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January 27, 2011

**ADDENDUM-2 to Emeryville Center of Community Life, Agreement for Architectural Services
Project No. 10-001**

This addendum revises the scope of work to include the following:

1. **Data Driven Analytics**
2. **Center of Community Life Success Factors**
3. **Web-based Communication Strategy, Tools & Implementation**
4. **Temporary 9-12 School Relocation and Gymnasium Improvements Study**
5. **S.P.I.C.E. (Staff Planning for Improving the Community of Emeryville) Report-out**

I. CONTRACTING PARTIES

A.	Client:	Emery Unified School District 4727 San Pablo Avenue Emeryville, CA 94608
B.	Consultant:	Miller Kelley Architects, Inc., DBA MKThink 1500 Sansome Street San Francisco, CA 94111

II. DESCRIPTION of SERVICES

Activity 1: Data Driven Analytics

Summary Objectives:

- Staff develop a thorough understanding of the current space program, its forecast utilization, and the associated implications of over- or underutilization
- Develop graphic materials that articulate the current space program and its forecast utilization, and model the sensitivities of program or use modifications
- Operational cost assessment modeling for existing EUSD assets

Scope description:

Using the current space program, we will model the scheduled use of the ECCL facilities based on the 2020 population estimates. From this model we will generate a dynamic schedule illustrating the hourly, daily, weekly, and seasonal use of the individual spaces as well as overall center occupancy. This schedule will identify components of the space program that may be underutilized or over-utilized. From this baseline schedule, we will then model alternative schedules, program changes, and use changes to test the impact on overall site occupancy and utilization.

We will also model the movement of people through the site over a 24 hour cycle during different seasons with the goal of understanding how the 'unprogrammed' spaces (circulation, outdoor, site circulation) and informal users (those not at the center for a particular function or activity) contribute to the overall occupancy and human density of the center.

Additional Data Development - We will work with current District operational information to build and develop alternative cost models scenarios that will allow the District to better understand the economic costs and revenue potential for the Anna Yates and Ralph Hawley sites in the event all district students migrate to the ESS site.

Deliverables:

- Dynamic schedule of ECCL facilities (based on 2020 population estimates and proposed program) and associated outputs:
 - Overall center occupancy data
 - Summary of projected Hourly, daily, weekly, seasonal use of individual spaces
 - Summary of utilization data
 - Summary of findings from schedule modeling
- Alternative schedule models
- Suggested program changes to achieve target utilization / site occupancy
- Projected site movement diagrams utilizing "unprogrammed" spaces value analysis
- Economic cost model scenarios for Anna Yates / Ralph Hawley sites

Duration:

January 2011: Develop and populate models, initial runs and output

February 2011: Create graphical output. Develop and test alternate scenarios.

March-May 2011: Additional scenarios and meeting support as needed

Activity 2: Center of Community Life Success Factors

Summary Objectives:

- Identify the core set of variables that will determine the 'success' of the Emeryville Center of Community Life
- Create the evaluative criteria for each variable
- Tie each variable to key research
- Develop the evaluation methodology
- Create an implementation plan and overall timeline
- Identify potential grant opportunities based on the core success variables and evaluation methodology

Scope Description:

Identifying the core set of success variables for ECCL will not only ensure that the overall vision is clearly articulated, but will also serve as a means by which all parties (teachers, administrators, students, parents, community services, recreation, community) can unite around a shared approach. In order to initiate a

collective understanding, and in turn a collective vision, the core set of success variables will be determined through a variety of methods:

1) Examination of Existing "Success Factors." The City Schools Guiding Principles and Adopted Policies will guide the vision and overall intent behind our data collection. We will place particular emphasis on methods by which the following Policies can be operationally defined and tracked in a results-driven manner: 1) Community Engagement 2) Partnerships 3) Community Wellness 4) Sustainability 5) Equity.

2) Examination of Existing Data: Both within EUSD (attendance rates, physical activity participation, GPAs, formal and informal curriculum, school lunch menu, etc.) and Community Services and Recreation (e.g., participation rates, number and type of programs, etc.). We understand the sensitivity of data requests and that it is of paramount importance to ensure our requests are tied to the intended Emeryville Center outcomes vs. an evaluation of the current state of affairs. We will uphold our commitment to refrain from communicating, both intentionally and non-intentionally, a "critique and reform" approach; but rather, a communication that allows staff to see how the existing data we need is connected to future variables.

3) Ethnographic Observations: 1 - 2 observation sessions of each set of activities/program areas taking place in EUSD and Community Services (Senior Center, Recreation facilities, etc.)

4) One-on-One and Small Group Interviews: Discussions with leaders within Community Services, EUSD, and Wellness to gain their perspectives regarding the "key success factors" (with a possibility of utilizing Chris Bui in this component).

5) Best Practices / Benchmarks: Conducting informal research to determine what other leading community centers and schools / districts are using as success factors. This information will be integrated into our understanding of data currently being collected (i.e., current success factors), as well as the City Schools Policies and Guiding Principles, to create a futuristic vision of "success."

6) Grant Opportunities: Using a backward mapping technique to identify the key variables that grant providers have determined as success factors / important variables on which to focus and integrating that thinking into the overall framework of "success factors."

7) Internal Workshops: Strategy sessions with Nate, Steve, & Alesha et al. will be held to drive the thinking and aggregation of information throughout the process; additional sessions with Roy & Hayin will take place as needed.

Upon finalization of the ECCL success variables, a set of evaluative criteria will be developed for each variable to help answer the question, "what context must be present for the xxx variable to flourish?" A connection to current research / trends will also be developed to demonstrate the potential direct outcomes and correlational outcomes. Building on the foundation of clearly identified 'success variables' and accompanying evaluative criteria, an evaluation methodology will be developed for each variable. Consideration will be given to the type of data collection (survey, existing data, ethnographic observations, etc.), reliability and validity of the methods, people resources, financial resources, ease of implementation. Following the evaluation methodology, an implementation timeline will be developed to outline the various phases and overall timing of data collection (e.g., baseline, year 1, year 2.....year 10). The final success metrics will be presented with an overview of our initial thinking behind grant opportunities.

Deliverables

Summary Report to Include:

- Synthesis of success indicators (i.e., "The Center will be successful if.....")
- Filtered list of success indicators
- Support for selected success indicators through ties to research, benchmarks, and grant opportunities as appropriate and available
- Evaluative criteria for success indicators
- Recommended tools / methods to utilize for measurement of each indicator
- Implementation timeline for collection of baseline data and ongoing measurement

Assumptions:

- Baseline data feeding this activity is assumed to be that which is obtainable through existing and readily available datasets.

Duration:

Jan – March 2011: Develop core set of success variables and determine evaluative criteria

March – April 2011: Tie each variable to research & develop evaluation methodology

April – May 2011: Develop evaluation methodology & implementation timeline; high level overview of grant opportunities

Activity 3: Web-based Communication Strategy, Tools & Implementation

Summary Objectives:

- Develop an overall strategy for web-based communication
- Develop a summary of web-based options - strengths (pros) & issues (cons) with each
- Prepare a strategy for implementation and ongoing site management

Scope Description:

Work with district and city staff to develop an overall strategy for web-based communications. The specific on-line content and range of web tools will be explored and refined through an interactive and iterative process with key staff. The range of web-based tools to be researched and explored will vary depending on the specific communication requirements as well as the intended audiences. In all cases the preferred online communication typology will be assumed to support 2-way communication and data sharing for defined groups (staff / public / combined) and will be either hosted or linked through the specified web portal "emeryvillecenter.org". The team will target developing a "first pass" set of tools with the intention of implementing a functional and adaptable tool to support the ongoing staff work and dialog preceding any design activities for the ECCL. To this end, we will consider how to integrate specific design/contractor team's project data with a broader community audience.

Deliverables:

- Final approved web hierarchy map/diagram
- Protocol manual for content and update procedures
- Live emeryvillecenter.org site with functional structure and content
- Live Ning (web 2.0) site with functional structure and content
- Emeryvillecenter.org weekly maintenance and content updates through May 2011
- Emerycenter.ning.org weekly maintenance and content updates through May (pro bono)
- Back-up content files and domain registration information as needed for City/District to assume "ownership"

Assumptions:

- City of Emeryville and EUSD will provide active links on their respective websites to emeryvillecenter.org
- All historical content to be uploaded to emeryvillecenter.org will be provided in usable electronic form
- City and District will approve content as necessary prior to uploading

Duration: January - May 2011

Track 1: January 2011: Establish key communication criteria, develop a first pass of options that support the key criteria and identify pro & cons for each along with associated software or licensing costs that would be anticipated. Upon direction from staff, re-launch the Ning site or build a new site for specific use by staff leadership group (TBD) and re-tool look & feel and overall site structure as necessary. Assume 4 meetings with staff and key representatives.

Track 2: February – May 2011: Dynamically adjust and finalize preferred web communication strategy. Explore options to link to and / or integrate into other City / School web sites. Develop implementation plan for longer range initiatives as necessary. Prepare RFP as necessary for implementation and ongoing maintenance of any long-term communication strategies.

Activity 4: Temporary 9-12 School Relocation Study to 47th Street and Gym Improvements Study

Summary Objectives:

- Prepare a conceptual plan and space program that validate the viability of an interim high school in the area of a closed 47th street. The interim school will include classes for grades 9 thru 12 with cohorts of 60 and approximate total student population of 240 students. The School will include all the school administration and program spaces for a functioning high school on an interim basis. District Administration, Maintenance and ECCL project staff will not be located on the site.
- Prepare a conceptual plan for permanent improvements to the gymnasium within a budget of construction budget of 6.5 million dollars. The goal is to improve the gym to serve the needs of the Interim High School. The work is to be permanent for use in the ECCL and can be expanded to include the pool and adjacent supporting facilities to the extent of the budget.
- Both projects are to be ready for occupancy in August 2014, to allow for the demolition of the Existing Secondary School in the Fall of 2014.

Scope description:**Interim High School**

- Prepare a list of spaces, their function and area to be included in the High School. Providing a Facilities Specification is not needed.
- Walk and photograph the site for a general observation of existing conditions
- Prepare a conceptual site plan(s) and deliverables for review to evaluate function, cost, building code compliance and other issues of viability.
- Two meetings with client, participants selected by the Client.
- Finalize deliverables to be presented to the Client
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Deliverables:

1. List of spaces and area tabulation (interim school space program).
2. Conceptual Site Plan
3. Implementation Schedule for completion and occupancy by fall 2014
4. Estimate of Probable Costs
5. Conceptual construction staging and occupancy safety plan.

Assumptions:

- CEQA, City of Emeryville and Utilities issues are assumed to be solvable and a budget for their impacts will be based on current information listed in Current Reference Documents.
- No AC Transit assets are available for interim use.
- Parking and traffic will be based on existing information on Client expectation for need for a High School in an urban environment.
- Assembly and Athletic functions are to be served in the Gymnasium or in available exterior space.
- MEP, Civil and other sub-consultants are engaged in this conceptual study to:
 1. Visit the site
 2. Review the draft conceptual plans.
 3. Provide a brief memo on opinions on design solutions that can affect cost and for the Interim housing phase and the final construction of the ECCL.
 4. Be available for phone communication to assist in determining the budget.
- Operational costs will not be included in the Estimate of Probable Costs
- Project budget including soft costs and construction budget for the Interim High School is 1 million dollars.

Gymnasium

- Evaluate the current uses indicated for the Gymnasium to the degree necessary to determine a probable scope of work within the budget. Anticipate the future uses for the gym as part of the long-term ECCL project and coordinate the proposed space program with the modeling and utilization insights garnered from the outcomes of activity #1.

- Walk and photograph the site and building for a general observation of existing conditions
- Prepare a conceptual plan(s) and deliverables for review to evaluate function, cost, building code compliance and other issues of viability.
- Two meetings with client, participants selected by the Client.
- Finalize deliverables to be presented to the Client
- **Deliverables:**
 1. List of spaces and area tabulation (space program)
 2. Conceptual floor plan
 3. Implementation Schedule for completion and occupancy by fall 2014
 4. Estimate of Probable Costs
 5. Conceptual construction staging and occupancy safety plan.
- **Assumptions:**
 - CEQA, City of Emeryville, property line, easements, utilities issues are assumed to be solvable and a budget allowance will be included in consultation with the Client.
 - MEP and other sub-consultants are not engaged in this conceptual study.
 - Uses for the gym as part of the long-term ECCL project will be coordinated with the modeling and utilization insights garnered from the outcomes of activity #1.

DSA compliance

Conceptual level code review and meeting with DSA

CEQA, City of Emeryville: LSA will be retained separately by EUSD to:

- Visit the site
- Review the draft conceptual plans.
- Provide a brief memo on opinions on design solutions that can approval process schedule and potential mitigation issues. Cost related issues may include mitigations for street closure, sound, traffic, neighbor issues and others. City of Emeryville issues may include zoning and planning approval schedules.
- Be available for phone communication to assist in determining the construction budget.
- City Building and Public Works are assumed to not be an additional cost factor in this effort.

Construction Issues: Turner Construction will be retained separately by EUSD to:

- Visit the site
- Review the draft conceptual plans.
- Provide a brief memo on opinions on, Construction Schedule, Staging, Utilities and interface between the Interim High School and the Gym projects before during and at completion of construction.
- Be available for phone communication to review the estimates prepared by Lee Saylor's office.

Utilities issues and a budget for their impacts will be based on current information listed in Current Reference Documents and site visits by the retained consultants.

Meetings:

Initial start up and review meeting.
Draft working meeting
Attend Client / City Schools Meeting
Final presentation

Current Reference Documents:

High School Construction Documents, pdf format, (DSA approval Nov 12, 1952)
FEMA grant documents, (dsk, May 27, 2010)
Culvert construction drawings (January 1969)
Topographic Survey of site to property curb (Field Paoli, January 29, 2008)
47th street site plan, (Google maps, Current)
Facility Assessment (March 2004)
Facility Specification Rough Draft (EUSD, July 18, 2005)
Facility List of Spaces (Nexus, June 6, 2010)

Duration: Approximately one month

Start: January, 2011
Site Visit and Meet with Client: January, 2011
Draft deliverables for review with Client, February, 2011
Prepare revised documents: Week of February 9
Present final documents: Tuesday, February 15.
Deliver final documents; Monday, February 21.

**Activity 5: S.P.I.C.E. (Staff Planning for Improving the Community of Emeryville) Workshop
post-November follow-up and report preparation**

Summary Objectives:

- Chronologically record the key activities and outcomes from each week of the 10 week session
- Synthesize the S.P.I.C.E work
- Produce a final report document

Scope Description:

Following the facilitated faculty & staff workshops referred to as S.P.I.C.E. the consultant will synthesize the 10 weeks of collective work into a final document.

The scope of these activities will include:

- Facilitator reflection on SPICE
- Creation & revision of the overall report template
- Writing portions of the report content
- Integrating content from the other facilitators
- Creation of all graphic / visual elements (i.e, translating text into visual representations)
- Ensuring continuity of message
- responsibilities, feedback on final draft)
- Work closely with district architect on all report-out elements, ensuring text, graphics, etc. accurately convey the work of staff and the intended message
- Integrate one round of edits from facilitators after "final draft" is produced
- Integrate one round of edits after the final draft is produced

Deliverables:

- Production of Final Report in hard and digital form

Meetings:

- Attend up to three meetings with facilitator group (Dec. 10, & 22, Jan. 26) and district architect to review document and overall process (e.g., agreed upon template, content
- Attend one meeting (live or virtual) with district architect after draft 1 (if needed).

Duration: Approximately 2 months: December 2010 – January 2011

III. BASIS OF COMPENSATION

	Fee	Expense Allowance (3%)	Total
Activity 1	\$59,200	\$1,775	\$60,975
Activity 2	\$40,000	\$1,200	\$41,200
Activity 3	\$40,000	\$1,200	\$41,200
Activity 4	\$53,000	\$1,590	\$54,590
Activity 5	\$13,750	\$500	\$14,250
	\$205,950	\$6,265	\$212,215

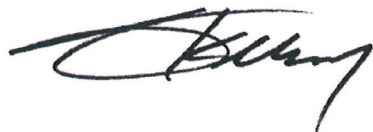
Fee Detail & Notes:

- Activity 1: \$38,000 is allocated to set up and run the scenarios, and \$4,000 per month for three (3) months is allocated to support ongoing meetings and alternate scenarios. \$9,200 is allocated to the Operational cost assessment modeling for existing EUSD assets study.
- Activity 3: Track 1: \$12,500 Track 2: \$27,500 Direct costs for purchasing site licenses / software etc. are not included. Ongoing site maintenance beyond May 2011 is not included
- Activity 4: Of the total fee for this activity \$13,000 is allocated for independent Cost Estimation, Civil Engineering and Mechanical, Electrical and Plumbing consultant input.
- Activity 5: Extended activities defined in this extended S.P.I.C.E scope are performed by S.P.I.C.E. facilitators Alesha Kientzler and Gloria Stockton.

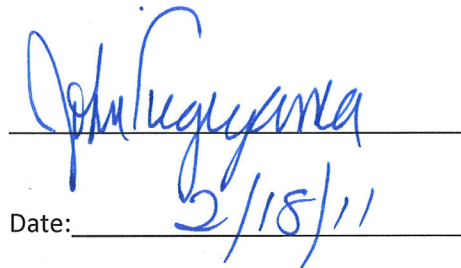
Upon entering into this Amendment, EUSD and it's assigned representatives acknowledge that remaining scope items, tasks and deliverables defined in the Board approved "Agreement for Architectural Services" (Agreement) with Miller Kelley Architects, dba MKThink executed March 10, 2010, Exhibit A, not undertaken as of this date by the direction of EUSD and authorized staff are released from MKThink or the Nexus Partners and associated consultants to fulfill, unless the associated funding of any specific remaining tasks is adjusted accordingly. MKThink has been advised that remaining unbilled funds remaining within the original Agreement are to be redirected to compensate in-part the new amended services described herein as well as the services of sub-consultants that MKThink has sub-contracted on the behalf of the School District to support the facilitated staff workshop series and follow-on activities. The responsibilities and deliverables described in Exhibit A and Exhibit B of the original Agreement are therefore superseded by this Addendum and the amended Exhibit A attached hereto.

Faithfully Submitted by:
MKThink

Approved by:
Emery Unified School District



Steven Kelley AIA
Founding Principal
January 27, 2011



Date: 2/18/11

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888



Hourly Rate Schedule

Professional Architectural Services

For Emery Unified School District – through December, 2010

<u>Classification</u>	<u>Standard Rates</u>	<u>EUSD Discounted Rates</u>
Nexus Partners Principals	\$250	\$225
Contracted Facilitators	\$175	\$150
Senior Project Staff	\$175	\$150
Intermediate Project Staff	\$125	\$120
Junior Project Staff	\$85	\$85

The Revised Fee Worksheet –**Exhibit A** – is attached

EXHIBIT A - Fee Worksheet - ADDENDUM-2

nexus partners

dsk | Concordia | MKThink

to Emeryville Center of Community Life Agreement for Architectural Services Project No.10-001

As of JANUARY 2011

		MKTHINK			DSK			ALESHA KIENTZLER			GLORIA STOCKTON			TOTALS		
2011	PLANNING FOR SUCCESS	MKTHINK total fee	MKTHINK invoiced	MKTHINK remaining	DSK total fee	DSK invoiced	DSK remaining	KIENTZLER total fee	KIENTZLER invoiced	KIENTZLER remaining	STOCKTON total fee	STOCKTON invoiced	STOCKTON remaining	TASK TOTAL fee	TASK INVOICED fee	TASK REMAINING fee
ACTIVITY 1	Data Driven Analytics															
	Space program modeling	\$50,000.00	\$0.00	\$50,000.00										\$50,000.00	\$0.00	\$50,000.00
	Operational cost modeling	\$9,200.00	\$0.00	\$9,200.00										\$9,200.00	\$0.00	\$9,200.00
		\$59,200.00	\$0.00	\$59,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$59,200.00	\$0.00	\$59,200.00
ACTIVITY 2	Center of Community Life Success Factors															
	Success factors measured against guiding principles:	\$40,000.00	\$0.00	\$40,000.00										\$40,000.00	\$0.00	\$40,000.00
	Identify variables, create evaluative criteria & methodologies															
	Implementation plan & timeline & grant opportunities															
		\$40,000.00	\$0.00	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,000.00	\$0.00	\$40,000.00
ACTIVITY 3	Web-based Communication Strategy, Tools & Implementation															
	Develop an overall strategy for web-based communication	\$40,000.00	\$0.00	\$40,000.00										\$40,000.00	\$0.00	\$40,000.00
	Integrate Web2.0 with emeryvillecenter.org & link to City/School sites															
	Implementation Plan															
		\$40,000.00	\$0.00	\$40,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$40,000.00	\$0.00	\$40,000.00
ACTIVITY 4	Temporary School Site & Gym Renovation Study															
	Interim School Site study & Gym Renovation study	\$8,000.00	\$0.00	\$8,000.00	\$45,000.00	\$0.00	\$45,000.00							\$53,000.00	\$0.00	\$53,000.00
		\$8,000.00	\$0.00	\$8,000.00	\$45,000.00	\$0.00	\$45,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$53,000.00	\$0.00	\$53,000.00
ACTIVITY 5	S.P.I.C.E. Extension (December 2010 - January 2011)															
	Workshop systhesis & final report							\$9,900.00	\$0.00	\$9,900.00	\$2,850.00	\$0.00	\$2,850.00	\$12,750.00	\$0.00	\$12,750.00
	Consultant coordination (10%)	\$1,000.00	\$0.00	\$1,000.00										\$1,000.00	\$0.00	\$1,000.00
		\$1,000.00	\$0.00	\$1,000.00	\$0.00	\$0.00	\$0.00	\$9,900.00	\$0.00	\$9,900.00	\$2,850.00	\$0.00	\$2,850.00	\$13,750.00	\$0.00	\$13,750.00
	Additional Independent Consultants															
	Cost Estimation, Civil, MEP (included in dsk fee for Activity 4)													\$0.00	\$0.00	\$0.00
		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Expenses															
	Travel, Supplies, Printing, Copying, etc. - direct expenses	\$4,425.00	\$0.00	\$4,425.00	\$1,590.00	\$0.00	\$1,590.00	\$150.00	\$0.00	\$150.00	\$100.00	\$0.00	\$100.00	\$6,265.00	\$0.00	\$6,265.00
	(3% allowance)															
Total Fee		\$152,625.00	\$0.00	\$152,625.00	\$46,590.00	\$0.00	\$46,590.00	\$10,050.00	\$0.00	\$10,050.00	\$2,950.00	\$0.00	\$2,950.00	\$212,215.00	\$0.00	\$212,215.00

Original Nexus Contract Amount	\$448,060.00
Minus, Total Invoiced Prior to SPICE Addendum	\$284,068.07
Total Remaining Fee Prior to SPICE Addendum	\$163,991.93
Minus, Total Invoiced SPICE through Current	\$63,152.96
Total Current Available Budget After SPICE Addendum	\$100,838.97
Minus, Proposed Addendum 2 - "Planning for Success"	\$212,215.00
Additional fee required beyond current NEXUS Contract Amount	(\$111,376.03)