

## Agenda Item Details

Meeting	Dec 12, 2023 - Bryan City Council Second Regular Meeting
Category	6. Statutory (Automatic Approval) Agenda - This agenda consists of items previously approved by Council action such as adoption of items that are part of an approved budget or capital improvement projects, first and only readings of ordinances, interlocal agreements, or action that is required by law or delegated to the City Manager. Items may be removed from the statutory agenda for separate consideration at the request of two Councilmembers.
Subject	A. Approval of a design contract with Walker Partners, L.L.C., for the Bryan Midtown Park Phase 3C Contract 2 for lake edge boardwalk, City Job Number 700-D0-2219, in the not to exceed amount of \$467,752.50
Type	Action (Statutory)
Preferred Date	Dec 12, 2023
Absolute Date	Dec 12, 2023
Fiscal Impact	Yes
Dollar Amount	467,752.50
Budgeted	Yes
Budget Source	General Fund to be reimbursed by future FY2024 Bonds = \$467,752.50

### Summary:

The Travis Bryan Midtown Park is included in the Fiscal Year 2020 approved Capital Improvement Program. A design contract with Mitchell & Morgan, LLP was approved by the Bryan City Council on November 12, 2019, for \$2,622,795.05. Since that time, numerous phases of infrastructure have been designed and constructed, with many other phases currently under design or construction today. Nine (9) contract amendments have been approved bringing the total design contract amount to \$4,230,499.30.

The original M&M contract had a small scope for designing a smaller boardwalk than what is currently being proposed along Midtown Lake. City staff solicited responses from all interested design professionals with Request for Qualifications (RFQ) #23-012 for the larger boardwalk. The separate RFQ from design firms allowed the City to evaluate design professionals who have more experience designing boardwalks, shared use paths, and piers along various bodies of water (lakes/rivers).

The planned Phase 3C Contract 2 includes the design and construction of the Midtown Lake Boardwalk to extend generally from the lake edge at West Villa Maria Road approximately 950 linear feet to the north, including a connection point to the outer loop trail at the southeastern-most corner of the future Schulman Movie Bowl Grille parking lot. Two additional areas were identified along the lake and are included within the scope of this project phase. Area No. 2 extends a concrete trail (similar to those already constructed around the park) from the end of the boardwalk and connects to Legends Event Center and a parking lot with Midtown Park Phase 8A "Road A". With the start of design for the Signature Playground, this work will be coordinated closely with that design team to ensure seamless connectivity from those playground elements to this trail. Area No. 3 is Astin Recreation Area and likely will be a fishing pier and kayak launch point as there was a historical fishing pier extending out into the lake at this location.

One response was received to RFQ #23-012 from Walker Partners, whose team includes Mitchell & Morgan and design professionals from multiple firms to accomplish the goals under an accelerated timeline for the project. Walker Partners has extensive experience in designing successful "water's edge" pedestrian transportation facilities. The McLane Football Stadium at Baylor University and City Of Waco Brazos Riverfront Riverwalk are two such examples.

An initial schematic design contract for a not-to-exceed total of \$123,850 was awarded to Walker Partners February 22, 2023, to bring the design to a 20% level, discuss various construction techniques, regulatory permitting, and geotechnical engineering to better provide an accurate final scope and construction cost estimate for the boardwalk. The total design fee charged from that phase was \$109,374.78, as not all Additional Services were needed.

The proposed Design Contract will complete the final design of the boardwalk and envisions two (2) construction contracts being issued for bids. The first construction contract listed as Project A includes installation of the sheet piles and rough grading. The second construction contract addresses the remainder of the overall scope including drainage, walkways, boardwalk structure, lighting, cameras, floating docks, pedestrian bridge to Legends, etc. Splitting the construction work into 2 contracts allows the acceleration of the sheet pile construction adjacent to the Shulman Movie Bowl Grille Site in an effort to minimize disruption to their construction activities, as contractors will want to occupy the same space working on both projects. The sheet pile installation will be one of the most heavy equipment reliant phases of construction for the boardwalk; by splitting it out ahead of the remainder of the overall scope allows the construction of Project A to be underway, while the design for Project B finishes up. As shown in the proposed contract schedule, construction of the sheet piles is anticipated to occur in Spring 2024 and the construction of the remainder of the boardwalk project will occur between Summer 2024 and the end of 2024, all of which is ahead of the scheduled opening of Schulman Movie Bowl Grille in 2025.

The proposed Design Contract, in the amount of \$467,752.50, includes the following:

1. Design Development

- a. Prepare Drawings and Specifications indicating the scope, extent, and character of the work to be performed and furnished by Contractor for 50% and 90% review by City. The Drawings to be prepared with this Phase of the Work, in general, will include the following:
  - i. General Condition Drawings
  - ii. Dimension Control Plan
  - iii. Paving Plan
  - iv. Grading Plan
  - v. Drainage Plans
  - vi. Stormwater Detention Plan
  - vii. Water and Wastewater Plans
  - viii. Site Electric, Communication and Security to be provided by (Subconsultant) Cleary-Zimmerman as detailed in Appendix 3 of the proposal
  - ix. Structural Design provided by Winton Engineering, Inc. as detailed in Appendix 2 of the proposal
  - x. Area 2 Final Design & Finalize Lake Storage Volume designed by Mitchell & Morgan, LLP (MMLLP) as detailed in Appendix 4 of the proposal
  - xi. Environmental – Waters of the US Coordination/Permitting by Plummer & Associates as detailed in Appendix 5 of the proposal
  - xii. Industrial Hygiene Services and CHASP provided by TGE Resources as detailed in Appendix 6 of the proposal
- b. Provide technical criteria, written descriptions, and design data for City's use in filing applications for permits from or approvals of governmental authorities having jurisdiction to review or approve the final design of the Project; assist City in consultations with such authorities; and revise the Drawings and Specifications in response to directives from such authorities.
- c. Advise City of any adjustments to the EOPC known to Engineer.

2. Construction Documents

3. Bidding and Negotiating

4. Construction Administration

5. Construction Staking

The total of this final design fee and the schematic design is \$577,127.28. The total design fee (excluding the cost of CHASP preparation) is \$542,739.68, which is 7.48% of the final construction cost estimate of \$7,254,249.30. As a Chemical Health and Safety Plan (CHASP) is not a typical service provided through engineering design contracts, this fee was removed from the above comparison of fee and construction estimate. Additional services include landscaping and signage, which can be added through a contract amendment as detailed in the proposal. The anticipated construction cost is significantly higher than initial estimates, however significant time and effort has been spent by the designers and City staff to find value engineering options and ways to lower the estimated construction cost. Additions to the scope not originally envisioned include the concrete path connecting to Legends, wider boardwalk widths, additional electrical power on the boardwalk for events, and security cameras as part of the Midtown Park standards. The design includes some gateway elements to create the opportunity to seek "sponsors" of the boardwalk and have their names displayed on each end of the boardwalk on some sort of gateway structure or arch.

The resolution to reimburse the General Fund from future bond issuance also is on this agenda.

**Staff Analysis and Recommendation:**

Staff recommends approval of the Design Contract to Walker Partners, LLC for Bryan Midtown Park Phase 3C Contract 2 for lake edge Boardwalk, City Job Number 700-D0-2219, in the not to exceed amount of \$467,752.50.

**Options:**

1. Approve Design Contract
2. Do not approve Design Contract and provide direction to staff

**Attachments:**

1. Design Contract with proposal from Walker Partners LLC

[Midtown Park Ph3C-2-Full Design Contract.pdf \(4,142 KB\)](#)