



Huntsville, Alabama

Cover Memo

Meeting Type: City Council Regular Meeting Meeting Date: 7/27/2023 **File ID:** TMP-3141 **Department:** General Services Subject: **Type of Action:** Approval/Action Resolution authorizing the Mayor to execute Modification No. 1 to the agreement between the City of Huntsville, Alabama and Nola | Van Peursem Architects, PC for the Aquatic Center Renovations Phase 4. Resolution No. **Finance Information:** Account Number: 4013-14-00000-523040-00000000 **City Cost Amount:** \$249,710.00 **Total Cost:** \$ 567,980.00 **Special Circumstances: Grant Funded: NONE Grant Title - CFDA or granting Agency:** N/A Resolution #: N/A **Location: (list below)** Address: 2213 Drake Avenue **District:** District 1 □ District 2 □ District 3 District 4 District 5 **Additional Comments:**

Modification #1 to increase the scope of work to include the rework of sliding roof panels and replacement of all the polycarbonate roof panels, along with the construction inflation that occurred during the deferment beyond the expanded scope.

Meeting Type: City Council Regular Meeting Meeting Date: 7/27/2023 File ID: TMP-3141

RESOLUTION NO. 23-

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, and the Mayor that the contract with Nola | VanPeursem Architects, PC for Architectural Services for the Aquatic Center Renovations Phase 4, Huntsville, Alabama, approved and executed by the City of Huntsville, Alabama on the 13th day of January, 2022, be and the same is hereby amended as is reflected on Modification #1 and attached hereto.

BE IT FURTHER RESOLVED that the total contract amount be hereby is amended from Three Hundred Eighteen Thousand Two Hundred Seventy Dollars and No/100s (\$318,270.00) to Five Hundred Sixty-Seven Thousand Nine Hundred Eighty Dollars and No/100s (\$567,980.00) on behalf of the City of Huntsville, a municipal corporation in the State of Alabama to, including this Modification #1 in the amount of Two Hundred Forty-Nine Thousand Seven Hundred Ten Dollars and No/100s (\$249,710.00), said Modification #1 is substantially in word and figures as attached hereto identified as "Modification #1 to the contract between the City of Huntsville and Nola | VanPeursem Architects, PC, for the Aquatic Center Renovations Phase 4," consisting of four (4) pages together with the signature of the City Council President and an executed copy of said document being permanently kept on file in the office of the City Clerk-Treasurer of the City of Huntsville, Alabama.

APPROVED this the 27th day of July, 2023.

President of the City Council of the City of Huntsville, Alabama

APPROVED this the 27th day of July, 2023.

Mayor of the City of Huntsville, Alabama

STATE OF ALABAMA)	Modification No.1 to the
)	Agreement Between the
COUNTY OF MADISON)	City of Huntsville, Alabama
		and Nola VanPeursem Architects, PC
		Dated January 13, 2022,
		as adopted by Resolution No. 22-25

MODIFICATION NO. 1

THIS MODIFICATION TO AN AGREEMENT is entered into on this the 27th day of July, 2023 by and between the City of Huntsville, Alabama (Owner) and Nola | VanPeursem Architects, PC, as adopted by Resolution 22-25 on January 13, 2022. The City of Huntsville does hereby modify the contract to continue providing Architectural services for the Aquatic Center Renovations Phase 4 located at 2213 Drake Avenue.

WHEREAS, at the time of hire, the scope of work for the Aquatic Center Renovations Phase 4 was to include schematic design, development, construction documents, bidding / negotiation, and contract administration for the Legacy Pool Area Roof repair, ventilation, replacement of lighting above pool area, deck, and pool repairs, replace translucent and glass wall systems and analyze and repair structural system.

WHEREAS, the scope of work for design services listed in Attachment "A" of the Agreement Between the City of Huntsville, Alabama, and Nola | VanPeursem Architects, PC, dated January 13, 2022, as adopted by Resolution No. 22-25 is hereby to include the scope of work listed in the attached proposal dated June 19, 2023 from Nola | VanPeursem Architects, PC as Attachment "B."

WHEREAS, the cost of work has changed in size and scope to include the rework of the sliding roof panels and replacement of all the polycarbonate roof panels, along with the construction inflation that occurred during the deferment beyond the expanded scope and the final contract amount of \$6,464,000.00. The increased rate 7.75% based upon the DCM fee are hereby added to the agreement with Nola | VanPeursem Architects, PC, thereby increasing the overall fee for services.

THEREFORE, the previously established Not to Exceed amount of Three Hundred Eighteen Thousand Two Hundred Seventy Dollars and No/100s (\$318,270.00) for these professional services is hereby increased by the amount of Two Hundred Forty-Nine Thousand Seven Hundred Ten Dollars and No/100s (\$249,710.00) thereby modifying the Not To Exceed Amount to be Five Hundred Sixty-Seven Thousand Nine Hundred Eighty Dollars and No/100s (\$567,980.00).

All other terms and conditions remain unchanged.

CONTRACTOR

SEAL	SEAL
Robert Van Peursem	Tommy Battle
By: DocuSigned by: Robert Van Peursem	Ву:
(SIGNATURE)	(SIGNATURE)
Robert Van Peursem Nola VanPeursem Architects, PC 301 Jefferson Street North Huntsville, AL 35801	Tommy Battle, Mayor City of Huntsville 308 Fountain Circle Huntsville, AL 35801
7/10/2023 12:41 PM PDT	
(DATE OF EXECUTION)	DATE OF EXECUTION)

OWNER



NOLA VANPEURSEM

December 6, 2021

Mr. George Wheatley City of Huntsville Huntsville, Alabama 35801

RE: Aquatic Center Legacy Pool Renovations Phase 4

Design Fee Proposal

Dear George,

Thank you for considering Nola|VanPeursem Architects, PC for the proposed Phase 4 Aquatic Center Legacy Pool Renovation at the Huntsville Aquatic Center. The general scope of work has not yet been fully defined, but the following items will be part of the work:

- Legacy Pool Area Roof repair and tinting to make them non-operational.
- Legacy Pool ventilation to improve air quality and temperature.
- Repair roof condition at the hospitality room added in the SW corner
- Replace lighting above the pool area
- Install airlock or revolving door at corridor to Competition pool.
- Legacy and Pool deck repairs that are needed so the pool would not have to be closed again for pool repairs in the near future (recoating, grounding, deck drains)
- Replace translucent and glass wall systems.
- · Analyze and repair current structural system.

Basic Design services shall be provided for an estimated project budget of \$3 million dollars at 8.375% design fee for the cost of the work. In addition, the cost of the feasibility study in preparing the program for the scope for a not to exceed of \$25,000 and the structural analysis of the existing aluminum frame per PEC letter dated 11-14-21 for their fee plus 10% mark up totaling \$42,020 shall be part of the base fee, for a total base fee of \$318,270. This fee and budget can be adjusted as the final program and estimate are developed.

Additional services shall also be provided as reimbursable expenses in excess of the basic design fee to hire a pool consultant. We suggest a value of \$50,000 be carried for additional services until a more defined scope of that potential service is developed.

Thank you again for this opportunity to continue to support the City of Huntsville

Very truly yours,

Nola|VanPeursem Architects, PC

Robert Van Peursem AIA, CSI



ATTACHMENT B

June 19, 2023

Chris O'Neil Facilities Projects Manager General Services Department City of Huntsville P O Box 308 Huntsville, AL 35804

Re: Huntsville Aquatics Center Phase 4 2213 Drake Avenue

Dear Chris,

Now that we have Garber Construction under contract for the Aquatics Phase 4 project, we discussed the possibility of updating our contract to reflect the current scope of work. The Standard Agreement for Professional Architectural Services for the above-mentioned project dated 01-13-2022 states a Fixed Price Agreement of \$318,270.00. The fee was based upon a standard fee schedule from the Alabama State Department of Construction Management (DCM) for a renovation project of this size (8.375%), plus some additional services in the structural analysis and programing phase of the project.

During the design phase, multiple options were explored and estimated which ended up with the project expanding in scope and being during one swim season. The additional scope of the rework of the sliding roof panels and replacement of all the polycarbonate roof panels, along with the construction inflation that occurred during the deferment, resulted in an expanded scope of work and a final contract amount of 6,464,000. We would like to propose using the DCM fee percentage of 7.75% for renovations of this scope, and the additional scope of programming and structural analysis previously mentioned in our letter of December 6,2021 to create a new base design fee. This would create a fee of $6,464,000 \times 0.0775 + 25,000 + 42,020 = 567,980$. This would be a net increase of 40.000×0.000

Additional services shall also be provided as reimbursable expenses in addition to the basic design fee to hire a pool consultant. We suggest a value of \$50,000 be carried for additional services until a more defined scope of that potential service is developed.

Thanks again for your consideration. I hope this is acceptable to you, and if so, please let me know what else you would need from us.

Nola|VanPeursem Architects PC

Robert Van Peursem, AIA