



Legislation Text

File #: R-1819-103, **Version:** 1

RESOLUTION R-1819-103: A RESOLUTION OF THE COUNCIL OF THE CITY OF NORMAN, OKLAHOMA, APPROPRIATING \$12,650 FROM THE ROOM TAX FUND BALANCE FOR ARCHITECTURAL SERVICES ASSOCIATED WITH THE WESTWOOD TENNIS INDOOR FACILITY.

BACKGROUND: In 1980, the City of Norman began collecting a 4% Transient Guest (Hotel/Motel) Room Tax. Approximately 25% of the Room Tax Revenues are to be used specifically for capital improvements to park and recreational facilities. In April, 2013, voters authorized increasing the Room Tax rate to 5%. These funds are often programmed in each budget cycle to fund facilities and projects that can help generate potential overnight stays, which is the source of the Room Tax. Recent projects have included improvements to the Sooner Theatre, a current project to help design and construct an addition to the Firehouse Art Center, multiple improvements to our recreation centers, funding the Bicycle Skills Park coming soon to Lindsey Street & 24th Avenue SE, and previous projects at Westwood Tennis Center, such as the pro shop expansion and the new youth courts built in 2016.

The Room Tax Fund balance account has approximately \$16,000 available for projects. Part of that balance includes a total of \$9,547 in funding recently returned to the fund balance after the completion of projects for adding air conditioning at the Andrews Park Rental Building and our three recreation centers, as well as the final unspent amount from the gym floor replacement at Whittier and Irving Recreation Centers.

In May, 2017, City Council approved Contract K-1617-128 with The McKinney Partnership, Architects (TMP) for design services for the Westwood Tennis Indoor Facility. This is one of the NORMAN FORWARD projects approved by voters in 2016. The TMP contract included an optional "not-to-exceed" section for Construction Phase Observation, which was not awarded at that time, since the construction method had not yet been decided. As the project proceeded, Flintco Construction Company (Flintco) was hired as the Construction Manager at Risk for the facility construction. Once the construction was bid out by Flintco, the original Flintco contract was awarded Amendment #1 for the total construction cost, including a 15% Owner's Contingency, to be used as unforeseen situations and/or owner-approved project changes arose. The intent at that time was to use any unspent contingency at the project completion to pay for the TMP construction-phase services on an hourly basis as they were required.

As the project now nears completion, it is apparent that the amount remaining in the contingency will not cover the TMP hourly fees that have accumulated during construction. In order to avoid an additional expenditure of NORMAN FORWARD funds, City Staff proposes using Room Tax funds to complete the TMP design and observation services from the contract as originally bid, in an amount not-to-exceed \$12,650.

DISCUSSION: At this time, staff is recommending the appropriation of Room Tax Funds in order to pay TMP for their work during the construction phase of the Westwood Tennis Indoor Facility,

including: on-site consultation and observation, responses to requests for information by Flintco and their subs, review of engineering submittals and approval of pay applications. The total of TMP's fees for these services will not exceed the original bid amount of \$12,650. Any unspent funds from this appropriation will be returned to the Room Tax Fund balance at the conclusion of the project.

RECOMMENDATION: It is recommended that the City Council approve Resolution R-1819-103 appropriating \$12,650 from the Room Tax Fund Balance (023-0000-253.20-00) to Project RT0007, Westwood Tennis Indoor Facility Project, Design (023-9364-451.62-01) for construction-phase observation and design services at the Westwood Tennis Indoor Facility Project..