Resolution 2011-189

Resolution Amending Professional Services Agreement # C-27607 with Sanders Wacker Bergly Inc., Related to Theodore Wirth Regional Park Master Planning and Construction by Expanding the Scope of Services and Increasing the Contract Amount by $129,858 for a New Contract Total of $513,037

Whereas, The Minneapolis Park and Recreation Board (MPRB) is authorized to contract with public and private entities in the performance of its functions;

Whereas, Sanders Wacker Bergly, Inc. (SWB) was contracted for community engagement, master planning and construction administration for Wirth Lake Area Improvements (phase 3) and completed the concept master plan, design development, construction documents, and is working on construction administration for, "2011 Wirth Lake Site Improvements" which is currently underway;

Whereas, SWB has also been the lead consultant for a reconvened Citizen's Advisory Committee (CAC) charged by the Board to begin master planning and prioritization of work for overall Wirth Park and this reconvened CAC process was not part of their initial contract scope;

Whereas, Work on the site improvement project has had changes in scope and also has also encountered unforeseen conditions which have required additional design and engineering services outside the initial contract scope;

Whereas, The original funding source has funds remaining to pay for the additional services;

Whereas, SWB has submitted a proposal for additional master planning, community engagement, design, engineering, and construction administration services related to Wirth Park; and

WHEREAS, Staff has reviewed the proposal from SWB and found the proposal to be fair, necessary, and correct;

RESOLVED, That the Board of Commissioners amend professional services agreement # C-27607 with Sanders Wacker Bergly Inc., related to Theodore Wirth Regional Park Master Planning and Construction by expanding the scope of services and increasing the contract amount by $129,858 for a new contract total of $513,037; and

RESOLVED, That the President of the Board and Secretary to the Board are authorized to take

all necessary administrative actions to implement this resolution.

Adopted by the Minneapolis Park and Recreation Board
In formal meeting assembled on October 19, 2011

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John Erwin, President

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Karen Robinson, Secretary

Approved:

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R.T. Rybak, Mayor

TO: Planning Committee

FROM: Bruce Chamberlain, Assistant Superintendent for Planning Services

DATE: October 5, 2011

SUBJECT: Resolution to amend professional services agreement # C-27607 with Sanders Wacker Bergly Inc., related to Theodore Wirth Regional Park Master Planning and Construction by expanding the scope of services and increasing the contract amount by $129,858 for a new contract total of $513,037

BACKGROUND

Sanders Wacker Bergly Inc. (SWB) was hired as the lead consultant for Phase 3 of Wirth Beach improvements in February, 2010 which resulted in the "Wirth Lake Area Concept Master Plan" and the Phase 3 project "2011 Wirth Lake Site Improvements"; currently under construction and scheduled to be completed in November, 2011. This work involved developing a concept plan with an appointed Citizen's Advisory Committee (CAC) and Staff /Technical Advisory Committees (SAC/TAC).

After the 2011 Wirth Lake Site Improvements plan was approved by the board in July 2010. At that point, SWB completed the Design Development phase, which involved many interagency meetings related to permitting and approvals, Construction Documents and Bidding for the highest priority elements of the approved plan. Currently SWB is working on the Construction Administration phase of this project. Changes to the project based on agency discussions and unforeseen conditions have added to the Design Development and Contract Administration costs for the project, which staff agrees are outside the original scope of the project. These items are detailed in the attached proposal prepared by SWB dated 9/15/11.

Due to concerns expressed during the public hearings for the "Wirth Lake Area Concept Master Plan," the Board approved re-convening the Wirth CAC to review and prioritize improvements in the overall Wirth Park plan. Work with the reconvened CAC began in December 2010 and will continue through the end of 2011. Sanders Wacker Bergly has acted as the lead consultant through this process, but their scope of services has not been expanded to include the additional work associated with re-convening the CAC.

Attached is a proposal from SWB which staff has reviewed and believes is accurate and a correct assessment of the project initiatives.

RELATED BOARD ACTIONS

February 9, 2010:	Retain Sanders Wacker Bergly Inc. Contract (C-27607) for Phase III of Wirth Beach and Picnic Area Redevelopment Concept Planning for $320,000.
July 21, 2010:	Extend Contract C-27607 for Phase III of the Wirth Beach Picnic Area in and Wirth Pavilion Design at Theodore Wirth Regional Park with Sanders Wacker Bergly, Inc for $139,707

FUNDING/COST SUMMARY

Sources		**$3,089,369.90**
Parks and Trails Legacy Grant (SG2009-040)	$1,089,369.90	
Parks and Trails Legacy Grant (SG2010-076)	$ 500,000.00	
Metropolitan Council Regional Park Bond (SG 2010-035)	$1,500,000.00	
Uses		**$2,865,105.58**
SWB, Inc. Professional Services Agreement, (including extension #1)	$ 383,452.00	
SWB, Inc. PSA extension #2 (pending Board approval)	$ 129,585.00	
Ebert Construction, Inc. original contract for construction (base bid, Alternate #4,6,7)	$1,704,641.00	
Ebert Construction, Inc. Change Orders No. 1	$ 51,473.98	
Ebert Construction, Inc. Change Order No. 2	$ 252,264.35	
Ebert Construction, Inc. Change Order No. 3	$ 85,083.95	
Ebert Construction, Inc. Change Order No. 4	$ 38,951.32	
Ebert Construction, Inc. Change Order No. 5 (pending Board approval)	$ 37,471.98	
Surveying, testing, archaeology, permits, wetland credits, additional testing, additional geotechnical and other prof. services and associated expenses	$ 182,182.00	
Balance		**$ 224,264.32**

Funding available from the original project funding sources is sufficient to cover the amount of this request as well as a construction change order request made this same date.

RECOMMENDATION

Staff recommends that the Board amend professional services agreement # C-27607 with Sanders Wacker Bergly Inc., related to Theodore Wirth Regional Park Master Planning and Construction by expanding the scope of services and increasing the contract amount by $129,858 for a new contract total of $513,037

ATTACHMENTS

Sanders Wacker Bergly Inc., proposal and their consultant's architectural services proposal

Prepared by: Andrea Weber, Project Manager, Planning Services
Reviewed by: Bruce Chamberlain, Assistant Superintendent for Planning Services
Approved by: Jayne Miller, Superintendent