



Legislation Details (With Text)

File #: 23-3096 **Version:** 1 **Name:**

Type: CONSENT AGENDA **Status:** Corrected; Approved

File created: 11/28/2023 **In control:** Park & Recreation Department

On agenda: 12/13/2023 **Final action:**

Title: Authorize (1) a Construction Manager at Risk Agreement, with JE Dunn-Russell, a joint venture, best value proposer of two, for pre-construction and construction services for the Cotton Bowl Renovation, Rehabilitation and Addition Project (or "Project"), located at 3750 The Midway, for (1) preconstruction services for the Cotton Bowl Project for a fee in the amount of \$145,000.00; and (2) construction management services at a rate of two and ninety-five hundredths percent (2.95%) of the cost of work included as part of the guaranteed maximum price within the total project construction budget of \$110,000,000.00; (32) the establishment of appropriations in an amount not to exceed \$32,145,000.00 in the Fair Park Revenue Bonds, Series 2023 Fund Facilities Venue Project Fund; and (4) commencement of material and equipment acquisition for a portion of the anticipated work under Part One of the Project, as long as it does not exceed the appropriated amount of \$32,000,000.00 - JE Dunn-Russell, a joint venture, best value proposer of two - Not to exceed \$145,000.00 - Financing: Fair Park Revenue Bonds, Series 2023 Bond Facilities Venue Project Fund

Sponsors:

Indexes: 7

Code sections:

Attachments: 1. Map, 2. Resolution

| Date | Ver. | Action By | Action | Result |
|------|------|-----------|--------|--------|
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STRATEGIC PRIORITY: Quality of Life, Arts & Culture

AGENDA DATE: December 13, 2023

COUNCIL DISTRICT(S): 7

DEPARTMENT: Park & Recreation Department

EXECUTIVE: John D. Jenkins

SUBJECT

Authorize (1) a Construction Manager at Risk Agreement, with JE Dunn-Russell, a joint venture, best value proposer of two, for pre-construction and construction services for the Cotton Bowl Renovation, Rehabilitation and Addition Project (or "Project"), located at 3750 The Midway, for (1) preconstruction services for the Cotton Bowl Project for a fee in the amount of \$145,000.00; and (2) construction management services at a rate of two and ninety-five hundredths percent (2.95%) of the cost of work included as part of the guaranteed maximum price within the total project construction budget of \$110,000,000.00; (32) the establishment of appropriations in an amount not to exceed \$32,145,000.00 in the Fair Park Revenue Bonds, Series 2023 Fund Facilities Venue Project Fund; and (4) commencement of material and equipment acquisition for a portion of the anticipated work

~~under Part One of the Project, as long as it does not exceed the appropriated amount of \$32,000,000.00 - JE Dunn-Russell, a joint venture, best value proposer of two - Not to exceed \$145,000.00 - Financing: Fair Park Revenue Bonds, Series 2023 Bond Facilities Venue Project Fund~~

BACKGROUND

This Construction Manager at Risk Agreement will include pre-construction and construction services for the Project that includes improvements to mechanical, electrical and plumbing systems, concessions areas, restrooms and vertical transportation systems as well as an expansion to the west side concourses.

The Project has a total estimated construction budget of \$110,000,000.00 and will be constructed over two timeframes with Phase One, with an estimated construction budget of \$56,000,000.00 (of which ~~\$32,000~~145,000.00 is appropriated with this action), to be completed by August 1, 2024 and Phase Two, with an estimated construction budget of \$54,000,000.00, to be completed by August 1, 2025. Each phase will have a Guaranteed Maximum Price (GMP) proposed. If the GMP for each phase does not exceed the authorized construction budget for that, the City Manager may execute a supplemental agreement, [through Administrative Actions](#) to accept the Guaranteed Maximum Price for the construction of each phase. [A construction management services rate of two and ninety-five hundredths percent \(2.95%\) of the cost of work will be included in the Guaranteed Maximum Price.](#)

On October 4, 2023, a solicitation for Construction Manager at Risk Services for the Cotton Bowl Renovation, Rehabilitation and Addition Project was publicly advertised by the City of Dallas. On October 20, 2023, two statements of qualifications were received.

On October 23, 2023, a selection committee scored and ranked the statements of qualifications and on October 25, 2023, the Park & Recreation Department sent a request for proposals to the two highest ranking respondents. On November 3, 2023, two proposals were received and on November 6, 2023, the selection committee interviewed the two proposers and ranked the proposals. JE Dunn-Russell, a joint venture, received the highest ranking, making them the best value proposer of the two respondents as the result of a qualifications-based selection process in accordance with applicable law.

JE Dunn-Russell, a joint venture, has had no contractual activities with the City of Dallas for the past three years.

ESTIMATED SCHEDULE OF PROJECT

| | |
|----------------------------------|---------------|
| Began Design | May 2023 |
| Complete Design | July 2024 |
| Begin Construction of Phase 1 | January 2024 |
| Complete Construction of Phase 1 | August 2024 |
| Begin Construction of Phase 2 | November 2024 |
| Complete Construction of Phase 2 | August 2025 |

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 10, 2022, the City Council designated and authorized Venue Projects within the City of

Dallas, as described, defined, and permitted by Chapter 334 to: (1) expand the Kay Bailey Hutchison Convention Center Dallas (“KBHCCD”) and its vicinity, and undertake other related improvements, including related infrastructure, to enhance the KBHCCD and its vicinity; (2) improve Fair Park Facilities -- the Automotive Building, an exhibit hall; the Centennial Building, an exhibit hall; the Band Shell, a music hall; the Music Hall, a music hall; the Cotton Bowl, a stadium; the Coliseum, a stadium, and related infrastructure; as well as designated a method of financing authorized by Chapter 334 to finance the Venue Projects, subject to approval at a duly ordered special election, by Resolution No. 22-1136.

On November 21, 2022, the City Council received, approved, and adopted the report of the Ad Hoc City Council Canvassing Committee (AHCCCC) declaring that a majority of the votes cast at a duly ordered special election held on November 8, 2022 were in favor of Proposition A, on the question of approving and implementing a proposition: (1) designating the expansion of the Kay Bailey Hutchison Convention Center Dallas and certain improvements at Fair Park within the City of Dallas as venue projects and (2) designating the method of financing as an additional two percent hotel occupancy tax pursuant to Chapter 334, by Resolution No. 22-1720.

On December 14, 2022, the City Council authorized a resolution (1) making certain findings and determinations regarding the Convention Center Expansion Venue Project and the Fair Park Facilities Venue Project (“Venue Projects”); (2) creating and establishing among its various funds and accounts the Venue Projects Fund required by Texas Local Government code Section 334.042; (3) directing the Chief Financial Officer to create all necessary accounts within the Venue Projects Fund; and (4) providing for the use of monies in the fund - Financing: This action has no cost consideration to the City, by Resolution No. 22-1817.

On December 14, 2022, the City Council approved an ordinance amending Chapter 44, “Taxation,” of the Dallas City Code, by amending Sections 44-48, 44-49, 44-50, and 44-52 to (1) provide for the imposition of an additional two percent hotel occupancy tax pursuant to Chapter 334 of the Texas Local Government Code and limiting its use to financing the Convention Center Expansion and Fair Park Facilities Venue Projects; (2) provide collection, reporting, payment, and recordkeeping requirements and procedures; (3) make certain non-substantive changes; and (4) provide an effective date - Estimated Revenue: Venue Project Fund , by Resolution No. 22-1818.

On June 14, 2023, the City Council authorized a resolution authorizing the preparation of plans and the payment of potential future costs and expenses for the issuance of (1) Special Tax and Revenue Bonds (Convention Center Venue Project), Series 2023 in a principal amount not to exceed \$172,000,000; and (2) Special Tax Bonds (Fair Park Venue Project), Series 2023 in a principal amount not to exceed \$51,000,000, by Resolution No. 23-0769.

FISCAL INFORMATION

| Fund | FY 2024 | FY 2025 | Future Years |
|--|-----------------|---------|--------------|
| Fair Park Revenue Bonds, Series 2023 Fund Facilities Venue Project Fund | \$32,145,000.00 | \$0.00 | \$0.00 |

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

| | | |
|--|-----------------------------|---------------------------------------|
| Contract Amount | Procurement Category | M/WBE Goal |
| \$145,000.00 | Professional Services | 34.00% |
| M/WBE Subcontracting % | M/WBE Overall % | M/WBE Overall Participation \$ |
| 34.66% | 34.66% | \$50,250.00 |
| • This contract exceeds the M/WBE goal. | | |
| • JE Dunn- Russell, a joint venture Construction Company - Local; Workforce - 4.00% Local | | |

PROCUREMENT INFORMATION

The following two proposals were received and opened on November 6, 2023:

*Denotes successful proposer

| <u>Proposers</u> | <u>Amount</u> | <u>Score</u> |
|---|----------------------|---------------------|
| *JE Dunn-Russell, a joint venture 14951 North Dallas Pkwy. Ste 700 Dallas, TX 75254 | \$145,00.00 | 345.42 |
| Balfour Beatty - Phillips May - Alpha Omega, JV 3100 McKinnon St., 6th floor Dallas, TX 75201 | \$100,00.00 | 338.08 |

OWNER

JE Dunn-Russell, a joint venture

Mark McElroy, Managing Partner

MAP

Attached