

# CONTRACT

**200730**

## Ordinance Fact Sheet

## Amendment Form

### Brief Title

Authorizing an amendment to an agreement with Turner Construction Company for construction phase of Project No. 07181111 – ADA Compliance Project for Starlight Theatre Seating Bowl CM@Risk; authorizing an eighth amendment to an agreement with Piper-Wind Architects for construction administration services.

**Approval Deadline:** September 1, 2020

### Details

#### Reason for Contract

Authorizing a \$3,052,395.00 second amendment to an agreement with Turner Construction Company for Project No. 07181111 – ADA Compliance Project for Starlight Theatre Seating Bowl CM@Risk; authorizing a \$200,085.00 eighth amendment to an agreement with Piper-Wind Architects for Project No. 07001111 - ADA Compliance Project for a total contract amount of \$11,201,360.05; authorizing the Director of General Services Department to expend a total of \$3,550,000.00 for the contracts; and recognizing an emergency and recognizing this ordinance as having an accelerated effective date.

#### Discussion

##### Contract Summary

Turner Original contract (Phase 1 - pre-construction) - \$8,500  
Turner Amendment 1 (Phase 1A purchase seating) - \$122,582.00  
Proposed Amendment 2 (Phase 2 - construction) - \$3,052,395.00  
Additional for Phase 2 construction - \$166,438.00  
Proposed Piper-Wind Assoc. CA services (Amend. 8) - \$200,085.00  
**TOTAL: \$ 3,550,000.00**

##### Project Justification

This ADA Compliance project is required pursuant to Department of Justice settlement agreement.

##### Project Description

The GO Bond Ordinance, Ordinance No. 200172, appropriated \$3,550,000.00 to Account No. AL-3721-078025-B-70175933 for construction of ADA-related improvements to the Starlight Theatre.

Project No. 07181111 Bid Package No. 18 ADA Compliance Project for Starlight Theatre Seating Bowl CM@Risk is comprised of an initial pre-construction services phase ("Phase 1") followed by an optional construction services phase ("Phase 2"). The Project was bid and Turner Construction Company was the successful bidder.

Turner was subsequently contracted for Phase 1 (pre-construction) work for \$8,500.00. Turner has completed the Phase 1 work and a Final Guaranteed Maximum Price (FGMP) of \$3,174,977.00 was negotiated and agreed for Turner to perform the Phase 2 construction services work.

### Reason

To construct ADA improvements at the Starlight Theatre to bring the facility into compliance with current ADA laws as required by the settlement agreement with the U.S. Department of Justice.

### Roles and Responsibilities

Sponsor	General Services Department
Department or Programs Affected	ADA compliance program Starlight Theatre
Recommended Awardee	Turner Construction Company
Contract Compliance	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Certification Obtained?	
Opponents	Groups or Individuals None known  Reason for Opposition
Responsibilities	Design Engineering: Piper-Wind Architects Inc.  Inspections: PSI Inc. City Planning - Development Services Construction or Project Management: Piper-Wind Architects Inc. General Services Dept. - Architecture Service Monitoring:

### Policy/Program Impact

Policy or Program Emphasis Change	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes
Operational Impact Assessment	None

During Phase 1, Turner was authorized to purchase the seating for a price of \$122,582.00 in the FGMP in advance of Phase 2 because of the long lead times and supply chain disruption caused by COVID-19.

The purpose of this ordinance is to authorize the Director of General Services to:

- (1) execute an amendment in the amount of the remaining balance of the FGMP amount of \$3,052,395.00 for Turner Construction Company to construct the ADA improvements in Phase 2; and
- (2) execute an amendment in the amount of \$200,085.00 with Piper-Wind Architects Inc. to provide construction administration services for the Phase 2 construction work by Turner; and
- (3) expend a total of \$3,550,000.00 for the above from GO Bond funds previously appropriated to AL-3721-078025-B-70175933.

**Human Relations Approval**

Goals for 07181111 are 15% MBE and 7% WBE.  
Goals for 07001111 are 15% MBE and 10% WBE.  
Contract information was submitted to the the Human Relations Department for review and determination.

**Is it good for the children?**

Yes, and for seniors too.

**How will this contribute to a sustainable Kansas City?**

No impact.

[illegible]

Do Pass	<input type="checkbox"/>	<input type="checkbox"/> Hold
Do Pass (as amended)	<input type="checkbox"/>	<input type="checkbox"/> W/o Recommendation
Committee Sub.	<input type="checkbox"/>	<input type="checkbox"/> Do Not Pass