CITY OF PEORIA, ARIZONA
COUNCIL COMMUNICATIONS

CC: 11C
Amend No. _____

Date prepared: December 2, 2008 **Council Meeting Date: January 20, 2009**

TO: Carl Swenson, City Manager

THROUGH: Susan Daluddung, Deputy City Manager

FROM: J.P. de la Montaigne, Community Services Director J.P.

PREPARED BY: Jeff Sargent, Park Projects Administrator

SUBJECT: Approve Contract Amendment #2 to A DYE Design (LCON02006B)

RECOMMENDATION:
Discussion and possible action to approve a contract amendment to A DYE Design for an amount not to exceed $99,264.68 to update the conceptual master plan and provide construction documents for the remaining phases of the Osuna Park renovation.

SUMMARY:
The City hired A DYE Design in 2006 to conduct preliminary master plan and conceptual studies, plus develop phase one design and construction drawings for the park renovation. The phase one construction drawings have been submitted for City review. Phase one includes development of event space in the west portion of the existing park for City and Theater events.

This requested contract amendment includes an update to the conceptual master plan plus design development and construction contract assistance through construction drawings and specifications for the remaining phases of the park renovation. The A DYE contract includes Civil Engineering services by Atherton Engineering, Electrical Engineering by Wright Engineering and an irrigation consultant. This is the same team that has completed most of the City improvements in the Osuna Park area. Public comment will be sought for the remaining project phases. The full execution of the contract through 100% approved plans is expected within 6 to 9 months.

FISCAL NOTE:
Funds are available in the Park Improvements account No. 4210-4210-543005-CIPPK-CS00095CO.

CITY CLERK USE ONLY:

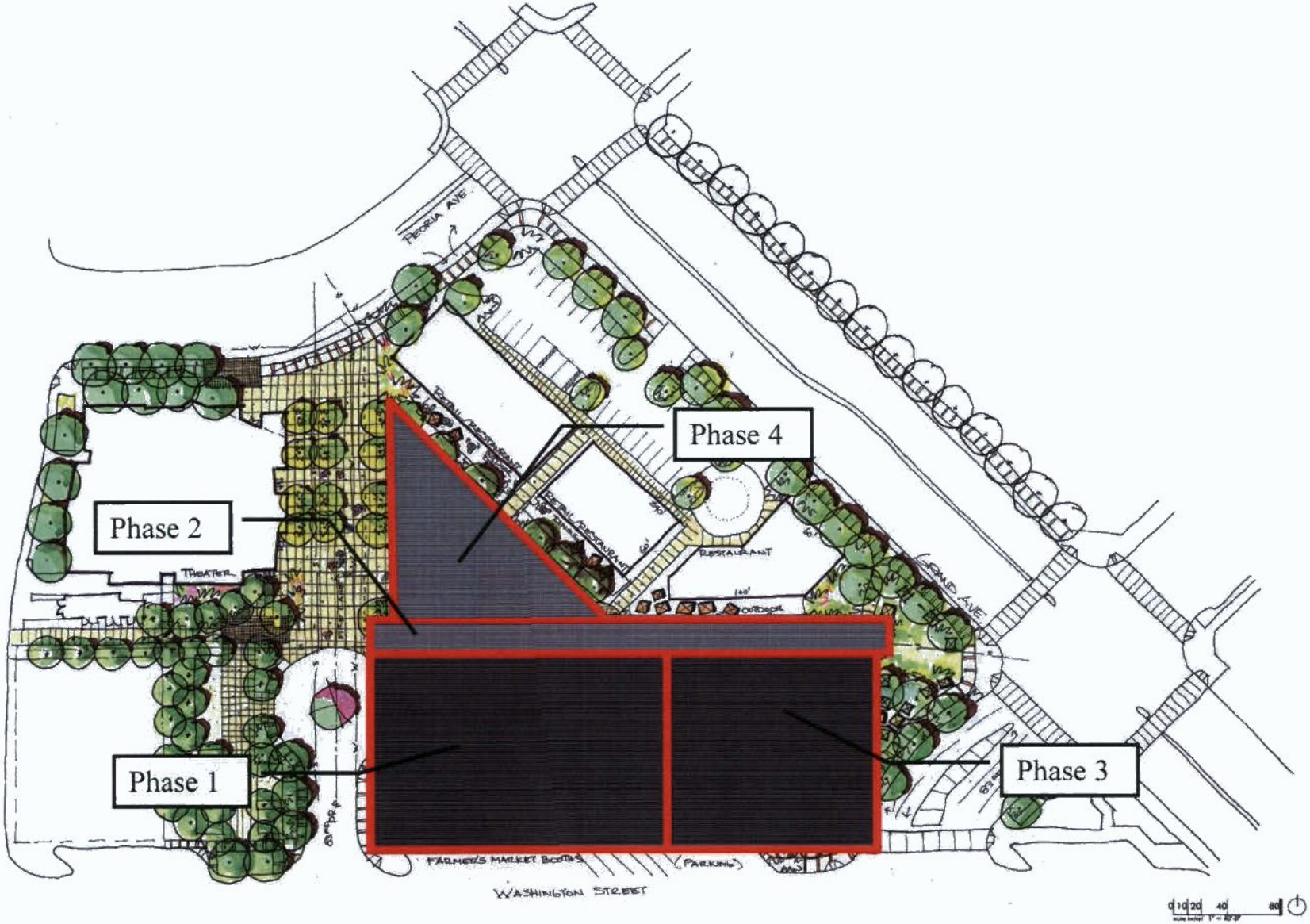
- ☐ Consent Agenda
- ☐ Carry Over to Date:_____
- ☐ Approved
- ☐ Unfinished Business (Date heard previous:_____)
- ☐ New Business
- ☐ Public Hearing: No Action Taken

ORD. #_____ RES. #_____
LCON# 02206B LIC. #_____
Action Date:

REV. 08/08

Summary of Project Costs:
Original Contract Amount: $88,869.81(Design of cul-de-sac, firelane, and plaza area/landscaping in front of the theater.)
Amendment #1: $13,442.56 (Pioneer Memorial)
Amendment #2: $99,264.68
Total Contract Amount: $201,577.05

ATTACHMENT: Site Phasing Map


Phase 4
Phase 2
Phase 1
Phase 3
PEORIA AVE
THEATER
RESTAURANT
OUTDOOR
FARMER'S MARKET BOOTHS
(PARKING)
WASHINGTON STREET

CONTRACT AMENDMENT

Solicitation No: **P06-0067** Page 1 of 7
Description: Osuna Park Master Plan Design Services
Amendment No: Two (2) Date: 1/12/2009

Materials Management Procurement
8314 W. Cinnabar Ave.
Peoria, AZ 85345
Telephone: (623) 773-7115
Fax: (623) 773-7118
Buyer: Lisa Houg, CPPB

A. The Design Services contract for Osuna Park Master Plan is hereby amended to include an update to the conceptual master plan plus design development and construction contract assistance through construction drawings and *specifications* for the remaining phases of the park renovation in the not-to-exceed amount of $99,264.68.

Original Contract Amount:	$ 88,869.81
Amendment #1:	$ 13,442.56
Amendment #2:	$ 99,264.68
New Contract Amount:	$201,577.05

B. Standard Terms and Conditions are amended to reflect the following changes: Paragraph 3, Applicable Law; Paragraph 19, Right to Audit Records; and Paragraph 30, Public Record, are hereby deleted and replaced with the following:

3. **APPLICABLE LAW:** In the performance of this agreement, contractors shall abide by and conform to any and all laws of the United States, State of Arizona and City of Peoria including but not limited to federal and state executive orders providing for equal employment and procurement opportunities, the Federal Occupational Safety and Health Act and any other federal or state laws applicable to this agreement.

Contractor hereby acknowledges receipt and agreement. A signed copy shall be filed with the City of Peoria, Materials Management Division.

[redacted]

Signature	Date	Typed Name and Title	Company Name
	1.12.09	Angela Dye, President	A Dye Design, Inc.

Address	City	State	Zip Code
99 E. Virginia, Suite 175	Phoenix	AZ	85004

Attested by:

Mary Jo Kief, City Clerk

11C 012009
CC Number

LCON02006B
Contract Number:

Official File

City Seal

(Rev 02/01/06)

Requested by: Jeff Sargent, Park Projects Administrator

Recommended by: J.P. de la Montaigne, Community Services Director

Approved as to Form: Stephen M. Kemp, City Attorney

The above referenced Contract Amendment is hereby Executed

_____, _____, at Peoria, Arizona.

Carl Swenson, City Manager