



Date: February 17, 2012

To: Thomas J. Bonfield, City Manager

Through: Theodore L. Voorhees, Deputy City Manager

From: Joel V. Reitzer, Jr., Director, General Services
John P. Gregory, Assistant Director, General Services

Subject: General Services Bundle Phase III - Durham Bulls Athletic Park
Renovations Project: Change Order #2 to the Balfour Beatty
Construction, LLC, (CMAR) Contract

Executive Summary

The City and Operator recently identified an issue at the Durham Bulls Athletic Park ("DBAP") where a portion of the seats have become loose from their anchor points. The City has been working with a structural engineer and the seating manufacturer to determine the cause of the failure. The cause is a result of the stress experienced by the seat anchoring bolts at the DBAP, which are original to the stadium built in 1994. The existing bolts are failing due to age and continuing stress. In order to secure the seats per the recommendation of the structural engineer, additional bolts will need to be added to the seat mounts. There are currently approximately 1,800 bolts which have loosened and require immediate repair. The Durham Bulls have asked that these repairs be made prior to April 4, 2012, the start of the 2012 baseball season. The estimate to repair the 1,800 failing bolts is \$145,826.00.

In addition, there are approximately 1,750 seat bottoms which are broken and require replacement. The City has ordered material to replace the broken parts directly from the seat manufacturer, as this is a long lead item. However, the City will need to pay the labor to install these replacements. The labor to install this material will cost \$17,947.00.

The total cost for all work is \$163,773.00. Staff recommends that this work be awarded as a Change Order to Balfour Beatty Construction, LLC, who has been working at the DBAP for the last 2 years, and is currently completing change order work to waterproof additional areas at the stadium.

Recommendation

The General Services Department recommends that the City Council:

1. Authorize the City Manager to execute a change order with Balfour Beatty Construction, LLC, for the bolt and seat repairs at the Durham Bulls Athletic Park for the amount of \$163,773.00; and
2. Increase the project contingency in the amount of \$32,755.00 and authorize the City Manager to execute change order to the CMAR contract with Balfour Beatty

Construction, LLC, provided the total project cost does not exceed the amount budgeted for construction phase services plus the project contingency.

3. Adopt an ordinance amending the General Capital Improvement Project Ordinance, Fiscal Year 2011-2012, as amended, the same being Ordinance #14139 Section 1 (b) – Downtown Revitalization for the purpose of adding \$196,528 from a debt re-funding to existing project- DBAP Upgrade.

Background

The DBAP was constructed in 1994. In 2005, General Obligation bonds were approved for a major renovation at the DBAP. Additional funding was allocated in 2008 and 2009. City Council authorized construction through two phases in 2009 and 2010. All work was completed in 2011. The scope of work for both phases included waterproofing of the precast concrete in the main seating area, fireproofing of the superstructure and waterproofing repairs to the exterior masonry and concourses. This work was completed in 2011 with the exception of the change order work related to waterproofing the bridge.

Issues/Analysis

Staff has been working on resolving funding issues, negotiating costs and vetting the design resolution. The Durham Bulls opening day is April 4th and time is now of the essence. Funding has been identified using excess proceeds from recent bond refunding activity.

If repairs are not made to the bolts, the problem will only worsen. Bolts anchoring the seats adjacent to those failing will be carrying additional weight loads and the potential for their failure is probable. If additional bolt failures do occur, it may be necessary to close off some seating sections for safety reasons.

Schedule is also a significant issue. There are approximately five weeks from Council's requested authorization to complete the required bolt repairs and seat replacement. If this work is not completed prior to the season start, then the City will incur additional costs for multiple mobilizations during repair due to the need to accommodate the Bulls' schedule.

Staff is recommending the authorization of \$196,528.00 for the Project, which includes the owner contingency. Contingency is set at 20 percent to be able to expeditiously address any additional issues or unforeseen conditions that may arise during this tight construction schedule.

Alternatives

City Council may elect to not approve the additional work. However, this would result in additional costs to eventually repair the issues. Additionally, this may negatively impact the ability to effectively use the ballpark during the season. Staff does not recommend this option.

Financial Impact

Project Funding Sources:

CIP Project	2005 Bonds	Installment Sales	FY09-10 CIP Funds	Excess Funds from Re-Funding	Total
GSB Phase 3 DBAP	\$ 887,000.00	\$ 1,822,103.00	\$ 2,200,000.00	\$196,528	\$ 5,105,631.00

Funding Uses Summary:

DBAP Project Budget - Phases I and II

Design	\$	416,861.00
CMAR Pre-construction	\$	71,850.00
Owner's expenses	\$	798,119.82
Owner's Contingency	\$	37,465.00
Construction	\$	3,584,807.18
DBAP Phases I and II Budget	\$	4,909,103.00
Seating Bolt Repairs/Seat Pan Replacement Installation	\$	196,528.00
DBAP Total Budget	\$	5,105,631.00

SDBE Summary

This seeks authorization to allocate additional funds to an existing project. The Department of Equal Opportunity/Equity Assurance did not review the item for compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.

Attachments:

Ordinance amending the General Capital Project Ordinance, Fiscal Year 2012, the same being Ordinance #14139.