



## Recommendation for Action

**File #:** 20-3363, **Agenda Item #:** 8.

11/12/2020

### **Posting Language**

Authorize negotiation and execution of a construction manager at risk agreement with Flintco, LLC for preconstruction and construction services for the Colony Park District Park and Givens District Park Aquatic Facilities in an amount not to exceed \$14,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals 8.72% MBE and 4.00% WBE participation.]

### **Lead Department**

Capital Contracting Office

### **Managing Department**

Parks and Recreation Department

### **Fiscal Note**

Funding is available in the Fiscal Year 2020-2021 Capital Budget of the Parks and Recreation Department.

### **Purchasing Language:**

Best Value to the City of Austin of five offers received.

### **Prior Council Action:**

September 3, 2020 - City Council authorized negotiation and execution of a professional services agreement with Marmon Mok, LLP for design services on the Colony Park District Park and Givens District Park Aquatic Facilities.

June 20, 2019 - City Council approved the use of the construction manager at risk project delivery methodology.

### **For More Information:**

Inquiries should be directed to the City Manager's Agenda Office, at 512-974-2991 or [AgendaOffice@austintexas.gov](mailto:AgendaOffice@austintexas.gov) <<mailto:AgendaOffice@austintexas.gov>>.

NOTE: Respondents to this solicitation, and their representatives, shall direct inquiries to Rolando Fernandez, 512-974-7749, Beverly Mendez, 512-974-3596, or the Project Manager, Scott Sinn, 512-974-9474.

### **Additional Backup Information:**

With passage of the 2018 General Obligation Bonds, the Parks and Recreation Department received funding for the redevelopment of the Givens Aquatic Facility and the development of a Colony Park Aquatic Facility. These facilities are in response to the 2014 Aquatic Assessment recommendations and the 2018 Council approved Aquatic Master Plan. The future Givens Aquatic Facility and Colony Park Aquatic Facility are envisioned to build on and expand the existing core aquatics programs in an improved and sustainable

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environment that can better accommodate the City's significant demand for affordable access to recreational programming services.

The design phase for this project is underway as of Fall 2020. The Construction Manager firm will provide pre-construction services throughout the design phase as well as construction phase services. Consistent with concepts from the preliminary project phase, the aquatic facilities will also engage with the surrounding neighborhoods to respect and preserve the historic and cultural values of the Colony Park and Givens communities. Additional community engagement opportunities will be made available throughout the project's design phase.

Prior to entering the construction phase, the City will establish Minority-Owned Business Enterprise and Women-Owned Business Enterprise goals providing subcontracting opportunities. The Construction Manager firm will submit a Compliance Plan meeting the construction goals or documentation detailing their good faith effort(s) to meet the established goals.

The construction manager at risk method is a project delivery method where the City will contract with an architect/engineer to perform design services and separately contract with a Construction Manager at Risk firm to perform preconstruction and construction phase services. The role of the Construction Manager at Risk firm goes beyond performing general contractor services. The Construction Manager firm is under contract early in the design process to perform key preconstruction phase services such as collaborating with the City and the design team on scope and constructability and to optimize the design and control costs and budgets, and to provide quality assurance-quality control. After design, and before the Construction Manager firm begins construction, the City will negotiate and execute a Guaranteed Maximum Price for the remainder of the work, including actual construction.

The Construction Manager firm is recommended by a City-staffed evaluation panel that evaluated and scored proposals based on published evaluation criteria to determine the highest ranked proposer. As set forth in Government Code Chapter 2269, the City of Austin will select a construction manager firm that will provide the "best value" to the City for preconstruction and construction services for the project.

A delay in award of this contract would delay the project timeline and overall delivery of the new pool facilities.

This project will impact the operations of the current Givens Aquatic Facility as it will be closed to the public for the duration of the facility redevelopment. Typical programming and other activities at the Givens Aquatic Facility have been relocated to other facilities in the area.

The contract allows 1100 calendar days for completion of this project. This project is located within zip code 78721 and 78724 (District 1).

Flintco, LLC is located in Austin, TX.

**Strategic Outcome(s):**

Culture and Lifelong Learning; Government That Works for All; Health and Environment