



Edwin M. Lee, Mayor
Mohammed Nuru, Director

Deputy Director for Buildings
30 Van Ness Avenue, 4th Floor
San Francisco, CA 94102
(415) 557-4700 ■ www.sfdpw.org



Edgar Lopez, Deputy Director and City Architect

TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Oscar Gee, Department of Public Works
SUBJECT: File No. 130448, Fully Executed Contract Amendment
DATE: July 18, 2013

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BOARD OF SUPERVISORS
SAN FRANCISCO
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Per Resolution No. 172-13 located in File No. 130448, please find enclosed a copy of the fully executed contract amendment between the Department of Public Works and Kaplan, Mclaughlin, and Diaz Architects, and Pfau Long Architecture, a Joint Venture for architectural and engineering design services for the Pier 27 James R. Herman Cruise Ship Terminal and Northeast Wharf Plaza Project at Pier 27.

Please feel free to contact me if you have any questions.

Thank you for your assistance.

Sincerely,

Oscar Gee
Project Manager
Department of Public Works
Building Design and Construction (BDC)
30 Van Ness Ave, suite 4100
San Francisco, CA 94102
415 558-4582
415 652-2082 cell
oscar.gee@sfdpw.org
<http://www.sfdpw.org>



**6th AMENDMENT TO AGREEMENT
BETWEEN CITY AND COUNTY OF SAN FRANCISCO
AND KMD ARCHITECTS and PFAU LONG ARCHITECTURE, a joint venture**

The 6th AMENDMENT to the Agreement between the City and County of San Francisco and KMD Architects and Pfau Long Architecture, a joint venture ("ARCHITECT") is entered into for convenience as of July 12, 2013.

WHEREAS, the City and County of San Francisco and ARCHITECT, entered into an Agreement dated December 16, 2009 for design services related to a new Cruise Ship Terminal; and

WHEREAS, the City and County of San Francisco and ARCHITECT entered into a 1st Amendment, dated for convenience May 21, 2001, 2nd Amendment, dated for convenience July 20, 2011, 3rd Amendment, dated for convenience November 15, 2011 and the 4th Amendment, dated for convenience January 9, 2012, and the 5th Amendment, dated for convenience April 24, 2012; and

WHEREAS by the Agreement and the 1st, 2nd, 3rd, 4th, and 5th Amendments to the Agreement, the total amended contract totals as follows, and included authorization for Additional Services through #85 on the Add Service Log:

Original Contract	\$2,419,440
1 st Amendment	\$2,410,070
2 nd Amendment (includes Phase I CD and Phase II DD and CD)	\$2,763,135
3 rd Amendment (remaining CD Fees for Phase I and Phase II, along with add service allowance of \$191,534)	\$518,258
4 th Amendment (Phase 1 CA Fees, Phase 2 Bid and Negotiation fees, Additional Services including through no. 46, and an add service allowance of 183,521)	1,062,389
5 th Amendment (Remaining Phase 1 CA and Design Fees, Phase 2 CD, and an add service allowance of 435,686)	\$776,708
	\$9,950,000

WHEREAS by Resolution 12-96, The Port Commission at the special Port commission meeting of December 11, 2012, approved to amend the Architectural and Engineering contract with ARCHITECT to increase the contract from \$9,950,000 to an amount of \$11,491,708, which amounts of an increase of \$1,541,708. This includes required services for Phase II construction administration and an undefined allowance for design support. This Resolution also authorized DPW to extend the term to December 31, 2014.

Original Contract, 1 st Amendment, 2 nd Amendment, 3 rd Amendment, 4 th Amendment, and 5 th Amendment	\$9,950,000
6 th Amendment (All additional services needed for bidding and construction administration and design support for Phase 2)	\$1,541,708
Grand Total	\$11,491,708

NOW THEREFORE, The City and Architect agree as follows:

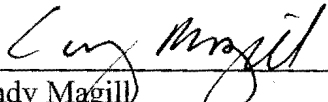
1. The Department of Public Works issues Notice to Proceed No. 9 (NTP9) to the Architects.
2. Accordingly, the revised contract sum ~~is~~^{is} increased by \$1,541,708 from \$9,950,000 to \$11,491,708.
3. With this amendment, the contract is fully funded based on the original fee proposal from KMD/Pfau Long, JV provided in Modification #1 dated June 1, 2011, and Additional Services for Phase II.
4. In all other respects, the terms of the Agreement dated December 16, 2009, as amended by the 1st, 2nd, 3rd, 4th and 5th Amendment, remain in full force and effect.

IN WITNESS WHEREOF, the CITY and the ARCHITECT have hereunto set their hands and seals, and have executed this AGREEMENT in duplicate, the day and year first above written.


CITY AND COUNTY OF
SAN FRANCISCO

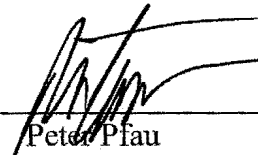
KMD ARCHITECTS AND
PFAU LONG ARCHITECTURE,
A JOINT VENTURE


Recommended by:

BY: 
Cindy Magill
DPW Project Manager

BY: 
Ryan Stevens
KMD Architects

BY: 
Kim Von Blohn
Project Manager
Port of San Francisco


BY: 
Peter Pfau
Pfau Long Architecture

BY: 
Interim Chief Harbor Engineer
Port of San Francisco

Approved:

Approved:

BY: 
Deputy City Attorney

BY: 
Monique Moyer
Executive Director
Port of San Francisco

END OF SECTION