

**AMENDMENT NO. 4
TO SERVICES AGREEMENT
BETWEEN RBB ARCHITECTS INC. AND
NATIVIDAD MEDICAL CENTER
FOR
RADIOLOGY MODERNIZATION PROJECT**

This Amendment No. 4 to the Services Agreement (“Agreement”) which was effective on September 23, 2014 is entered into by and between the County of Monterey (hereinafter “County”), on behalf of Natividad Medical Center (hereinafter “NMC”), and RBB Architects Inc. (hereinafter “CONTRACTOR”); (collectively, the County, NMC and CONTRACTOR are referred to as the “Parties”), with respect to the following:

RECITALS

WHEREAS, the Agreement was executed for CONTRACTOR to provide architectural services for the Radiology Modernization Project per RFQ # 9600-54 with a term September 23, 2014 through June 30, 2017 and a total Agreement amount not to exceed \$862,450; and

WHEREAS, NMC and CONTRACTOR amended the Agreement on March 1, 2016 via Amendment No. 1 to modify the scope of work and to add an additional \$354,900, thereby increasing the total Agreement amount to \$1,217,350 with no change to the term end date; and

WHEREAS, NMC and CONTRACTOR amended the Agreement on July 1, 2016 via Amendment No. 2 to extend it for an additional two (2) year period through June 30, 2019 to allow for services to continue with revisions to the original scope of work with a \$1,307,000 increase for the added services for a total Agreement amount of \$2,524,350; and

WHEREAS, NMC and CONTRACTOR amended the Agreement on April 24, 2019 via Amendment No. 3 to extend it for an additional fourteen (14) month period through August 31, 2020 to allow for completion of the project with no change to the original scope of work or total agreement amount.; and

WHEREAS, NMC and CONTRACTOR currently wish to amend the Agreement via Amendment No. 4 to extend it for an additional six (6) month period through February 28, 2021 (August 31, 2020 through February 28, 2021) for revised full agreement term of September 23, 2014 through February 28, 2021 to allow for services to continue with additions to the original scope of work and transfer \$204,000 from the Radiology Modernization capital project fund, for a total Agreement amount of \$2,728,350.

AGREEMENT

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

The Agreement is hereby amended on the terms and conditions as set forth in the Agreement, except as specifically set forth below.

1. Paragraph titled “TERM OF AGREEMENT”, first sentence shall be amended to the following:
“The term of this Agreement is from September 23, 2014 through February 28, 2021 unless sooner terminated pursuant to the terms of this Agreement.”
2. Section 2, “PAYMENTS BY COUNTY” shall be amended to the following; ***“NMC shall pay the CONTRACTOR in accordance with the payment provisions set forth in EXHIBIT A plus EXHIBIT A-2 Per Amendment No. 2” plus Exhibit A-4 per Amendment No. 4, subject to the limitations set forth in the Agreement. The total amount payable by NMC to CONTRACTOR under this Agreement, shall not exceed the sum of \$2,728,350.***
3. Except as provided herein, all remaining terms, conditions and provisions of the Agreement are unchanged and unaffected by this Amendment No. 4 and shall continue in full force and effect.

4. A copy of this Amendment No. 4 shall be attached to the Original Agreement.
5. This Amendment No. 4 shall be effective when signed by both parties.

IN WITNESS WHEREOF, the Parties hereto are in agreement with this Amendment No. 4 on the basis set forth in this document and have executed this Amendment No. 4 on the day and year set forth herein.

NATIVIDAD MEDICAL CENTER

By: _____
Gary R. Gray, DO, CEO

Date: _____

APPROVED AS TO LEGAL PROVISIONS

By: *[Signature]*
Monterey County Deputy County Counsel

Date: 8/18/2020

APPROVED AS TO FISCAL PROVISIONS

By: *[Signature]*
Monterey County Deputy Auditor/Controller

Date: 8-18-2020

CONTRACTOR

RBB Architects Inc.

CONTRACTOR's Business Name
See instructions below

By: *[Signature]*
(Signature of: Chair, President, or Vice-President)

Sylvia Botero, President
Name and Title

Date: August 17, 2020

By: *[Signature]*
(Signature of: Secretary, Asst. Secretary, CFO, Treasurer, or Asst. Treasurer)

Sylvia Botero, Treasurer
Name and Title

Date: August 17, 2020

*****Instructions*****

If CONTRACTOR is a corporation; including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers (two signatures required).

If CONTRACTOR is a partnership; the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership (two signatures required).

If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any and shall personally sign the Agreement (one signature required).



Exhibit A-4-Additional Scope of Work

June 26, 2020

Ms. Andrea Rosenberg

Assistant Administrator, Operations and Support Services

Natividad Medical Center

1441 Constitution Blvd.

Salinas, CA 93906

**RE: Radiology Modernization Project, Building 500 - RFQ #9600-54
Add Service 15 – Extended Construction Administration 6 months
RBB # 1412600**

Dear Andrea,

RBB Architects Inc respectfully submits a fee proposal for added scope to our Basic Services contract related to the extension of Construction Administration Services for the Radiology Modernization Project in Building 500 at Natividad Medical Center.

Scope of Work

- In accordance to the RFP RBB's Base Contract included 6 months of Construction Administration and a maximum of two (2) phases.
- Previous Add Services include an extension of 20 months, for a total of 26 months, with a completion date anticipated to be August 31, 2020.
- The current anticipated schedule has a completion date of February 28, 2021.
- This proposal includes 6 additional months of CA support by the A/E team.

Exclusions

- CA support beyond a total of 32 months.

Fees

RBB's original fee proposal stipulated additional professional services for extended Construction Administration Services in the amount of \$38,800 per month, and reimbursables at \$1,200 per month bringing the total including reimbursable to \$40,000 per month.

Our current request in the amount of \$27,000 per month, reflects a significant reduction of our monthly fees for the last 6 months of construction and close out. The total anticipated lump sum for 6 additional months beyond the current contract will be a lump sum of \$162,000, which will be invoiced on a monthly basis, as the fees are earned, and will not be invoiced if the project is complete and the design team is no longer required to support the project.

We appreciate the opportunity to provide this proposal and look forward to continuing a long-lasting relationship with Natividad Medical Center.

RBB ARCHITECTS INC

Joseph A. Balbona, AIA
Arthur E. Border, AIA
Sylvia Botero, AIA
Kevin Boots, AIA

10980 Wilshire Boulevard
Los Angeles, CA
90024-3905

T: 310 473 3555
888 473 2659

www.rbbinc.com

3685 Mt. Diablo Blvd
Suite 360
Lafayette, CA
94549-6823



July 22, 2020

Ms. Andrea Rosenberg
Assistant Administrator, Operations and Support Services
Natividad Medical Center
1441 Constitution Blvd.
Salinas, CA 93906

RE: Radiology Modernization Project, Building 500 - RFQ #9600-54
RBB # 1412600
Add Service 18 - MEP & Architectural Feasibility Study, Angio Room Modifications

RBB ARCHITECTS INC

Joseph A. Balbona, AIA
Sylvia Botero, AIA
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3685 Mt. Diablo Blvd
Suite 360
Lafayette, CA
94549-6823

Dear Andrea,

RBB Architects Inc respectfully submits a fee proposal for added scope to our Basic Services contract in response to the request for the design team to evaluate the architectural and MEP impacts to the project in the event the Angio room program changes.

The team understands that the new Director of Cardiovascular is interested in having an Angio/IR room to do procedures they are currently doing in the IR Trailer. As stated by NMC, the list of approved procedures Title 22 appears to be out of date; procedures would need to be submitted to CDPH for approval as a Title 22 Program Flex. In the review of the Program Flex it is possible that for some of the procedures CDPH may require 12 ACH (Air Changes per Hour) of 100% outside air or, if the supply air includes return air, 20 ACH instead of the 15 ACH required by the building code for Angio and Interventional Radiology. For general infection control he prefers 100% outside air if possible.

Scope of Work

- Develop options and impact to change AHU-4 to 100% outside air
 - Assess Required Modifications to AHU-4
 - Optional Modifications to AHU-4
 - Evaluate option to manually change from 100% OSA to recirculated air during heat waves
- Options and impact to change Angio to 20 ACH
- Evaluate adding a door to separate the Control Room from the Procedure room as adopted in the 2016 California Building Code.
- Develop recommendations and select system to be implemented.

Assumptions

- Equipment remains the same.
- Reviews are limited to the project area
- Work to be a part of the current project and subject to the 2013 California Building Codes.

Exclusions



- Design modification documentation
- Additional scope beyond work noted above.
- Replacement of entire AHU sections such as replacement of the AHU cooling or heating coils.
- Modifications that necessitate structural or electrical upgrades.

Fees

The fee for additional services is anticipated to be a lump sum of \$13,000; this fee includes reimbursable expenses.

Future Scope

- In the event an option selected is required to be implemented, the estimated ROM fee will be in the \$29,000 range; this would include contract documents for modification of AHU-4 (not including zone level adjustments to capture potential airflow reduction to have 100% OA system), vs. approximately \$9,000 for making room level changes in the Angio Room only.
- Scope includes: revisions to the documents, submittal to OSHPD for approval and CA for implementation of scope of work.
- This scope will be evaluated and submitted as a separate fee proposal once an option is selected.

We appreciate the opportunity to provide this proposal and look forward to continuing a long-lasting relationship with Natividad Medical Center.