

City Council
Agenda Memo



City Council
Meeting Date: December 18, 2014

TO: David A. Vela, Interim City Manager

FROM: Tommy O'Brien, Director of Water Utilities

SUBJECT: Written Resolution Authorizing Execution of the Construction Manager at Risk Services Agreement with Pepper Lawson Waterworks, LLC to Construct the Possum Kingdom Raw Water Roughing Facility – Second-Stage Drought Projects

GENERAL INFORMATION

On October 23, 2014 the City Council approved an oral resolution finding that the use of the alternative procurement process method utilizing a Construction Manager at Risk (CMAR) is the best value for the City of Abilene for procurement of construction services for a new raw water roughing facility and for raw water transmission pipelines. These projects are associated with implementing Possum Kingdom Lake as a raw water supply under the City's Second-Stage Short-term Drought Strategy.

The City issued Requests for Proposals through advertisements in the Abilene Reporter News on November 2, 2014 and November 9, 2014 for interest for performing the duties of a Construction Manager at Risk for the raw water roughing facility. On November 21, 2014, six (6) entities submitted responses to the Request for Proposals.

City Staff evaluated the proposals received in accordance with criteria established in the Request for Proposals. Based on the selection criteria, Staff is recommending the selection of Pepper Lawson Waterworks, LLC, as the CMAR that offers the best value for Abilene's Second-Stage Short-term Drought Strategy for the Possum Kingdom Raw Water Roughing Facility. The written resolution authorizes funds in the amount of \$375,000 for preconstruction phase services and funds in the amount not to exceed \$15,000,000 for equipment procurement.

FUNDING/FISCAL IMPACT

The proposed Construction Manager at Risk services will be funded from the Water Department Water and Sewer Funds supplemented through the issuance of combination tax and revenue certificates of obligations. Preconstruction Phase Services of \$375,000 and equipment procurement of up to \$15,000,000 will be funded from the proceeds of the 2014 Series Certificates that were sold on October 22, 2014.

STAFF RECOMMENDATION

Staff recommends approval of a written resolution selecting the firm of Pepper Lawson Waterworks, LLC to serve as the Construction Manager at Risk to construct the Possum Kingdom Raw Water Roughing Facility, and that the City Council authorize the City Manager to negotiate and execute an agreement, and subsequent associated agreements, with Pepper Lawson Waterworks, LLC to serve as the Construction Manager at Risk to construct the Possum Kingdom Raw Water Roughing Facility. Initial agreement terms will include Preconstruction Phase Services at a value of \$375,000 and equipment procurement at a value of up to \$15,000,000, which includes equipment purchased by City and to be assigned to the CMAR.

ATTACHMENTS

Written Resolution

Prepared by: Name <u>Tommy O'Brien</u> Title <u>Director of Water Utilities</u>	Item No. _____	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# _____ <input type="checkbox"/> Denied _____ <input type="checkbox"/> Other _____ _____ City Secretary
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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE EXECUTION OF A CONSTRUCTION MANAGER AT RISK SERVICES AGREEMENT WITH PEPPER LAWSON WATERWORKS, LLC, TO CONSTRUCT THE POSSUM KINGDOM RAW WATER ROUGHING FACILITY AS PART OF THE SECOND-STAGE SHORT-TERM DROUGHT STRATEGY.

WHEREAS, in response to the on-going drought and as part of the City of Abilene's overall second-stage, short-term drought response strategy, the City is implementing Possum Kingdom Lake as a raw water supply; and

WHEREAS, On October 23, 2014 the City Council approved an oral resolution authorizing the Construction Manager at Risk (CMAR) process for procurement of construction services for a new raw water roughing facility and for raw water transmission pipelines related to Possum Kingdom Lake; and

WHEREAS, on November 2, 2014 and November 9, 2014 the City published notice for proposals in the Abilene Reporter News for performing the duties of a Construction Manager at Risk for the raw water roughing facility receiving six responses on November 21, 2014; and

WHEREAS, City Staff evaluated the proposals and is recommending the selection of Pepper Lawson Waterworks, LLC, as the CMAR that offers the best value for Abilene's Second-Stage Short-term Drought Strategy for the Possum Kingdom Raw Water Roughing Facility; and

WHEREAS, Preconstruction Phase Services for this project are not to exceed \$375,000 with equipment procurement not to exceed \$15,000,000 and both will be funded from the proceeds of the 2014 Series Certificates that were sold on October 22, 2014.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1: The Interim City Manager is hereby authorized to negotiate and execute a contract with Pepper Lawson Waterworks, LLC to serve as the Construction Manager at Risk to construct the Possum Kingdom Raw Water Roughing Facility.

Part 2: The initial agreement terms of any such contract will include Preconstruction Phase Services at a value not to exceed \$375,000 with equipment procurement not to exceed \$15,000,000.

ADOPTED this 18th day of December, 2014.

ATTEST:

Danette Dunlap, City Secretary

Norman Archibald, Mayor

APPROVED:

T. Daniel Santee, City Attorney