


COUNCIL COMMUNICATION

	Number:	24-201	Meeting:	May 6, 2024
	Agenda Item:	11	Roll Call:	24-0644
	Submitted by:	Benjamin R. Page, Park and Recreation Director, James M. Hoff, Assistant City Manager, and Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approving Agreement with J. E. Dunn Construction Company for Construction Manager at Risk services for the North Side Community Recreation Center, with pre-construction services not to exceed \$60,518.

SYNOPSIS:

Recommend approval of the Agreement with J. E. Dunn Construction Company (Gordon E. Lansford III, President, 1001 Locust Street, Kansas City, MO 64106) for a total cost not to exceed \$60,518, based on hourly rates, to provide pre-construction services for the North Side Community Recreation Center project.

FISCAL IMPACT:

Amount: \$60,518

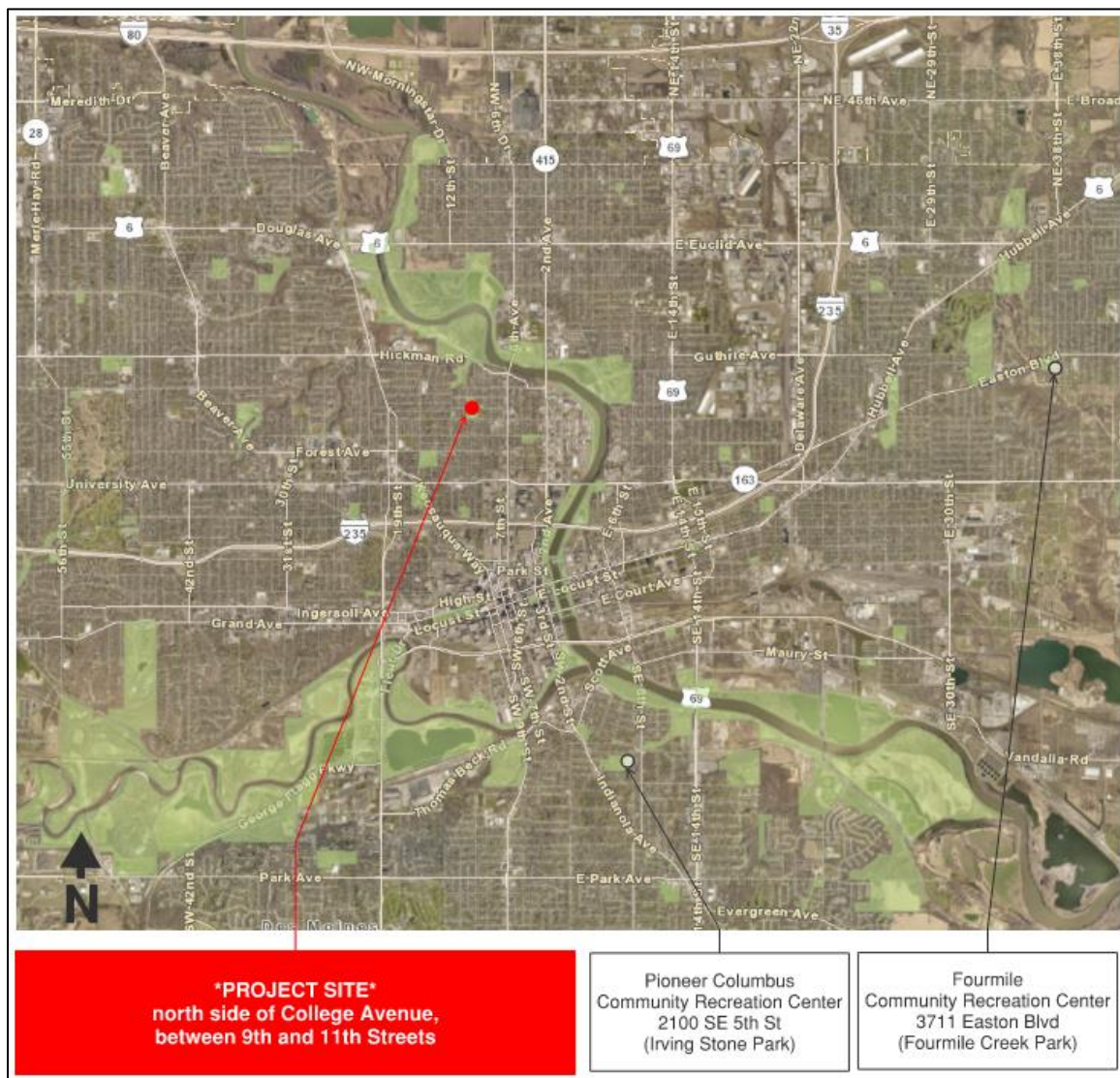
Funding Source: Fiscal Year (FY) 2024-2025 Capital Improvement Program (CIP), Page 34, Northside Community Recreation Center, BL135, G.O. Bonds, Local Option Sales and Service Tax (LOSST), and General Fund

ADDITIONAL INFORMATION:

- On July 1, 2022, Senate File 183 established a new Chapter 26A of the Iowa Code, which allows and authorizes public improvement projects to be constructed under the Construction Manager at Risk (CMR, alternatively CMaR) project delivery method.
- CMR is defined in Iowa Code Chapter 26A as a sole proprietorship, partnership, corporation, or other legal entity that assumes the risk for construction, rehabilitation, alteration, or repair of a project and provides consultant services to the government entity in the project development and design phases, working collaboratively with the design professionals involved. A CMaR project delivery method involves the negotiation of a Guaranteed Maximum Price (GMP) for the project with a construction manager who agrees to complete the project for the public entity-owner within the GMP. The GMP includes the cost of the construction work (including work performed by subcontractors and any self-performed work by the construction manager), plus the construction manager's negotiated fee. CMR cannot be used on highway, bridge or culvert construction projects.

- City staff prepared and issued a Notice of Intent (NOI), Request for Qualifications (RFQ), and Request for Proposals (RFP) with the intention of being used to procure a CMR. A selection committee of Engineering and Facilities staff received and reviewed the 14 statements of qualifications (SOQs) received in response to the RFQ. The seven (7) firms whose SOQs were responsive and met the qualifications were invited to submit an RFP. Subsequently, the selection committee reviewed the seven (7) proposals received in response to the RFP and interviewed the top three (3) scoring firms submitting proposals. J. E. Dunn Construction Company was selected to provide CMR services for this project based upon the selection criteria in the RFQ and RFP, as well as their demonstrated project approach, understanding, and related project experience.
- The Scope of Services to be performed by the Construction Manager under this Agreement for pre-construction services shall include design review and constructability recommendations, scheduling, cost estimating, value engineering, construction bid packaging, and subcontractor and supplier procurement. As part of the selection process, the Construction Manager indicated that throughout the project they intend to engage the community through a range of activities appropriate to the project phase and in support of design team and City of Des Moines events.
- City staff have negotiated an Agreement with J.E. Dunn Construction Company for a total cost not to exceed \$60,518, based on hourly rates, to provide pre-construction services for the North Side Community Recreation Center project.
- At a time to be mutually agreed upon by the City and the Construction Manager, the Construction Manager shall prepare a GMP proposal, which may include interim GMP(s) for certain bid packages, including the sum of the estimated Cost of the Work, contingencies, and the Construction Manager's Fee percentage as established in the RFP. A GMP amendment to this Agreement will require future Council action and begin the construction phase of the project.
- Prior to the review of CMR SOQs and Proposals, an RFP for design services of the North Side Community Recreation Center had been issued and posted on the City's website. M.A. Architecture, Inc. was selected to provide architectural design services based on their team's qualifications and experience with similar projects. Latent Design, an expert in community engagement and a member of the planning phase team, is included on the design team. On August 7, 2023, by Roll Call No. 23-1069, City Council approved a PSA with M.A. Architecture, Inc. for design services. As part of their pre-construction services, J.E. Dunn Construction Company will work very closely with M.A. Architecture, Inc. during the design process with the intent to develop a cost-efficient and constructable design for this facility.
- The primary mission of the project is "To serve community needs and provide opportunities for recreation through a vibrant design." Project goals defined during the planning phase support this vision. The design will reflect the collective vision of the community, and the project will be sustainable environmentally and economically.
 - Planned building program includes an indoor pool, gymnasium with elevated walking track, fitness rooms, community rooms, multipurpose spaces for innovative and flexible programming, and areas to support day-to-day operations, such as offices, lobby spaces, check-in areas, locker rooms, and building services.
 - Planned site improvements are associated with the building and include parking, stormwater management, walks, multipurpose paved trail, handball courts, and site preparation for a playground area.

- In 2021, the City of Des Moines engaged a consultant team to develop a project vision for the North Side Community Recreation Center (CRC). The resulting North Side Community Recreation Center and Park Program Report (“Program Report”), dated June 2022, details the planning process, including input from community members provided over the course of six (6) public meetings. Outcomes of the planning phase define minimum project requirements and include three scope scenarios associated with three fundraising milestones. The full report is available via the City’s project website at this link: [North Side Community Recreation Center \(dsm.city\)](https://www.dsm.city/northsidecommunityrecreationcenter).
- The current estimated GMP for construction is \$21,750,000. Funding for the project is a combination of City and private funds.
- Construction is scheduled to begin in late 2024 and take approximately 18 months to complete.



PREVIOUS COUNCIL ACTION(S):

Date: August 7, 2023

Roll Call Number: [23-1069](#)

Action: [Approving](#) Professional Services Agreement with M.A. Architecture, Inc. for professional services for the North Side Community Recreation Center project, not to exceed \$2,022,700. ([Council Communication No. 23-371](#)) Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker

Date: May 22, 2023

Roll Call Number: [23-0701](#)

Action: [Authorizing](#) issuance of a Notice of Intent to Enter into a GMP Contract pursuant to Iowa Code Chapter 26A for the North Side Community Recreation Center and authorization for staff to proceed pursuant to Iowa Code Chapter 26A. ([Council Communication No. 23-250](#)) Moved by Gatto to adopt. Second by Boesen. Motion Carried 6-1. Absent: Sheumaker.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

City staff anticipate future Council action on this Agreement to approve a GMP Amendment related to proceeding with construction of the North Side Community Recreation Center project.

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