



Date: April 8, 2014

To: Thomas J. Bonfield, City Manager

Through: W. Bowman Ferguson, Deputy City Manager

From: Joel V. Reitzer, Jr., Director, General Services Department

Subject: Leigh Farm Park Design Contract Amendment Four – HagerSmith Design PA

Executive Summary

On July 2, 2008, the City executed a professional services agreement for the Leigh Farm Park Restoration and Reconstruction Project with HagerSmith Design, PA (HagerSmith) in the amount of \$50,920.00 to provide design and construction administration services for the Leigh Farm Park Restoration and Reconstruction project. There have been three subsequent amendments to the original contract for a current total contract value of \$215,632.00. This agenda item request is to increase the HagerSmith fee by \$23,975.50 for necessary additional services for a total contract value of \$239,607.50.

HagerSmith has requested construction administration compensation for the construction schedule which was extended 75 days due to weather delays and was further extended 123 days due to contractor project delays. HagerSmith has also requested compensation for additional construction materials testing and additional site lighting design. The proposed contract amendment increases the fee to be paid to HagerSmith by \$23,975.50.

Recommendation

The General Services Department recommends that the City Council:

1. Authorize the City Manager to execute an amendment to the design contract with HagerSmith Design PA for the Phase 2 Infrastructure Design at Leigh Farm Park in the amount of \$23,975.50 so that the total design contract amount will not exceed \$239,607.50.

Background

In 1995 the City agreed to lease 25 acres of the 87-acre Leigh Farm Park site from the State of North Carolina; the property leased by the City contains the majority of the historic buildings, which as a group are listed on the National Register of Historic Places. The forty-year lease with the State obligated the City to begin restoration work on the historic buildings and to open the site as a park by 2010. The State extended the deadline to 2013.

The Phase I Restoration and Reconstruction project was completed in January 2012. Construction began on the Phase 2 Site Infrastructure Improvements project on January 8, 2013. The original substantial completion date was July 21, 2013, but was delayed until February 14, 2014. The project is in the close out phase with a few remaining punch items and submittal of the record drawings remaining.

The original HagerSmith contract value was \$50,920.00. There have been three amendments to the original contract. Amendment 1, approved on June 14, 2010, added Bid Phase Services and Phase 2 Site Infrastructure Schematic Design Services, increasing the contract value by \$30,100. Amendment 2, approved on March 21, 2011, added full Phase 2 Design Services from the Design Development Phase to the Construction Administration Phase, increasing the contract value by \$126,772. Amendment 3, approved on September 7, 2011, added additional survey services to the scope of work, increasing the contract value by \$7,840 for a total contract value of \$215,632.00.

Issues/Analysis

Weather conditions and Contractor project delays caused a 198-day delay to the project. Staff is evaluating the option to back charge the contractor for partial or full repayment of the architect's charge for additional Construction Administration services that were due to contractor project delays.

Alternatives

City Council may opt not to approve the design contract amendment with HagerSmith PA. However, HagerSmith's professional services during the extended Construction Phase of the project were necessary as the City dealt with contractor performance issues.

Financial Impact

Current total project funding is as follows:

Project Funding- CH140			
2005 GO Bonds-	3000H901		\$300,000.00
Intergovernmental-	3000H990		\$200,000.00
Impact Fees -	3000H000		\$798,860.00
Installment Sales-	3307C000		<u>\$202,094.00</u>
Total Project Funding			\$1,500,954.00
Professional Services			
Original Contract		\$50,920.00	
Amendment 1		\$30,100.00	
Amendment 2		\$126,772.00	
Amendment 3		\$7,840.00	
Proposed Amendment 4		\$23,975.50	
Total Professional Services			\$239,607.50
Construction Services			
Phase 1 Construction		\$225,928.00	
Phase 2 Construction		\$751,450.60	
Sub-Total Both Phases of Construction			977,378.60
Phase 1 Contingency		\$21,200.00	
Phase 2 Contingency		\$80,988.00	
<u>Contingency Subtotal</u>			<u>\$102,188.00</u>
Total Construction Services			\$1,079,566.60
Other Project Expenses**			\$181,779.90
Total Project Budget			\$1,500,954.00

**Owner's Expenses include but are not limited to Property Acquisition, Permits, Surveys, Architectural and Engineering Services, and Reviews.

SDBE Summary

This is a contract amendment. The item was not reviewed by the Department of Equal Opportunity/Equity Assurance for compliance with the Ordinance to Promote Equal Business Opportunities in City Contracting.