



Legislation Details (With Text)

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**Title:** Resolution to Approve a Contract with Legacy Custom Builders, Inc. to Restore the West Park Pergola (\$42,644.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. West Pergola Contract Docs ITB-4190.pdf

Date	Ver.	Action By	Action	Result
2/6/2012	1	City Council	Approved	Pass

Resolution to Approve a Contract with Legacy Custom Builders, Inc. to Restore the West Park Pergola (\$42,644.00)

Attached for your review and action is a resolution to approve a \$42,644.00 contract with Legacy Custom Builders, Inc. to restore the West Park Pergola.

The West Park Pergola is a historic structure constructed in 1925. The structure has deteriorated due to weather, insect and animal damage. It has been renovated several times throughout its history. The most recent minor renovations were completed in 2001. The structure is a recognized Ann Arbor landmark, and serves as the Miller Avenue entrance to West Park. This project would replace much of the structure of the Pergola and help protect it from further deterioration. The restoration of the West Park Pergola is noted in the 2011 - 2015 Parks & Recreation Open Space Plan as part of the Parks system infrastructure needs assessment.

Although individual structures such as the Pergola are not covered by the Historic District Commission, Historic District Commission staff was consulted in order to make sure that the renovations were appropriate in intent.

The following two bids were received in response to ITB-4190:

	Base Bid	Bid with Approved Alternates	Bid With Additive Alternate
Construction Solutions, Inc.	\$33,700.00	\$41,230.00	
Legacy Custom Builders, Inc.	\$36,600.00	\$42,094.00	\$42,644.00*

\*Lowest Responsible Bid

Although Construction Solutions, Inc. was the low bidder, different units within the City have not been satisfied with the quality of their work on previous projects, including a recent locker room renovation at Veterans Memorial Park. A 'Vendor Poor Performance Form' was filed with the City's Procurement Office to have the issues on record for future projects. Because of the attention to detail required for this project, staff has determined that it would be in the best interest of the projects to award the contract to Legacy Custom Builders, Inc., who has a positive track record with this type of construction. Legacy Custom Builders, Inc. is currently performing work on the Island Park Greek Revival Shelter, another historic structure within the parks system.

Four alternates were also requested as part of the bid that could be added if the budget permitted. Two of the four alternates were to add porcelain tile to both the floor surface and concrete base. These two were rejected due to cost. The other two alternates were accepted; one to reconstruct the beam framing, if necessary, due to deterioration, and the second, to reconstruct one of the footings at the stair entry to the park which has heaved over time. Subsequent to bid opening, Legacy Custom Builders was asked to provide a price to paint the concrete base instead of covering it with tile as a more cost effective solution that would improve the aesthetics of the structure.

Staff is recommending awarding a contract to Legacy Custom Builders, Inc. in the amount of \$42,644.00 to restore the West Park Pergola. You are also requested to approve a 10% construction contingency (\$4,264.00) to cover potential contract change orders to be approved by the City Administrator. It is requested that \$46,908.00 be approved for construction contract and associated contingency for the life of the project without regard to fiscal year. Funding is available in the approved FY2012 Park Maintenance and Capital Improvements Millage.

Legacy Custom Builders, Inc. meets the living wage and prevailing wage requirements and received Human Rights approval on September 22, 2011.

Prepared by: Amy Kuras, Landscape Architect II

Reviewed by: Colin Smith, Parks & Recreation Services Manager  
Sumedh Bahl, Community Services Area Administrator

Approved by: Steven D. Powers, City Administrator

Whereas, The West Park Pergola is need of renovations to maintain structural and historic integrity;

Whereas, Of the two bids received in response to ITB 4190, Legacy Custom Builders, Inc. submitted the lowest responsible bid in the amount of \$42,644.00;

Whereas, Legacy Custom Builders, Inc. received Human Rights approval on September 22, 2011;  
and

Whereas, Funding for the project is available in the approved FY2012 Park Maintenance and Capital Improvements Millage;

RESOLVED, That City Council approve a contract with Legacy Custom Builders, Inc. to restore the West Park Pergola for \$42,644.00 and authorize a construction contingency of \$4,264.00 (10%) to cover potential contract change orders to be approved by the City Administrator;

RESOLVED, That \$46,908.00 be approved for expenditure for the life of the project without regard to fiscal year;

RESOLVED, That the City Administrator be authorized to take all necessary administrative actions to

implement this resolution including the authority to approve change orders within the approved contingency; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the contract after approval as to substance by the City Administrator and approval as to form by the City Attorney.