

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

TO: **Members of the Governing Board**

SUBJECT: **AMENDMENT #3 TO KITCHELL CAPITAL
EXPENDITURE MANAGERS, INC. FOR PROGRAM
MANAGEMENT SERVICES – PHASE 2**

REQUESTED ACTION:

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

SUMMARY:

Board approval is requested for Amendment #3 to Kitchell Capital Expenditure Managers, Inc. (KCEM) for Phase 2 Program Management Services for Measure Q. On November 5, 2014, the Board approved a contract to KCEM in the amount of \$6,376,735. On August 19, 2015, the Board approved Amendment #1 to manage the following for the Fairfield Science Building Project: development of Criteria Documents, solicitation and selection of the design-builder, and procurement of construction management services. On March 21, 2018 the Board approved

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: Renovate and provide new instructional space and equipment.

<i>Ed. Code:</i>	<i>Board Policy:</i>	<i>Estimated Fiscal Impact: \$26,398 Measure Q Funds</i>
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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
V.P. Finance and Administration

VICE PRESIDENT APPROVAL

January 4, 2019

**DATE SUBMITTED TO
SUPERINTENDENT-PRESIDENT**

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

January 16, 2019

**DATE APPROVED BY
SUPERINTENDENT-PRESIDENT**

AMENDMENT # 3 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, and March 21, 2018, and

WHEREAS, District and Consultant agree to amend the Agreement to add 197 estimating hours to the Phase 2 allowance for same,

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 Nine Million, Two Hundred Nine Thousand, Three Hundred Thirteen Dollars and No Cents (\$9,209,313). 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, and the March 21, 2018 Amendment #2 in the amount of \$2,668,000, and the January 16, 2019 Amendment #3 in the amount of \$26,398.
2. 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) and/or amendment(s).
3. 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.

By: _____

By: _____

Print Name: Lucky Lofton

Print Name: _____

Print Title: Executive Bonds Manager

Print Title: _____

