

## A G E N D A



## Recommendation for Council Action (CMD)

Austin City Council		Item ID:	13095	Agenda Number	5.
Meeting Date:	March 8, 2012				
Department:	Contract Management				
Subject					
Authorize execution of a construction contract with CHASCO CONSTRUCTORS LTD., LLP, for repair of Turner Roberts Recreation Center in the amount of \$2,388,000 plus a \$238,800 contingency, for a total contract amount not to exceed \$2,626,800. Related to Items # 12 & 13.					
Amount and Source of Funding					
Funding is available in the Fiscal Year 2011-2012 Capital Budget of the Parks and Recreation Department.					
Fiscal Note					
A fiscal note is attached.					
Purchasing Language:	Lowest responsive bid of 3 bids received.				
Prior Council Action:	March 1, 2007 - Approved execution of the original construction contract; August 26, 2006 - Approved the use of Competitive Sealed Proposal Alternative Delivery methodology; December 7, 2006 - Amendment to Professional Services Agreement; July 31, 2003 - Approved Park and Building Naming Ordinance; August 23, 2001 - Approved execution and negotiation of the Professional Services Agreement.				
For More Information:	David Smythe-Macaulay 974-7152; Susan Garnett 974-7064; April Shaw 974-7141				
Boards and Commission Action:					
MBE / WBE:	This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts with 5.34% MBE and 1.47% WBE subcontractor participation.				
Related Items:					

### Additional Backup Information

The Turner Roberts Recreation Center (Center) is a joint-use facility envisioned through the 2005 Colony Park Master Plan that includes Volma Overton Elementary School and other amenities. The Center opened in 2008, following the opening of the elementary school. The Center was named in honor of late civil rights activists, Dorothy Turner and Velma Roberts, who are recognized as the founders and organizers of the Black Citizens Task Force (BCTF). BCTF's primary mission was to take action against racism. The Center's amenities include a 7,700 square-foot gymnasium, multi-purpose room, arts and crafts room, weight room, computer room, kitchen facilities, meeting rooms, corridor art gallery, covered outdoor basketball court and parking.

In October 2009, hairline cracks were first noticed and reported to the Center's staff. At the time, it was assumed that the cracks were part of normal foundation settling. In March of 2010, additional hairline cracks were observed in the Center's Gymnasium. An initial inspection of the cracks indicated points of differential building movement but did not indicate building failure. Minor differential settling is common in new buildings and is not typically an indication of structural defects.

By August of 2010 the Center's gymnasium began to show larger cracks in the gymnasium wall. Immediate steps were taken to ensure the safety of the children and staff. City staff engineers assessed the cracks and building movement, and determined that there were no signs of building failure. A portion of the gymnasium was sectioned off from public use while recreational programming and services continued under close supervision. Structural engineers were immediately hired to evaluate the facility and make recommendations. Extensive testing began which included building survey, water leak tests, test pits, and exterior excavation for foundation inspection. The initial testing was inconclusive so further testing and analysis was recommended for August 2011 (after the summer programs). The structural engineers conducted extensive testing which included full depth excavation of foundation piers, soil testing, magnetic resonance of the concrete walls, and seismic testing of the foundation along with other tests. Additional concerns about the construction of the building were raised. Based on these concerns the building was closed to all uses in October 2011.

A final report was submitted to the City concerning the structural and mechanical issues at the Center on November 21, 2011. The report confirmed and identified problems with construction of the facility. Copies of the report were provided to the architect of record and the Contractor. City staff met with representatives of the Architect and Contractor, and the insurance underwriter on December 6, 2011 to review the final report and discuss the building's deficiencies. The City stated it would consider a repair option if it could be demonstrated to the City's satisfaction that the repair option would meet the initial intent of the project, including the program needs of both PARD and Austin Independent School District, and ensured the City received the full integrity of the structure, operability, design life, and aesthetic values for which it initially was contracted. Technical staff from the involved parties met on December 14, 2011 to determine if the repair option was feasible and if it would meet the City's requirements. All parties concluded that a repair option is feasible and can meet the initial intent of the project. The intent of this recommendation for Council action is to implement the agreed on repair option for the Center.

The City requested expedited bids from a group of general contractors to perform the necessary work for the repair of the Center under the Health & Safety and Unforeseen Damage to City Property exceptions to bidding in Texas Local Government Code Section 252.022. Chasco Constructors, Ltd, LLP, Round Rock, Texas submitted the lowest responsive bid.

Due to the potential for unforeseen repairs to the foundation and other building elements, a 10% contingency in funding has been included to allow for the expeditious processing of any change orders.

The contract stipulates that all work shall be achieved by August 31, 2012 for this project. This project is located within zip code 78724 and will be managed by the Public Works Department.

City staff continues to negotiate with the original contractor and designers of the Center and their respective insurance carriers and anticipates full reimbursement for the cost of repair.