

**County of Santa Clara**  
**Santa Clara Valley Health & Hospital System**  
Agency Administration  
Facilities



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HHS13 022409


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DATE: February 24, 2009

TO: Board of Supervisors

FROM:   
Kim Roberts  
SCVHHS - Chief Executive Officer

SUBJECT: Ninth Amendment to Professional Services Contract with Cuschieri Horton Architects for Architecture & Engineering Services for the Santa Clara Valley Medical Center Seismic Safety Project

**RECOMMENDED ACTION**

Consider recommendations relating to Professional Services Contract for architecture and engineering services.

Possible action:

- a. Approve delegation of authority to SCVHHS Chief Executive Officer, or designee, to execute the Ninth Amendment to the Professional Services Contract (PSC) with

Cuschieri Horton Architects, increasing the Maximum Compensation Limit (MCL) by \$2,000,000 to \$4,500,000 and extending the term through June 30, 2015, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive. The delegation of authority shall expire on June 30, 2015.

- b. Authorize the Director, SCVHHS Facilities, to be the Owner's Authorized Representative to execute Project Agreements for services during the term of the PSC and to perform other administrative functions pursuant to the PSC, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive.
- c. Authorize the Director, SCVHHS Facilities to approve amendments to the PSC, extending the term up to six months and increasing the PSC's MCL by up to \$100,000, if necessary, following approval by County Counsel as to form and legality, and approval by the Office of the County Executive.

### **FISCAL IMPLICATIONS**

There is no impact to the General Fund as a result of these actions. Project Agreements authorized and executed during the term of this Professional Services Contract

will be funded from the Seismic Safety Program funds in the Santa Clara Valley Medical Center (SCVMC) Capital budget.

### **CONTRACT HISTORY**

Santa Clara Valley Health and Hospital System (SCVHHS) Facilities contracts with several healthcare design firms for projects on the SCVMC campus.

In April 2000, the Board of Supervisors approved a Professional Service Contract with Cuschieri Horton Architects (CHA) for architectural/engineering services related to the SCVMC Ancillary Building seismic upgrade and interior renovations. In addition to the Ancillary Building project, CHA has worked on the Department of Pathology and Laboratory Medicine office and laboratory space, Urgent/Express Care Clinic, and Outpatient Pharmacy. Over the years, the agreement was amended to extend the term of the agreement and increase the maximum compensation. Due to the length of the documents, a copy of the original agreement and prior amendments are on file in the Office of the Clerk of the Board. A draft of the ninth amendment to the contract is attached for your review.

SCVHHS Facilities contacted the three firms already under contract (CHA, SmithGroup and Anshen+Allen) and able to perform the work and meet the Seismic Safety Project requirements of SB 1953 and SB 1661 in a timely manner. These were the only firms with an adequate understanding of the complexity of building systems associated with the Ancillary and Old Main buildings. Of these, only CHA had the staff available to respond to the Office of Statewide Health Planning and Development (OSHPD) schedule requirements.

### **REASONS FOR RECOMMENDATION**

The plan for the SCVMC Seismic Safety Project calls for both the seismic upgrade of the Ancillary Building and for demolition of the adjacent Old Main Building. It will be necessary to receive a building permit for the project by January 1, 2011 and to have this project under construction by January 1, 2013 in order to meet the SB1953 Seismic Performance Category SPC 2 structural design criteria. Failure to meet these deadlines will result in loss of these facilities for

inpatient primary care functions and a further requirement to upgrade or replace these facilities under the more stringent requirements of the Title 24 Structural codes, which would be an economically infeasible solution.

Old Main serves several vital purposes which need to be accommodated within the consideration of its demolition:

- Old Main provides the Ancillary Building with HVAC and electrical service
- Old Main provides corridor access to all levels of the Ancillary Building
- Old Main provides corridor access between the Rehabilitation Building and the Main Hospital's Diagnostic Imaging and Surgery service

Extension of the CHA contract is needed to retain the services of the Architect of Record in accomplishing all SB1953 requirements related to the original project and the master plan revisions that have subsequently developed, and to provide continuity of design. The resulting structure will be an integrated building retaining HVAC and electrical services.

## **BACKGROUND**

The Ancillary Building was constructed in the 1950's as the second of three building phases associated with the Old Main Hospital construction. The Ancillary Building was designed to be structurally separate from, but mechanically and electrically dependent on, the first of three building phases (Old Main).

At the initiation of the CHA contract, the SCVMC Master Plan assumed provision of seismic, HVAC and electrical upgrades as necessary to support a "stand alone" Ancillary Building, with corridor service and inter-building connectivity provided at all levels through construction of a new Services Replacement Building (SRB). Following extensive analysis, hospital administration determined that the SRB should be deferred in favor of bed replacement and the Board of Supervisors concurred with this change.

Subsequent analysis determined that the best and most feasible course of action would be to develop a Replacement Bed Building, thus revising the overall SSP construction approach. To accommodate this change, SCVMC staff and OSHPD have agreed to retain and upgrade those levels of Old Main immediately adjacent to the Ancillary Building, i.e., basement through fourth floor slab and one additional level of the west stair tower to accommodate roof access. The remainder of the Old Main Building, i.e., Old Main West above the fourth floor slab and all levels east of the elevator tower, will be demolished.

Because of the nature of this project, under OSHPD jurisdiction, it is critical to maintain the Architect of Record and key engineers to complete work associated with the Ancillary Building Seismic Upgrade project in order to meet State deadlines.

## **CONSEQUENCES OF NEGATIVE ACTION**

Failure to approve the recommended actions will impact the timely completion of the Ancillary Building Seismic Upgrade or demolition of the Old Main Hospital Building.

### **STEPS FOLLOWING APPROVAL**

1. Send Keyboard notification of this transmittal to Duane Oberquell, Director of SCVHHS Facilities
2. Send one (1) fully executed copy of the Ninth Amendment to the CHA Professional Service Contract to the attention of Anthony Cuschieri, AIA, President, Cuschieri Horton Architects, 950 South Bascom Avenue, Suite 3118, San Jose, CA 95128
3. Send one (1) fully executed copy of the Ninth Amendment to Duane Oberquell, Director of SCVHHS Facilities

### **ATTACHMENTS**

- Amendment 9
- Agreement and Amendments 1-8 On File