



**Date:** February 3, 2015

**To:** Thomas J. Bonfield, City Manager

**Through:** W. Bowman Ferguson, Deputy City Manager

**From:** Marvin G. Williams, Director of Public Works

**Subject:** NCIMED Construction Inspections Contract Amendment

### **Executive Summary**

Kimley-Horn and Associates has been previously retained by the City to provide design and pre-construction contract administration services for Streetscape Sidewalk Construction for North Carolina Institute of Minority Economic Development (NCIMED), contract ST-259. This construction project is now moving forward and requires professional services to update the plans and specifications, complete a building condition survey, and to provide bid services and construction observation.

### **Recommendation**

The Administration recommends that the City Council authorize the City Manager to amend the on-call supplemental agreement with Kimley-Horn and Associates by increasing the contract amount by \$39,000.00 to provide additional professional services to complete the NCIMED project.

### **Background**

The Public Works Department originally entered into an on-call supplemental professional services agreement with Kimley-Horn and Associates on December 11, 2008, for design services and construction administration related to ADA compliant improvements to City Hall Plaza. Kimley-Horn and Associates has provided design, contract administration and construction inspection for various projects under this on-call agreement including the five amendments previously approved by City Council. The City of Durham has retained Kimley-Horn and Associates as part of an on-call supplemental agreement that was amended and approved by Council on August 6, 2012 to provide construction inspection for the NCIMED building.

The ST-259 construction project involves completion of the streetscape from the 2005 Downtown Improvements project at the NCIMED building (114 Parish Street) and improvements to the NCIMED building basement. At the front of the NCIMED building is a section of sidewalk in the public right-of-way that also serves as the roof to the basement of the NCIMED building. Water and electrical systems within the basement beneath the right-of-way will be relocated as a part of this project. The section of the basement within the right-of-way will then be filled and a sidewalk constructed over the former basement. This will eliminate a hazardous condition within the right-of-way and complete the streetscape in front of the NCIMED building.

### **Issues/Analysis**

The Administration submits that additional professional services for contract ST-259 will be best performed under the on-call agreement with Kimley Horn and Associates. Kimley-Horn and Associates is under contract to provide qualified construction inspectors to oversee work

performed by the contractor outside the public right-of-way. Kimley-Horn and Associates will provide construction inspections staff qualified to oversee the masonry, electrical, and backflow prevention elements of the project. This amended on-call supplemental agreement will ensure that the update of plans and specifications, completion of a building condition survey, provision of bid services and construction observation will be performed by Kimley-Horn, the firm most familiar with the project.

**Alternatives**

The Council can choose to not amend the on-call agreement and the project will not move forward. The Council may also choose to direct the Administration to solicit responses to a request for qualifications (RFQ) from various other consultants to identify other potentially qualified firms to perform construction inspections, a building condition survey, bid services and construction observation. The issuance of an RFQ for these services will further delay the completion of work associated with this project and will require other firm(s) to become familiar with the history and needs that are associated with this project.

**Financial Impact**

Additional funds required for this project are budgeted for in the following account:

Water Extensions & Improvements	4100P002-731000-P0A43	\$39,000.00
	Total Amendment:	\$39,000.00

**SDBE Summary**

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

Kimley-Horn and Associates will be required to meet the overall participation goals per their original on-call agreement with the City.