPONSIBLE CHARGE:			
Name of the Design Professional In General Responsible Charge: Christopher Noll			
Professional License Number: C15916		Discipline: Architect	
Design Professional in General Responsible Charge Statement: The attached post-approval documents have been examined by me for design intent and appear to meet the appropriate requirements of Title 24, California Code of Regulations and the project specifications. They are acceptable for incorporation into the construction of the project.			
Signature: 		_____	
<i>DESIGN PROFESSIONAL IN GENERAL RESPONSIBLE CHARGE</i>			
6. CONFIRMATION, DESCRIPTION AND LISTING OF DOCUMENTS:			
For addenda, revisions, or CCDs: CHECK THIS BOX <input checked="" type="checkbox"/> to confirm that <i>all</i> post-approval documents have been stamped and signed by the Responsible Design Professional listed on form <i>DSA 1: Application for Approval of Plans and Specifications</i> for this project. (For <i>Deferred Submittals</i> , refer to <i>IR A-18: Use of Construction Documents Prepared by Other Professionals</i> , and <i>IR A-19: Design Professional's Signature and Seal (Stamp) on Construction Documents</i> , when applicable, for signature and seal requirements.)			
Provide a brief description of construction scope for this post-approval document (attach additional sheets if needed): Revised fire sprinkler system due to structural conflicts with pipe support brackets. Reduced size of most of second floor piping so it can be hung from the roof deck. Required addition of a pump to increase pressure to 2nd floor and an emergency generator. The Fire Riser room was enlarged to house the new pump. Enlarging it required addition of split-system space conditioning for the room. A new backflow preventer was added to the site fire water line.			
List of DSA-approved drawings affected by this post-approval document: See attached summary letter for complete list of documents.			

DSA USE ONLY		
	Returned	DSA STAMP
SSS _____ Date _____ <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Not Required Comments: _____	Date: _____	<div style="border: 2px solid black; border-radius: 15px; padding: 10px; width: fit-content; margin: auto;"> <p style="margin: 0;">IDENTIFICATION STAMP DIV. OF THE STATE ARCHITECT</p> <p style="margin: 0; font-size: 1.2em;">APP: 02-116761 INC:</p> <p style="margin: 0;">REVIEWED FOR</p> <p style="margin: 0;">SS <input checked="" type="checkbox"/> FLS <input checked="" type="checkbox"/> ACS <input type="checkbox"/></p> <p style="margin: 0;">DATE: <u>07/06/2020</u></p> </div>
FLS _____ Date _____ <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Not Required Comments: _____	By: _____	
ACS _____ Date _____ <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved <input type="checkbox"/> Not Required Comments: _____		

Solano Community College Library/Learning Resource Center
(Bldg. 100 Replacement)
DSA #02-116761

CCD #009 (V4)

Date: 7/2/2020

**NOLL
& TAM**
ARCHITECTS

TITLE: Fire Sprinkler Revisions

Project Name/Owner:	Architect:	General Contractor:
LLRC Building 100 Replacement 4000 Suisun Valley Road. Fairfield, CA 94534	Noll & Tam Architects 729 Heinz Avenue Berkeley, CA 94710	BHM Construction 221 Gateway Rd. W, Ste. 405 Napa, CA 94558

General: *The following instructions, substitutions, alterations, changes, clarifications, additions, and/or deletions are hereby made a part of the Contract Documents and modify the original Documents dated April 5, 2019. All other conditions shall remain the same. General Contractor shall notify the Owner of any change in Contract Sum or Contract Schedule before proceeding with the work described in this document.*

Description of Work:

All documents issued are dated 6/25/2020. Revised fire sprinkler system due to structural conflicts with pipe support brackets. Reduced size of most of second floor piping to allow it to be hung from the roof deck. Required addition of a pump to increase pressure to 2nd floor and an emergency generator at Substation #4. The Fire Riser room was enlarged to house the new pump. Enlarging it required addition of a split-system space conditioning for the room. A new backflow preventer was added to the site fire water line.

Documents Issued / Attachments:

DRAWINGS:

General:

- G0.01: Added sheets A4.41 and FP2-07, FP-208, FP-209.
- G1.41: Added sheet reference for Substation #4.

Civil:

- C3.0: Added backflow preventer and detail #1. Modified quantity of conduit between Substation #4 to LLRC and added (2) pullboxes.

Architectural:

- A2.11: Modified curb layout at Fire Room.
- A2.21: Enlarged Fire Room # 142; added keynotes.
- A2.23: Added heat pump.
- A2.31: Enlarged footprint of Fire Room # 142; added keynotes.
- A2.33: Added heat pump.
- A2.41: Enlarged Fire Room # 142 and modified its ceiling height.
- A4.14: Revised Sections #2 & 10 to show enlarged Fire Riser room size. Added graphic to clarify extent of fire-rated enclosure under stair.
- A4.41: New sheet for Substation #4 plans and details.
- A6.41: Added divider in basket for mounting heat & smoke detectors.

- A8.13: Added detail #5 for fire-rated soffit and details #6 & 12.
- A8.34: Removed door 114b from Door Schedule.
- A9.11: Updated floor finishes for increased Fire Room footprint.

Structural:

- S2.01: Revised size of stair support columns at new moment connection.
- S2.02: Added detail call-out and revised beam welded stud reference.
- S2.03: Added detail call-out for new detail.
- S5.04: Modified beam penetration details 1A & 1C. Added new details 1D, 2, and 3.
- S5.31: Revised elevation #9 to replace cross-brace with moment connection.
- SSK-1: New detail for moment frame under the North Stair.

Fire Protection:

- FP-100: Updated drawing index to include addition of new sheets. Revised legend to reflect correct color of piping for 2.5" or less and 2.5" or more. Added recessed pendant sprinklers and upright extended spray sprinkler types, hanger types, and beam penetration symbols. Added Fire Pump flow information to Water Supply.
- FP-101: Revised site fire water line drawing to reflect change of location of underground line on site. Added new backflow prevention due to addition of fire pump.
- FP-201: Added recessed pendant sprinklers and upright extended spray sprinkler types. Updated heads to recessed pendant sprinklers. Revised sprinkler head locations throughout due to structural and mechanical conflicts requiring changes to the piping plan. Added sprinkler head guards at elevator pit.
- FP-202: Added recessed pendant sprinklers and upright extended spray sprinkler types. Updated heads to recessed pendant sprinklers. Revised sprinkler head locations throughout due to structural and mechanical conflicts requiring changes to the piping plan. Relocated sprinkler head at the top of the elevator shaft and replaced with on extended spray upright sprinkler.
- FP-203: Added recessed pendant sprinklers and upright extended spray sprinkler types. Revised piping layout due to conflicts with structural and mechanical. Revised pipe elevations to coordinate structural penetrations. Added a fire pump and room. Moved hanger and bracing information to new sheet FP-207. Added sprinkler head guards at elevator pit.
- FP-204: Added recessed pendant sprinklers and upright extended spray sprinkler types. Revised piping layout due to conflicts with structural and mechanical. Revised pipe elevations to coordinate structural penetrations. Revised 4" main elevations and locations to coordinate with structural HSS members along gridlines A and G. Moved hanger and bracing information to new sheet FP-208.
- FP-205: Revised hydraulic calculations to reflect piping changes and addition of fire pump. Revised incoming fire water line to reflect location changes and the addition of a backflow preventer.
- FP-206: Revised hydraulic calculations to reflect piping changes and addition of fire pump.
- FP-207: New sheet "Fire Protection Ground Floor Piping Plan – Structure" for hangar and seismic callouts at ground floor. Includes beam penetration locations.
- FP-208: New sheet "Fire Protection Second Floor Piping Plan – Structure" for hangar and seismic callouts at second floor. Includes beam penetration locations.
- FP-209: New sheet "Fire Protection Pump Room Layout".
- FP-300: Revised fire protection sections to reflect piping layout changes. Removed North stair section because sprinklers are not required there per NFPA sections noted on FP-203 because the space under the stair cannot be used for storage.

- FP-400: Revised hanger details 3 and 4 to show the 2 hanging conditions along grids A & G. Provided 'high steel penetration' and 'low steel penetration' typical details to illustrate how the piping will be supported along gridlines A and G on the 2nd floor. Revised FDC riser detail for double riser to be closer together to permit minimum width walking path through room. Revised fire water riser detail due to addition of pump. Added details for Hanger #8, Typical Drain Valve, and Floor Mounted Pipe Supports.
- FP-401: Revised seismic calculations to reflect changes to the design. Added symbols at detail names to cross-reference to symbols on plans.
- FP-402: Revised seismic calculations to reflect changes to the design. Added details for 4-way braces.

Mechanical:

- M2.11: Added fancoil unit in Fire Riser room #142.
- M2.12: Added refrigerant piping riser location for new fancoil in room 142; added keynote.
- M2.13: Added heat pump.
- M2.14: Revised zone boundary for enlarged Fire Riser room #142.
- M4.02: Revised title for 3/M4.02 to include new heat pump.
- M5.01: Added new fancoil unit and heat pump to schedules.
- M6.01: Added new fancoil unit and heat pump to control diagram.

Electrical:

- E0.02: Revised conduit quantity between Substation #4 and new LLRC building due to addition of new emergency generator. Added 2 pullboxes. Added conduit between pull boxes by LLRC and Fire Riser room for new fire pump.
- E1.11: Added circuit breaker, fire pump controller, automatic transfer switch, and transformer for new fire sprinkler pump and generator.
- E1.13: Added condensing unit. Added Sheet Note.
- E2.11: Revised lighting in enlarged Fire Riser room #142.
- E4.02: Revised plan detail #3 substation layout for addition of new emergency generator for fire sprinkler system. Added keynotes to legend. Added related keynote.
- E6.01: Revised single-line diagram for addition of fire sprinkler pump, heat pump, and emergency generator. Added General Notes.
- E7.02: Added equipment anchorage details #6, 7, & 8

Fire Alarm:

- FA0.01: Added BFP monitor valve to Fire Alarm System Legend/Symbols
- FA2.01: Added backflow preventer information.
- FA3.01: Added tamper monitoring modules and connections for backflow preventer & fire pump monitoring. Relocated fire alarm combo speaker/strobe in Staff Lounge room #111 and Unisex restroom #111b.
- FA4.01: Added monitoring information for backflow preventer and fire pump to Fire Alarm Matrix of Operation and Fire Alarm Riser Diagram.
- FA5.01: Modified notations on schedule #1 for Main FACP Standby Calculations
- FA6.02: Added detail #8 for BFP connection.

Plumbing:

- P2.10: Revised fire riser drain location and added floor drain.

- P2.11: Revised fire riser drain location and added floor drain.

Security:

- TY2.01: Removed card reader for door deletion.

SPECIFICATIONS:

- Document 00 01 10 Table of Contents: Added Sections 26 32 13 and 32 31 13.
- Section 21 05 00 Common Work Results for Fire Suppression
Added Part 2.06 Fire Pump
- Section 21 13 13 Wet-Pipe Sprinkler Systems
Added fire pump to Part 1.01/B
Revised Part 1.01/E to include fire pump information and changed original paragraph E to F.
Revised Part 1.03/D to include fire pump information and changed original paragraph D to E.
Added Part 2.11 for Fire Pump.
Inserted Part 3.01/B to include fire pump information.
- Section 26 32 13 Diesel Engine Driven Generator Set: New section
- Section 32 31 13 Chain Link Fences & Gates: New section

SUPPORTING DOCUMENTS:

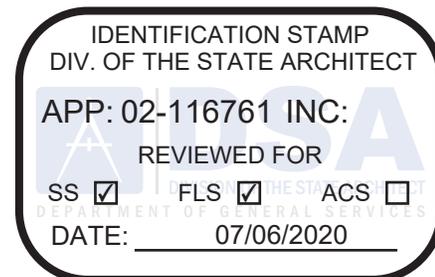
- Structural Calculations: beam penetrations, new calculations for stair brace revision, fence post, fire pump, Substation 4 equipment anchorage, pipe stand support anchorage
- Fire Sprinkler Hydraulic Calculations
- Fire Protection Flow Test
- Fire Protection Sprinkler System Materials cutsheets

Basis for CCD issue:

Modifications required to eliminate bracket hangers for fire sprinkler piping and further coordination of piping penetrations through steel structure.

Issued By: Beckie Denio (N&T)
Distributed to: Lucky Lofton (SCCD)
 Noe Ramos (Kitchell)
 Cary Talbott (SMC)
 Vincent Som (SMC)
 Donald Dumford (OI)

Issued By:
 Christopher Noll, Noll & Tam Architect



Architect