

Mayor and Council Communication

DATE: 06/11/24

M&C FILE NUMBER: M&C 24-0499

LOG NAME: 21NEW CITY HALL ORNAMENTAL LIGHTING

SUBJECT

(CD 9) Authorize Execution of Amendment No. 1 to a Job Order Contract with Mark IV Construction Group, LLC., in the Amount of \$375,000.00 and Authorize a Task in the Amount of \$1,116,200.00, Under the Job Contract with Mark IV Construction Group, LLC., Including a Pre-Payment in the Amount of \$400,000.00 for Fabrication of Materials to Make Repairs to the New City Hall's Ornamental Lighting System

RECOMMENDATION:

It is recommended that the City Council authorize:

- 1) Execution of Amendment No. 1 to the job order contracts with Mark IV Construction Group, LLC (City Secretary No. 58062-RI), to increase contract capacity in the amount of \$375,000.00 increasing the contract amount to \$1,875,000.00;
- 2) Authorize an individual task order with Mark IV Construction Co. Inc., in the amount of \$1,116,200.00 under the Job Order Contract, including a pre-payment in the amount of \$400,000.00 for fabrication of materials, to make repairs to the New City Hall ornamental lighting system.

DISCUSSION:

The purpose of this M&C is for the City Council to approve an increase to the overall Job Order Contract with Mark IV Construction Group, LLC (City Secretary No. 58062-RI) and to authorize an individual task order in the amount of \$1,116,200.00, to make repairs to the New City Hall decorative lighting system. New City Hall, located at 100 Fort Worth Trail, was constructed in 2004. The upper portion of the building is constructed of opaque glass panels which were back-lit with colored LED lights. The uppermost portion of the building was also washed with colored up-lights. These lights were controlled by software and a computer system to produce various light displays. Most of the up-lights and many of the colored LED lights have failed over the years. Because of this, the lighting system is limited in what colors it can display and a random "sparkling" affect is used to conceal the fact that not all lights are working. City staff recommends issuing a Job Order to Mark IV Construction Group, LLC to order the required replacement parts and controls and restore the lighting system.

On August 9, 2022, the City Council authorized execution of a Job Order Contract with the Mark IV Construction Group, LLC, for construction services for minor construction and renovation projects with the aggregate amount of task orders not to exceed \$1,500,000.00 during any one-year period (M&C C-22-0577). In order to accomplish repairs to the New City Hall decorative lighting system and have capacity for possible future work, staff recommends that the limit for aggregate amount of work orders be increased to \$1,875,000.00.

State law requires that the governing body approves all task orders that exceed \$500,000.00. Staff requests that the City Council approval for this task order in the amount of \$1,116,200.00.

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

NEW CITY HALL ORNAMENTAL LIGHTING	TOTALS
Materials and Job Order Costs	\$1,116,200.00
Project Administration, Project Management, Contingency, Etc.	\$104,000.00
PROJECT TOTAL	\$1,120,200.00

Pricing for Job Order Contracts is established through a competitive bid process, with contractors providing a "multiplier" which applied to a nationwide construction cost index established by R. S. Means. While this process fixes the price of services, it does not address a construction supply issue which has worsened in the recent past. Many "long lead time" items and items in high demand and have started to demand deposits before they will start fabrication. This requires large upfront costs and impacts the schedule. Staff is recommending City Council approve prepayment, not to exceed \$400,000.00, to Mark IV for procurement of critical components.

Funding is budgeted in the Facilities Rep/Maint Supplies account within the General Fund for the Property Management Department.

BUSINESS EQUITY GOAL - A waiver of the goal for Business Equity subcontracting requirements was submitted and approved by DVIN, in accordance with the applicable Ordinance, because the LED Lighting System in New City Hall is a proprietary and the contractor is utilizing original manufacture for components, computers and software.

New City Hall is located in COUNCIL DISTRICT 9.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations, funds are available in the current operating budget, as previously appropriated, in the General Fund. Prior to an expenditure being incurred, the Property Management Department has the responsibility to validate the availability of funds.

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