



## Legislation Text

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**File #:** 23-168, **Version:** 1

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**STRATEGIC PRIORITY:** Quality of Life, Arts & Culture  
**AGENDA DATE:** January 25, 2023  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Park & Recreation Department  
**EXECUTIVE:** John D. Jenkins

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### **SUBJECT**

Authorize an increase in the construction services contract with The Fain Group, Inc. for additional work at the Phase 2 Project at Bachman Regional Aquatic Center located at 2750 Bachman Drive - Not to exceed \$622,654.90, from \$7,454,303.55 to \$8,076,958.45 - Financing: Capital Gifts, Donations and Development Fund

### **BACKGROUND**

This action will authorize Change Order No. 4 to the construction services contract with The Fain Group, Inc. The original scope of work included the construction of a regional aquatic facility including a bathhouse, four lane lap pool, kids play pool, lazy river, two slides, shade structures and landscaping. The changes addressed with this change order are necessary due to increases in material costs, the requirement to bore for utilities under trees, additional tree protection, tree root air spading, additional plumbing for aquatic chair lifts, ornamental security fencing at the recreation center and additional structural steel required for constructability.

This change order scope includes: added material costs for ornamental fencing, masonry, insulation, stainless steel fabrications, concrete, steel stud framing, and wood framing; rerouting and boring of a storm water line under post oak trees; boring for a water supply line, pool deck drainage and electrical line; additional tree protection fencing for post oak trees, post oak tree root air spading for root pruning at excavations and Storm Water Pollution Prevention Plan (SWPPP) fencing, expanded Storm Water Pollution Prevention Plan (SWPPP) fencing around the construction site, additional plumbing for two hydraulically powered chair lifts at the lap pool and lazy river, replacement of 484 linear feet of ornamental fencing to address security issues at the recreation center, and additional structural steel for the roof structure on the bathhouse.

Additionally, Change Order No. 4 will add 315 days to the contract time. This change results in an increase for additional work scope of \$622,654.90, increasing the contract amount from \$7,454,303.55 to \$8,076,958.45.

## **ESTIMATED SCHEDULE OF PROJECT**

Began Construction            May 2021  
Complete Construction        January 2023

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

On June 18, 2020, the Park and Recreation Board authorized a contract with The Fain Group, Inc. for the construction of the Phase 2 Project at Bachman Regional Aquatic Center located at 2750 Bachman Drive.

On June 24, 2020, City Council authorized a contract with The Fain Group, Inc. in an amount not to exceed \$7,158,650.00, by Resolution No.20-1021.

## **FISCAL INFORMATION**

Fund	FY 2023	FY 2024	Future Years
Capital Gifts, Donations and Development Fund	\$622,654.90	\$0.00	\$0.00

Construction Contract	\$7,158,650.00
Change Order No. 1	\$ 99,981.00
Change Order No. 2	\$ 98,322.55
Change Order No. 3	\$ 97,350.00
Change Order No. 4 (this action)	\$ 622,654.90

Total	\$8,076,958.45
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## **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
\$622,654.90	Construction	32.00%
M/WBE Subcontracting %	M/WBE Overall %	M/WBE Overall Participation \$
11.80%	11.80%	\$73,498.50
• This contract does not meet the M/WBE goal, but complies with good faith efforts.		
• The Fain Group, Inc. - Non-Local; Workforce - 28.00% Local		

## **OWNER**

**The Fain Group, Inc.**

Larry Frazier, President

**MAP**

Attached