



Legislation Details (With Text)

File #: 08-1162 **Version:** 1 **Name:** 1/20/09 Amend #1 to BRI Contract re. Farmers Market
Type: Resolution **Status:** Filed
File created: 1/20/2009 **In control:** City Council
On agenda: 2/2/2009 **Final action:** 2/2/2009
Enactment date: 2/2/2009 **Enactment #:**

Title: Resolution to Approve Amendment No. 1 to Existing Professional Services Contract with Beckett & Raeder, Inc. to Increase the Contract Budget by \$122,862.62 for a Total Contract Amount of \$232,246.62, Accept and Appropriate \$13,538.67 Grant from the DDA, Appropriate \$30,661.97 from the Market Fund Fund Balance, Transfer \$48,000.00 from the Stormwater Fund FY09 Operations and Maintenance Budget, Appropriate \$30,661.98 from the Parks Rehabilitation and Development Millage Fund Balance, and Appropriate \$122,862.62 from the Parks Rehabilitation and Development Millage to the Farmers Market Master Plan Construction Design Project Budget to Create a Total Project Budget of \$2,056,900.00 (8 Votes Required)

Sponsors:

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|------------------|--------|
| 2/2/2009 | 1 | City Council | Lay on the table | Pass |
| 2/2/2009 | 1 | City Council | | |
| 1/20/2009 | 1 | City Council | | |
| 1/20/2009 | 1 | City Council | Postponed | Pass |

Resolution to Approve Amendment No. 1 to Existing Professional Services Contract with Beckett & Raeder, Inc. to Increase the Contract Budget by \$122,862.62 for a Total Contract Amount of \$232,246.62, Accept and Appropriate \$13,538.67 Grant from the DDA, Appropriate \$30,661.97 from the Market Fund Fund Balance, Transfer \$48,000.00 from the Stormwater Fund FY09 Operations and Maintenance Budget, Appropriate \$30,661.98 from the Parks Rehabilitation and Development Millage Fund Balance, and Appropriate \$122,862.62 from the Parks Rehabilitation and Development Millage to the Farmers Market Master Plan Construction Design Project Budget to Create a Total Project Budget of \$2,056,900.00 (8 Votes Required)

Attached for your review and action is a resolution requesting approval of six actions. The first request is to approve Amendment No. 1 to existing Beckett & Raeder, Inc. (BRI) professional services contract, adding to the work scope elements of the contract and increasing the contract amount for the additional services by \$122,862.62; establishing a total contract amount not to exceed of \$232,246.62. The second action requested is to accept and appropriate a \$13,538.67 Grant from the DDA. The third and fourth actions are requesting a transfer of \$30,661.97 from the Market Fund Fund Balance and a transfer of \$48,000.00 from the Stormwater Fund FY09 Operations and Maintenance Budget to the Parks Rehabilitation and Development Millage. The fifth action is to appropriate \$30,661.98 from the Parks Rehabilitation and Development Millage Fund Balance for this project. The sixth and final action is to appropriate \$122,862.62 from the Parks Rehabilitation and

Development Millage to the Farmers Market Master Plan Construction Design Project Budget to create a total project budget of \$2,056,900.00.

Over the past two years under their current contract for the Farmers Market project, BRI adjusted their work effort to accommodate a two phased implementation format and responded to requests from the city to investigate and incorporate additional site amenities into their Phase One design work. The Phase One design work has been completed and construction work is now underway. Phase II components of the project have changed as a result of the newly acquired Michigan Department of Environmental Quality State Revolving Fund (MDEQ SRF) Loan (R-08-474), which will fund various best management practices related to storm water management. The new total estimated construction budget for the Farmers Market Master Plan implementation is \$2,056,900.00 million and includes the following elements:

- A new center shed structure/pavilion addition
- Parking lot reconfiguration, pavement improvements, and new parking lights
- Porous pavers or pavement, as budget and feasibility allows
- Streetscape improvements and pedestrian amenities along Fourth and Fifth St.
- Upgraded electrical service and controls systems as a result of deficiencies discovered in Phase One design work
- Upgraded GFI receptacles at vendor stalls including 21 high-load receptacles as a result of deficiencies discovered in Phase One work
- Complete documentation for Site Plan Review
- Recommendation of strategies and phasing intended to minimize disruption to the market

The following elements are new and a result of the MDEQ-SRF loan:

- Live (green) roof system on the center shed structure
- Underground storm water detention per City of Ann Arbor requirements
- Swirl concentrator as selected by City of Ann Arbor
- Potential re-use of reclaimed storm water for a yet-to-be determined on-site function (irrigating the live roof, irrigating surface plantings, watering vendor plants, etc.)
- Location of educational and interpretive signage (copy and graphics provided by others)
- Waterscape feature celebrating action and potential re-use of storm water on site
- Revised opinion of probable construction costs
- Additional meetings with the public and various Commissions, DDA, and City Council (as needed)
- Document submittal and coordination with MDEQ (SRF Loan)

On June 4, 2007, City Council approved a Professional Services Contract with Beckett & Raeder, Inc. (BRI), R-221-6-07, for development of detailed design plans and construction documents in the amount of \$109,384.00 for elements identified in the approved Market Master Plan. Since that time, the BRI team has approached the project with a phased implementation format, held various meetings with city staff, presented information to the public, Market Commission, and Parks Advisory Commission in addition to preparing Construction Documents for Phase One items. They also assisted the Energy Office with coordination of the solar collection system and studied the feasibility of LED lighting options in conjunction with the Phase One work.

City project staff support the above modifications to the current Professional Services Contract with BRI. Through their work to date, BRI has become very familiar with the varied challenges and site

conditions associated with executing the project. This affords them added knowledge to pursue an aggressive schedule necessary to comply with the MDEQ - SRF loan requirements and overall project goals. Furthermore, they have completed roughly 55 percent of the preliminary design work associated with the center shed structure and parking lot reconfiguration tasks. Their work has also included extensive investigation into the existing electrical system, which will facilitate the design of future planned demands. All of this data plays a critical role during preparation of final design details, Site Plan submittal documents and construction drawings and specifications.

The City is partnering with the Downtown Development Authority (DDA) in the redevelopment of the Market space. On December 15, 2005, the DDA Board approved a resolution to provide a grant in the amount of \$296,300 to supplement the City's funds on the project.

Beckett & Raeder, Inc. meets the living wage requirements and received Human Rights approval on March 7, 2008.

Prepared by: Jeffrey H. Dehring, Landscape Architect II

Reviewed by: Colin Smith, Manager of Parks and Recreation Services

Jayne Miller, Community Services Area Administrator

Approved by: Roger W. Fraser, City Administrator

Whereas, In January 2006, City Council approved the Master Plan for the City's Public Market;

Whereas, Beckett & Raeder, Inc. (BRI) was awarded a Professional Services Contract (RFP No. 652) on June 4, 2007 in the amount of \$109,348.00 to develop design plans and contract documents to implement construction of the approved Master Plan improvements;

Whereas, \$30,661.98 is available from the Parks Rehabilitation and Development Millage Farmers Market Master Plan Project Budget and \$30,661.97 is available from the Farmers Market Fund Balance for the Farmers Market Master Plan Project;

Whereas, Funding (\$48,000.00) is available for this project in the approved FY09 Operations & Maintenance budget of the Stormwater System;

Whereas, The DDA Board of Directors agrees to supplement the City's funds for the Farmers Market Master Plan Project implementation in the amount of \$13,538.67;

Whereas, Continuing the Professional Service Contract with BRI is in the best interest of the project and will allow them to execute the remaining work necessary to address our aggressive schedule and the overall goals of the new project scope; and

Whereas, BRI received Human Rights approval on March 7, 2008 and complies with the living wage requirements;

RESOLVED, That City Council approve Amendment No. 1 to the Professional Services Agreement with BRI including the additional work scope elements of upgraded electrical service, a green roof, underground storm water detention and swirl concentrator, educational signage and a waterscape feature for an additional cost of \$122,862.62 to an existing Professional Services Contract with BRI for a total contract amount not to exceed \$232,246.62 to be available for expenditure during the term of the contract without regard to fiscal year;

RESOLVED, That the Mayor and City Clerk are authorized and directed to execute Amendment No. 1

to the Professional Agreement with BRI after approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That City Council appropriate \$30,661.97 from the Market Fund Balance and transfer \$48,000.00 from the Stormwater Fund FY09 Operation and Maintenance Budget, and appropriate \$30,661.98 from the Parks Rehabilitation and Development Millage Fund Balance to the Parks Rehabilitation and Development Millage budget;

RESOLVED, That the Mayor and City Council accept and appropriate the grant from the DDA for the Farmers Market Master Plan Project in the amount of \$13,538.67 to the Parks Rehabilitation and Development Millage budget ;

RESOLVED, That City Council appropriate the \$122,862.62, provided by the Market Fund, Stormwater Fund, Parks Rehabilitation and Development Millage, and DDA to the Farmers Market Master Plan Project Budget to create a total project budget of \$2,056,900.00 with funds to be available for the life of the project without regard to fiscal year; and

RESOLVED, That the City Administrator be authorized to take all necessary administrative actions to implement this resolution.