

# Mayor and Council Communication

**DATE:** 02/14/23

**M&C FILE NUMBER:** M&C 23-0111

**LOG NAME:** 21FUTURE CITY HALL PM AND DESIGN AMENDMENTS

**SUBJECT**

(CD 9 / Future CD 9) Authorize the Execution of Amendment No. 2, in the Amount of \$1,220,025.00, to a Professional Services Agreement with Athenian Group, LLC., for Program Management Services for the Future City Hall Relocation Program, for a Total Contract Amount of \$6,108,743.00 and Authorize the Execution of Amendment No. 2, in the Amount of \$1,208,743.00, to a Professional Services Agreement with BOKA Powell, LLC, Inc., for Architectural Design Services for the Future City Hall Relocation Program, for a Total Contract Amount of \$6,669,022.00

**RECOMMENDATION:**

It is recommended that the City Council:

1. Authorize the execution of Amendment No. 2, in the amount of \$1,220,025.00, to a professional services agreement with Athenian Group, LLC., for program management services for the Future City Hall Relocation Program, for a total contract amount of \$6,108,743.00; and
2. Authorize the execution of Amendment No. 2, in the amount of \$1,208,743.00, to a professional services agreement with BOKA Powell, LLC, Inc., for architectural design services for the Future City Hall Relocation Program, for a total contract amount of \$6,669,022.00.

**DISCUSSION:**

(CD 9 / Future CD 9) The purpose of this Mayor & City Council Communication (M&C) is to authorize the execution of Amendment No. 2, in the amount of \$1,220,025.00, to a professional services agreement with Athenian Group, LLC., for program management services for the Future City Hall Relocation Program, for a total contract amount of \$6,108,743.00 and to authorize the execution of Amendment No. 2, in the amount of \$1,208,743.00, to a professional services agreement with BOKA Powell, LLC, Inc., for architectural design services for the Future City Hall Relocation Program, for a total contract amount of \$6,669,022.00. At this time, no additional funds are requested and this M&C will simply serve to allocate already budgeted funds.

On December 15th, 2020, the City Council authorized the acquisition of the former Pier 1 building, located at 100 Energy Way, for use as the future City Hall (M&C 20-0910).

On June 22nd, 2021, the City Council authorized execution of Amendment No. 1 to the professional services agreement with the Athenian Group, LLC, for multi-year project management services associated with the relocation of City Hall to 100 Energy Way ( M&C 21-0429). The Athenian Group, LLC has conducted a detailed assessment of the departments and functions associated with the relocation. They have provided a written program and illustrated diagrams to make recommendation regarding what departments functions would move to and where they would be located at the Future City Hall.

On November 30th, 2021, the City Council authorized execution of Amendment No. 1 to the professional services agreement with the BOKA Powell, LLC, in the not to-exceed amount of \$5,460,279.00, including reimbursable expenses, for design and construction administration services associated with the relocation of City Hall to 100 Energy Way. This initial contract will accomplish the majority of design work that has been affirmed so far, but amendments may be required as additional work is defined.

On December 2nd, 2021, the Athenian Group and the property Management Department issued a request for Qualifications, to select Construction Manager at Risk (CMAR) team to provide construction management and delivery of the construction required to build a new council chambers. On May 24th, 2022 the City Council authorized execution of Amendment No. 1 to the CMAR agreement with Linbeck Group, LLC, in the not to-exceed amount of \$87,076,188.00, including reimbursable expenses, for construction administration services associated with the relocation of City Hall to 100 Energy Way. This initial contract will accomplish the majority of design work that has been affirmed so far, but amendments may be required as additional work is defined.

Estimated Costs - The overall project costs are expected to be as described in the table below:

Future City Hall Program	TOTALS
Initial Building Purchase	\$69,500,000.00
Professional Services (Project Management & Design Contract)	\$12,777,765.00
CMAR Construction Contract (Including Owner's Construction Contingency Allowance)	\$87,076,188.00
Administrative Costs (Staff Time, Additional ITS, AV, Security, Building Infrastructure, Major Maintenance, FF&E, and Moving Costs)	\$4,272,524.00

Project Contingency	\$6,882,478.00
<b>PROJECT TOTAL</b>	<b>\$180,508,955.00</b>

This project is funded from a mix of funds, including Tax Note 2021 A, Tax Note 2022, ARPA, PEG, Operational. Available resources within the General Fund will be used to provide interim financing until debt is issued. Once debt associated with the project is sold, proceeds will reimburse the General Fund.

Funding is budgeted in the Property Management Department's Tax Note 2021 A Funds for the purpose of funding the amendments to the contracts for the City Hall Move 100 Energy Way project, as appropriated.

There are several operating and maintenance costs associated with the Future City Hall. These costs will be better defined as the phases are designed, and the sale of annexes and other downtown facilities are realized. The annual operating and maintenance cost will be presented to City Council at a future date.

**Waiver of Building Permit Fees** - In accordance with the City Code of Ordinances, Part 11, Chapter 7- 1 Fort Worth Building Administrative Code, Section 109.2.1, Exception 2; "Work by non-City personnel on property under the control of the City of Fort Worth shall be exempt from the permit fees only if the work is for action under a contract that will be or has been approved by City Council with notes in the contract packages stating the fee is waived."

**DIVERSITY AND INCLUSION BUSINESS EQUITY OFFICE:** The program has several contracts that each have individual business equity goals: Athenian Group, LLC is in compliance with the City's Business Equity Ordinance by committing to 100% MWBE participation on this project. The City's MWBE goal on this project is 10%. BOKA Powell agrees to maintain its initial M/WBE commitment of 25% that it made on the original agreement and extend and maintain that same M/WBE commitment of 25% to this first amendment.

The new City Hall is to be located in COUNCIL DISTRICT 9 / Future COUNCIL DISTRICT 9 but will benefit all council districts.

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Grants Cap Projects Federal, Cable TV Peg, Tax Note 2021 A and Tax Notes 2022 Funds for the City Hall Move 100 Energy Way project to support the approval of the above recommendation and execution of the contract. Prior to any expenditure being incurred, the Property Management Department has the responsibility of verifying the availability of funds.

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Expedited