



Legislation Details (With Text)

**File #:** ID 16-947      **Version:** 1      **Name:**

**Type:** Ordinance

**File created:** 7/19/2016      **In control:** City Council

**On agenda:** 8/2/2016      **Final action:**

**Title:** Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a First Amendment to a Professional Services Agreement for architectural, structural, mechanical, and electrical design services in support of the new City of Denton Household Chemical Collections Facility to be located at 1527 South Mayhill, by and between Nelson + Morgan Architects, Inc. and the City of Denton, Texas; providing for the expenditure of funds therefor; and providing an effective date (File 5906 in the additional amount not-to-exceed \$163,625.63; aggregating a total not-to-exceed \$403,560.63). The Public Utilities Board recommends approval (6-0).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1-Professional Services Agreement, 2. Exhibit 2-PUB Minutes, 3. Exhibit 3-Ordinance, 4. Exhibit 4-First Amendment

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
|------|------|-----------|--------|--------|

**AGENDA INFORMATION SHEET**

**DEPARTMENT:** Materials Management

**ACM:** Bryan Langley

**AGENDA DATE:** August 2, 2016

**SUBJECT**

Consider adoption of an ordinance of the City of Denton, Texas authorizing the City Manager to execute a First Amendment to a Professional Services Agreement for architectural, structural, mechanical, and electrical design services in support of the new City of Denton Household Chemical Collections Facility to be located at 1527 South Mayhill, by and between Nelson + Morgan Architects, Inc. and the City of Denton, Texas; providing for the expenditure of funds therefor; and providing an effective date (File 5906 in the additional amount not-to-exceed \$163,625.63; aggregating a total not-to-exceed \$403,560.63). The Public Utilities Board recommends approval (6-0).

**FILE INFORMATION**

A Professional Services Agreement with Nelson + Morgan Architects, Inc. for architectural design and construction drawings of the new City of Denton Household Chemical Collection (HCC) facility was approved by Council on February 2, 2016 in the amount of \$239,935. The new facility will include vehicle traffic lanes, and drop-off areas for the acceptance of HCC materials from citizens of Denton County and surrounding smaller cities in the region. The building is anticipated to be approximately 15,000 square feet, and shall be

submitted for Leadership in Energy and Environmental Design (LEED) certification - Silver Level.

The professional services project will be completed in five phases:

- Phase I - Schematic Design
- Phase II - Design Development
- Phase III - Construction Documents
- Phase IV - Bidding and Negotiations
- Phase V - Construction Administration

A detailed description of each phase is included in the original Professional Services Agreement (Exhibit 1). Nelson + Morgan, Inc. has completed Phase I-Schematic Design and prepared an Opinion of Probable Cost (OPC) for the actual construction of the facility. The OPC has been estimated at \$4,045,555 which is substantially higher than the original construction estimate of \$1,863,900. Section 2.1 of the Professional Services Agreement states that Professional Fees for Basic Services are calculated at 7.5 percent of the construction cost of the project.

Since the estimated construction cost of the project has increased, this creates the need for additional design and architectural services. This will increase the Professional Fee for Basic Services from \$139,791 to \$303,416.63 (7.5% of \$4,045,555). Therefore, staff recommends the approval of the First Amendment in the amount of \$163,625.63. The amended Professional Services Agreement not-to-exceed total consists of the following cost breakdown:

|                                      |                         |
|--------------------------------------|-------------------------|
| Basic Services (Original)            | \$139,791.00            |
| <u>Basic Services (Amendment #1)</u> | <u>\$163,625.63</u>     |
| New Basic Services Total             | <b>\$303,416.63 (A)</b> |

Sustainability Services,  
Civil Engineering, Cost Consultant,  
and Reimbursable Expenses  
(Remain unchanged from original contract)

**\$100,144.00 (B)**

**Amended Grand Total: \$403,560.63 (A+B)**

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On July 25, 2016, the Public Utilities Board (PUB) recommended approval to forward this item to the City Council for consideration.

**RECOMMENDATION**

Approve a First Amendment to a Professional Services Agreement between Nelson + Morgan Architects, Inc. and the City of Denton, Texas in the additional amount not-to-exceed \$163,625.63 for a total contract amount not-to-exceed \$403,560.63.

**PRINCIPAL PLACE OF BUSINESS**

Nelson + Morgan Architects, Inc.  
Denton, TX

## **ESTIMATED SCHEDULE OF PROJECT**

Professional services are ongoing, with Nelson + Morgan Architecture, Inc. staff currently working on Phases I, II, and III. The timeline for each Phase is shown below.

Phase I - Schematic Design, 30 days

Phase II - Design Development, 30 days from completion of Phase I

Phase III - Construction Documents, 120 days from completion of Phase II

Phase IV - Bidding & Negotiations, 90 days from acceptance of Construction Documents

Phase V - Construction Administration, approximately 12 months

## **FISCAL INFORMATION**

The services to be performed under this contract will be funded from the Solid Waste Capital Fund account 660876595.1360.21100. A line will be added to Purchase Order 175809 for the additional amount.

## **STRATEGIC PLAN RELATIONSHIP**

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

**Related Key Focus Area: Sustainable & Environmental Stewardship**

**Related Goal: 5.6 Promote sustainable materials resource management**

## **EXHIBITS**

Exhibit 1: Professional Service Agreement

Exhibit 2: Public Utilities Board Draft Minutes

Exhibit 3: Ordinance

Exhibit 4: First Amendment

Respectfully submitted:  
Chuck Springer, 349-8260  
Director of Finance

For information concerning this acquisition, contact: Vance Kemler at 349-8444.