



## Legislation Text

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**File #:** K-1617-128 AMD #1, **Version:** 1

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**AMENDMENT NO. ONE TO CONTRACT K-1617-128:** BY AND BETWEEN THE NORMAN MUNICIPAL AUTHORITY AND THE MCKINNEY PARTNERSHIP ARCHITECTS, P.C., INC, INCREASING THE CONTRACT AMOUNT BY \$11,750 FOR A REVISED CONTRACT AMOUNT OF \$65,000 TO PROVIDE ADDITIONAL ARCHITECTURAL SERVICES RELATED TO THE DESIGN OF THE WESTWOOD TENNIS CENTER INDOOR COURT FACILITY PROJECT AND BUDGET APPROPRIATION FROM THE NORMAN FORWARD FUND BALANCE.

**BACKGROUND:** On 13 October 2015, the citizens of Norman voted to fund the *Norman Forward* Quality of Life projects with a limited term ½% sales tax increase for 15 years. This initiative included a number of high priority projects identified in the 2014 Library Master Plan Update, the 2009 Norman Parks and Recreation Master Plan and additional projects designed to provide recreational opportunities for Norman residents. One such project was to make improvements to the Westwood Tennis Center.

**DISCUSSION:** The Westwood Tennis Center Improvement Project was planned to construct a two-court indoor tennis facility to replace the existing courts Number 5 & 6, located on the east side of the entry walk at the facility, and also to construct two new outdoor courts at the site, in order to maintain the proper number of outdoor courts required by the United States Tennis Association (USTA) to host the large sectional tournaments that have been awarded to Westwood over the past decade. The new outdoor courts have already been constructed in the area along Robinson Street north of the pro shop. The new indoor facility will include two new post-tensioned concrete tennis courts, including all surfacing, nets and striping; however, instead of a perimeter fence, the two courts will be enclosed by a tensioned fabric structure similar to the one constructed recently at Will Rogers Tennis Center in Oklahoma City, which staff toured and discussed with the staff at that park. The new building will include perimeter and between-court netting and screening, HVAC systems, LED lighting, a viewing area for parents and spectators and will be built according to all applicable building codes for such structures.

In May, 2017, we engaged the services of The McKinney Partnership Architects (TMP) as the Design Consultant for this project; and proceeded with them through several phases of schematic design, design development, construction documents and project bidding. Our Consultants from ADG have participated throughout the entire design development process up through the awarding of a Construction Manager at Risk (CMaR) contract to FLINTCO, LLC for the project construction in June, 2018.

During the process of delivering the building program for this project, several aspects of the project scope were increased, including the decision to make the HVAC system part of the base bid, instead of an add-alternate. This resulted in additional design considerations and drawings to be completed by the Architect. We also experienced some substantial cost increases in the building system and in the design of the subsoil and foundation, based on the results of the geotech report done during design development. This required additional work by the Architect relative to the structural design of the footings and foundation for the building. Ultimately, the project scope increased from an estimated construction budget of \$750,000 to a final Guaranteed Maximum Price from FLINTCO of \$1,480,612. After meeting with the TMP project team, we arrived at an agreement that an additional \$11,750 in design fees would be fair compensation for the additional services associated with the increased project scope and costs, as allowed by section 3.3 of the original Contract (K-1617-128). This would be added to the original contract amount of \$53,250 for a total revised amount of \$65,000. The optional fee for Construction Observation from the original contract would not change; and would remain fixed at \$12,650.00, if utilized during the construction of the project.

**RECOMMENDATION:** It is recommended that City Council acting as the Norman Municipal Authority, approve Amendment #1 to Contract K-1617-128 with The McKinney Partnership Architects, P.C., Inc., in the amount of \$11,750 for additional design services related to the Westwood Tennis Center Indoor Court Facility for the Parks and Recreation Department and appropriate this amount from the Norman Forward Unreserved Fund Balance Account (051-0000-253.20 -00) to the Westwood Tennis Center Addition Project - Design, (051-9364-451.62-01 -NFB007).