



Recommendation for Action

File #: 21-1022, **Agenda Item #:** 5.

2/4/2021

Posting Language

Approve a resolution finding the use of the construction manager-at-risk method of contracting, as authorized by Subchapter F, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the Montopolis Neighborhood Park Pool Replacement and Northwest District Park Pool Replacement to renovate and replace existing pool facilities at the Montopolis Neighborhood Park and Beverly S. Sheffield Northwest District Park.

(Note: MBE/WBE goals will be established prior to issuance of this solicitation.)

Lead Department

Capital Contracting Office

Managing Department

Capital Contracting Office

Fiscal Note

A Recommendation for Council Action with the not to exceed contract amount for the resultant contract will be presented to Council once the construction manager-at-risk selection has been completed.

Purchasing Language:

This request is for Council to authorize the use of the construction manager-at-risk; therefore, no solicitation has yet been initiated.

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>>.

NOTE: Project inquiries should be directed to Rolando Fernandez, 512-974-7749 or Beverly Mendez, 512-974-3596.

Additional Backup Information:

State Statute governs construction procurement for municipalities. The standard method of contracting used for construction services is competitive bidding where the contract is awarded to the lowest responsible bidder. Texas Government Code Chapter 2269 allows for methodologies alternate to the low bidding method which may provide the best value to the municipality. These alternate methodologies include: competitive sealed proposals, construction manager-at-risk, design-build, and job order contracting. Texas Local Government Code Section 252.022(d) allows the City to adopt and use an alternative method such as construction manager-at-risk (CMR) under Chapter 2269 of the Texas Government Code if such a method provides a better value for the City.

The CMR method is a project delivery method where the City will contract with an architect/engineer to perform design services and separately contract with a CMR to perform preconstruction and construction phase

services. The role of the CMR goes beyond performing general contractor services. The CMR 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 CMR begins construction, the City will negotiate and execute a Guaranteed Maximum Price for the remainder of the work, including actual construction.

A CMR firm will be selected by a City-staffed evaluation panel that will evaluate and score proposals based on published evaluation criteria to determine the highest ranked proposer. As set forth in Government Code 2269, the City of Austin will select a CMR firm that will provide the “best value” to the City for preconstruction and construction services for the Project.

Replacement of the Montopolis Neighborhood Park and Northwest District Park pools as identified in the COA Aquatics Vision Plan, adopted in 2018. The estimated construction budget for this work is \$4,115,000 for the Montopolis Neighborhood Park Pool and \$7,065,000 for the Northwest District Park Pool for a total of \$11,180,000 and it is anticipated that construction will begin January 2023.

A delay in authorization of the methodology will result in a delay in the issuance of the solicitation and will affect the ability to perform these improvements before the Parks and Recreation Department’s target completion date of April 2025.

This solicitation and evaluation process is approximately 12 months.

Strategic Outcome(s):

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