



Recommendation for Action

File #: 23-3580, **Agenda Item #:** 37.

1/18/2024

Posting Language

Approve an ordinance amending the Fiscal Year 2023-2024 Parks and Recreation Department Capital Budget (Ordinance No. 20230816-008) to increase appropriations by \$1,384,805 for the Zilker Metro Park maintenance barn replacement.

Lead Department

Parks and Recreation Department.

Fiscal Note

Funding is available in the Capital Budget of the Parks and Recreation Department. A fiscal note is attached.

For More Information:

Liana Kallivoka, Assistant Director (512) 974-9455; Steven Linett, Capital Improvement Program Manager (512) 974-9321; Tim Dombeck, Business Process Specialist (512) 974-6716.

Additional Backup Information:

The City entered into a \$1,951,876 contract with Sayers Construction, LLC in April 2021 for all labor and materials for the Zilker Metro Park maintenance barn replacement project. Berkley Surety issued a performance and payment bond in connection with this project with Sayers Construction LLC as the principal and the City as the obligee. In March 2023, the City made demand for Berkley Surety under its performance bond to complete work on the project.

The City, Berkley Surety, and A&J Construction Management, LLC have come to a tender release, and substitution agreement, where A&J Construction Management, LLC will serve as the completion contractor. Berkley Surety is providing a tender payment of \$1,384,804.38 to the City of Austin and \$391,001.31 to A&J Construction Management. The City's remaining contract balance of \$1,598,143.98 with Sayers Construction LLC will also contribute to the funds required for A&J Construction Management to complete the project (a total of \$3,373,949.67).

Approval of this item will appropriate these funds to the Parks and Recreation Department Capital Budget and allow for execution of the construction contract with A&J Construction Management for completion of the project.