



## AGENDA REPORT

**Meeting Date:** December 18, 2007  
**Item Number:** F-13  
**To:** Honorable Mayor & City Council  
**From:** Allen Rubenstein, Project Manager  
**Subject:** APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF BEVERLY HILLS AND MACTEC ENGINEERING AND CONSULTING, INC. FOR GEOTECHNICAL ENGINEERING SERVICES FOR 331 FOOTHILL ROAD OFFICE BUILDING AND 9333 WEST THIRD STREET PARKING STRUCTURE; AND  
  
APPROVE A CHANGE ORDER TO THE PURCHASE ORDER TO MACTEC ENGINEERING AND CONSULTING, INC. IN THE AMOUNT OF \$12,200 FOR GEOTECHNICAL ENGINEERING SERVICES  
  
**Attachments:** 1. Agreement

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### **RECOMMENDATION**

It is recommended that the City Council approve Amendment No. 1 to the Agreement with MacTec Engineering and Consulting, Inc. in the amount of \$12,200 for additional geotechnical engineering services related to the City projects at 331 Foothill Road and 9333 West Third Street.

### **INTRODUCTION**

On July 7, 2007, the City entered into an agreement with MacTec Engineering and Consulting, Inc. to provide geotechnical engineering services in connection with the design of the 331 Foothill Office Building and the Public Works Parking Structure at 9333 West Third Street. The investigation and the soils analysis at the conclusion of the geotechnical study recommended that additional investigation was required.

### **DISCUSSION**

The current design of the office building supports the columns on spread footings. The initial geotechnical study determined that a portion of site required further testing and analysis because the soil upon which the footings are to rest was previously excavated

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and refilled during the demolition of the former vehicle shop at 331 Foothill Road. This particular area was the Police pistol range that was in the basement.

The proposed services to be performed will include five borings, testing, analysis and recommendations. The fees for these services are \$12,200 for a total agreement of \$59,900.

The results of this investigation will enable the structural engineer for Steven Ehrlich Architects to complete the building and foundation design.

**FISCAL IMPACT**

Funding for the current Agreement has been allocated from the FY 07-08 Capital Improvement Program (CIP) budget for Project #345, and is available to cover the cost of these services.

  
\_\_\_\_\_  
Scott G. Miller  
Finance Approval

  
\_\_\_\_\_  
David D. Gustavson  
Approved By

AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY  
OF BEVERLY HILLS AND MACTEC ENGINEERING AND CONSULTING,  
INC. FOR GEOTECHNICAL ENGINEERING SERVICES FOR 331  
FOOTHILL ROAD OFFICE BUILDING AND 9333 WEST THIRD STREET  
PARKING STRUCTURE

NAME OF CONSULTANT: MACTEC Engineering and Consulting, Inc.

RESPONSIBLE PRINCIPAL  
OF CONSULTANT: N. Sathi Sathialingham, Ph.D, GE2394

CONSULTANT'S ADDRESS: 5628 E. Slauson Avenue  
Los Angeles, CA 90040  
Attention: N. Sathi Sathialingham  
Project Manager

CITY'S ADDRESS: City of Beverly Hills  
345 Foothill Road  
Beverly Hills, CA 90210  
Attention: Alan Schneider  
Director of Project Administration

COMMENCEMENT DATE: Upon receipt of a Notice to Proceed

TERMINATION DATE: Upon final acceptance of the Project by the  
City Council, but no later than June 30, 2010

CONSIDERATION: **Original Agreement:**  
Office Building fees: Not to exceed \$19,300;  
Additional Services not to exceed \$3,000;  
Parking Structure Fees: Not to exceed \$22,000;  
Additional Services not to exceed \$3,000;  
All fees based on hourly rates set forth in Exhibit B-1  
Total not to exceed \$47,300

**Amendment No. 1:**  
Office Building Fees:  
Additional Borings: Not to exceed \$12,200

**Total for Agreement & Amendment No. 1  
Not to exceed \$59,500**

AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY  
OF BEVERLY HILLS AND MACTEC ENGINEERING AND CONSULTING,  
INC. FOR GEOTECHNICAL ENGINEERING SERVICES FOR 331  
FOOTHILL ROAD OFFICE BUILDING AND 9333 WEST THIRD STREET  
PARKING STRUCTURE

This Amendment No. 1 is to that certain Agreement identified as Contract No. 258-07 and dated July 6, 2007 between the City of Beverly Hills (hereinafter called "CITY"), and MACTEC Engineering and Consulting, Inc. (hereinafter called "CONSULTANT").

RECITALS

A. CITY entered into a written Agreement with CONSULTANT to provide geotechnical engineering services in connection with an office building to be located at 331 Foothill Road and a parking structure to be located at 9333 West Third Street.

B. CONSULTANT conducted borings and determined that certain areas affecting the office building site require additional borings and analysis.

C. CITY desires to have CONSULTANT conduct the additional recommended work.

NOW, THEREFORE, the parties agree as follows:

Section 1. Exhibit A, Scope of Services, shall be amended by adding Attachment I to Exhibit A, attached hereto and incorporated herein.

Section 2. Exhibit A-1, Performance Schedule, shall be amended as attached hereto and incorporated herein.

Section 3. Exhibit B-1, Compensation, shall be amended as attached hereto and incorporated herein.

Section 4. Except as modified herein all other provisions of the Agreement shall remain in full force and effect.

EXECUTED the \_\_\_\_ day of \_\_\_\_\_, 200 \_\_\_\_, at Beverly Hills, California.

CITY OF BEVERLY HILLS  
A Municipal Corporation

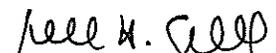
\_\_\_\_\_  
JIMMY DELSHAD  
Mayor of the City of  
Beverly Hills, California

ATTEST:

\_\_\_\_\_  
(SEAL)  
BYRON POPE  
City Clerk

CONSULTANT: MACTEC  
ENGINEERING & CONSULTING, INC.

  
\_\_\_\_\_  
PERRY A. MALJIAN  
Senior Vice President

  
\_\_\_\_\_  
KENDALL H. SHERRILL  
Secretary

[Signatures continue]

APPROVED AS TO FORM



LAURENCE S. WIENER  
City Attorney

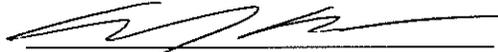
APPROVED AS TO CONTENT:



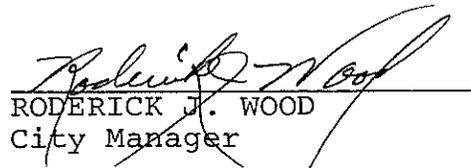
DAVID D. GUSTAFSON  
Director of Public Works & Transportation



ALAN SCHNEIDER  
Director of Project Administration



KARL KIRKMAN  
Risk Manager



RODERICK J. WOOD  
City Manager

ATTACHMENT I TO EXHIBIT A  
ADDITIONAL SCOPE OF SERVICES

Supplemental Investigation of Office Building Fill Area

CONSULTANT shall perform a geotechnical investigation of the fill area by drilling four borings to a depth of 25 feet along the Office Building column line 8, and one boring to a depth of 10 feet along column line 7. The main tasks shall consist of the following:

- Undisturbed and build samples shall be obtained for the purpose of assuring that unsuitable fill soils do not exist directly beneath the footings.
- Laboratory testing of soil samples for determination of the moisture and dry densities of the existing soil.
- Evaluation of the relative compaction of the existing fill.
- Evaluation of the settlement potential of the existing soils.
- Preparation of a written report summarizing the data collected and presenting our design recommendations. The report shall include a plot plan, a log of each boring, plots and tables, presenting the test results.

The detailed procedures for the subsurface explorations are described in Exhibit A to the Agreement.

The laboratory testing shall include:

- In-place moisture content and dry determination tests for each undisturbed sample
- Compaction tests for evaluating the relative compaction of the fill soils
- Consolidation tests to determine the compressibility characteristics of the fill soils.

EXHIBIT A-1

PERFORMANCE SCHEDULE

The supplemental investigation of Office Building fill area shall begin within two weeks of receiving written authorization to begin from CITY and shall be completed with the submission of a written report within eight weeks thereafter.

EXHIBIT B-1

COMPENSATION

CITY shall compensate CONSULTANT at the following not to exceed amounts for the satisfactory performance of services described in Exhibit A, including the rental and operation of the drilling equipment, in accordance with Exhibit B-1, Schedule of Fees.

The fee may be broken down as follows:

Proposed Office Building – Geotechnical Investigation with 4 Borings

Description	Not to Exceed Fees
Geotechnical Explorations .....	\$ 7,700
Laboratory Testing .....	\$ 4,700
Geologic Seismic hazards Evaluation Update .....	\$ 1,000
Engineering Analyses and Report .....	\$ 4,900
Project Management and QA/QC .....	\$ 1,000
<b>TOTAL for Geotechnical Investigation</b>	<b>\$19,300</b>
Supplemental Consultation (T&M)	\$3,000

Proposed Parking Structure - Geotechnical Investigation with 4 Borings

Description	Not to Exceed Fees
Geotechnical Explorations .....	\$ 9,900
Laboratory Testing .....	\$ 5,400
Geologic Seismic hazards Evaluation Update .....	\$ 1,000
Engineering Analyses and Report .....	\$4,700
Project Management and QA/QC .....	\$ 1,000
<b>TOTAL for Geotechnical Investigation</b>	<b>\$22,000</b>
Supplemental Consultation (T&M)	\$3,000

Amendment No. 1:

Proposed Office Building – Geotechnical Investigation with 5 Borings on Column Lines 7 and 8

Description	Not to Exceed Fees
Geotechnical Exploration.....	\$6,900
Grouting Drilled Holes.....	\$700
Haul Out Soil cuttings.....	Not required
Laboratory Testing.....	\$2,000
Geotechnical Letter Report.....	\$2,000



Project Management.....	\$600
<b>TOTAL for Geotechnical Investigation</b>	<b>\$12,200</b>
Supplemental Consultation.....	None

**Summary**

Agreement Fee.....	\$41,300
Amendment No. 1 Fee.....	\$12,200
Total fee for the Agreement and Amendment No. 1.....	\$53,500
Supplemental Consultation if authorized by the CITY in writing ...	\$6,000
Total compensation shall not exceed.....	\$59,500