Legislation Text

File #: 24-1362, **Version:** 1

Resolution to Approve a Construction Contract with Davis Construction, Inc. for the Barton/Bandemer Park Pedestrian Tunnel Project and Appropriate Funding ($4,823,840.25) **(8 Votes Required)**
Attached for your review and action is a resolution to approve a construction contract with Davis Construction, Inc. in the amount of $4,823,840.25 for the Barton/Bandemer Park pedestrian tunnel project.

Project Description: This project is the second phase of a two-phase project to extend the Border-to-Border Trail westward in the City of Ann Arbor through Barton Nature Area. Eventually, the B2B Trail is planned to connect Ann Arbor to the parks and communities further to the west including Delhi and Dexter.

This project will construct a pedestrian tunnel that will extend beneath the Michigan Department of Transportation (MDOT) railroad tracks between Barton Nature Area and Bandemer Park and would provide a highly desired non-motorized connection. The Parks and Recreation Open Space Plan identifies this project as a high priority project and a critical gap Border-to-Border Trail (B2B), which is a part of the statewide Iron Belle trail. This project will also improve non-motorized traffic around the North Main Street & M-14 corridor by providing a safe pedestrian and bicycle gateway to the City.

The first phase of the overall project is currently under construction to build an accessible concrete paved B2B Trail extension through Barton Nature Area. This pedestrian tunnel will connect the new segment of B2B trail in Barton Nature Area with the existing B2B Trail network in Bandemer Park and extending to the east. The scope of work includes the pedestrian tunnel, the pathway connections to it, and renovation of an existing informal parking area. Construction of the tunnel is anticipated to be completed in summer/fall of 2025.

Solicitation of Bids: Park staff solicited construction proposals through Request for Proposals #24-23 through the City's Procurement Unit. Project plans and specifications were distributed electronically to contractors, subcontractors, and suppliers through the City of Ann Arbor's procurement website and MITN info.

On May 29, 2024, six proposals were received and opened. The highest scoring proposal was from Davis Construction, Inc., in the amount of $4,823,840.25. A summary of the scores for the proposals is attached here.

Davis Construction, Inc. is a prequalified contractor with MDOT and constructed the Allen Creek berm opening pedestrian tunnel. They have experience working with the railroad and completing a similar project during a time-sensitive track outage. Davis Construction, Inc. can meet the project requirements and has submitted all required Non-Discrimination, Prevailing Wage, Living Wage, and Conflict of Interest Disclosure forms and complies with the requirements of the City's Non-Discrimination and Living Wage ordinances.

Therefore, Staff recommends that City Council approve a construction contract with Davis Construction, Inc. in the amount of $4,823,840.25 for construction of the Barton/Bandemer Pedestrian Tunnel project. A 10% construction contingency of $482,384.00 is requested to cover potential contract change orders to be approved by the City Administrator. It is requested that a $5,306,224.26 contract and contingency amount be approved for the life of the project without regard to fiscal year.

The Park Advisory Commission unanimously recommended approval of this contract at their July 16, 2024 meeting.

Budget/Fiscal Impact: This project is jointly funded by the City, the Washtenaw County Parks and Recreation Commission ("County"), and the non-profit Huron Waterloo Pathways Initiative ("HWPI"). Each organization is responsible for 1/3rd of the cost of the project and HWPI's portion will be provided through the attached cost sharing agreement with the County.

	Contract	Contract and Contingency
Total Amount:	$4,823,840.25	$5,306,224.25
City Portion	$1,607,946.75	$1,758,741.43
County Portion:	$3,215,893.50	$3,537,482.82

For the City's portion of the costs, estimated at $1,607,946.75 ($1,758,741.43 including contingency), funding is available from the Park Maintenance and Capital Improvement Millage Fund. The County will provide the remaining $3,215,893.50 ($3,537,482.82 including contingency) on a reimbursement basis with the City.

The breakdown of the overall estimated project costs and estimated cost-sharing for this project are as follows:

Estimated Project Cost

Construction Contract	$4,823,840.25
10% Construction Contingency	$482,384.00
Construction Engineering	$475,838.44
Estimated Amtrak Force Account	$136,912.00
Estimated Fiber Optic Force Account Costs	$100,000.00
Total with contingency:	$6,018,974.69
Total without contingency:	$5,536,590.69

Estimated Cost Sharing	Total Project Costs	Total + Contingency
City of Ann Arbor (1/3rd)	$1,845,530.23	$2,006,324.90
Washtenaw County (1/3rd)	$1,845,530.23	$2,006,324.90
Huron Waterloo Pathways Initiative (1/3rd)	$1,845,530.23	$2,006,324.89
Total:	$5,536,590.69	$6,018,974.69

Prepared by: Hillary Hanzel, Landscape Architect IV
Reviewed by: Josh Landefeld, Parks & Recreation Services Manager
Derek Delacourt, Community Services Area Administrator
Approved by: Milton Dohoney Jr., City Administrator

Whereas, This project is the second phase of a larger project to extend the Border-to-Border Trail westward in the City of Ann Arbor through Barton Nature Area;

Whereas, The Border to Border Trail seeks to connect Ann Arbor to the communities further west including Delhi and Dexter;

Whereas, This project will construct a pedestrian tunnel that will extend beneath the Michigan Department of Transportation (MDOT) railroad tracks between Barton Nature Area and Bandemer Park;

Whereas, This project will provide a highly desired non-motorized connection;

Whereas, The Parks and Recreation Open Space Plan identifies this project as a high priority project and a critical gap Border-to-Border Trail (B2B), which is a part of the statewide Iron Belle trail;

Whereas, The first phase of the overall project is currently under construction to build an accessible concrete paved B2B Trail extension through Barton Nature Area;

Whereas, This pedestrian tunnel will connect the new segment of B2B trail in Barton Nature Area with the existing B2B Trail network to the east;

Whereas, The scope of work includes the pedestrian tunnel, the pathway connections to it, and renovation of an existing informal parking area;

Whereas, Park staff solicited construction proposals through Request for Proposals #24-23 through the City's Procurement Unit;

Whereas, Six proposals were received and the highest scoring proposal was from Davis Construction, Inc., in the amount of $4,823,840.25;

Whereas, Davis Construction, Inc. is a prequalified contractor with MDOT and constructed the Allen Creek berm opening pedestrian tunnel under railroad tracks;

Whereas, Davis Construction, Inc. has experience working with the railroad and completing a similar project during a time-sensitive track outage;

Whereas, Davis Construction, Inc. is able to meet the project requirements and has submitted all required Non-Discrimination, Prevailing Wage, Living Wage, and Conflict of Interest Disclosure forms and complies with the requirements of the City's Non-Discrimination and Living Wage ordinances;

Whereas, This project is jointly funded by the City, the Washtenaw County Parks and Recreation Commission and the non-profit Huron Waterloo Pathways Initiative;

Whereas, Each organization is responsible for 1/3rd of the cost of the project and HWPI's portion will be provided through the attached cost sharing agreement with the County;

Whereas, The City's costs are estimated at $1,607,946.75 ($1,768,741.43 including contingency) and funding is available from the Park Maintenance and Capital Improvement Millage Fund;

Whereas, The Park Advisory Commission unanimously recommended approval of this contract at

their July 16, 2024 meeting; and

Whereas, The County will provide the remaining $3,215,893.50 ($3,537,482.82 including contingency) on a reimbursement basis with the City;

RESOLVED, That City Council approve a construction contract with Davis Construction, Inc. in the amount of $4,823,840.25 for construction of the Barton/Bandemer Park Pedestrian Tunnel project (RFP 24-23);

RESOLVED, That a contingency amount of $482,384.00 (10%) be established within the project budget to cover potential contract change orders for the life of the project without regard to fiscal year and that the City Administrator be authorized to approve additional change orders to the construction contract with Davis Construction, Inc. not to exceed the contingency amount in order to satisfactorily complete this project;

RESOLVED, That City Council appropriate $1,607,946.75 from the Park Maintenance and Capital Improvement Millage Fund fund balance to the FY 2025 Parks & Recreation Park Maintenance and Capital Improvement Millage expenditure budget for the City's share of this project;

RESOLVED, That City Council appropriate $3,215,893.50 to the FY 2025 Parks & Recreation Park Maintenance and Capital Improvement Millage expenditure budget with the source of revenue being reimbursement from Washtenaw County Parks and Recreation Commission for this project;

RESOLVED, That City Council appropriate up to $482,384.00 for a ten percent (10%) project contingency to the FY 2025 Parks & Recreation Park Maintenance and Capital Improvement Millage expenditure budget with the source of revenue being up to $321,589.32 in reimbursement from Washtenaw County Parks and Recreation Commission and up to $160,794.68 from the Park Maintenance and Capital Improvement Millage Fund fund balance, subject to City Administrator approval;

RESOLVED, That all amounts herein are without regard to fiscal year,

RESOLVED, That the Mayor and City Clerk are 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; and

RESOLVED, That the City Administrator be authorized to take necessary administrative actions to implement this resolution, including issuing temporary and permanent Traffic Control Orders and night work authorizations as required for the construction of the project.

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