



---

**CITY OF TEMPE**  
**REQUEST FOR COUNCIL ACTION**

**Council Meeting Date: 10/27/2016**  
**Agenda Item: 6A2**

---

**ACTION:** Award a construction contract to Sun Eagle Corporation and a professional services contract to Saemisch +Di Bella Architects, Inc. for renovation and infrastructure improvements for the McClintock High School swimming pool located at 1830 East Del Rio Drive. *(Related to Agenda Item 5B20)*

**FISCAL IMPACT:** The construction contract amount is \$2,466,500, the professional services contract is \$56,744, and the project contingency amount is \$246,650. Funds to cover this contract and related costs are appropriated for fiscal year 2016/17 in the Capital Improvement Project No. 6307959, McClintock Pool Infrastructure Equipment Replacement.

**RECOMMENDATION:** Award construction contract to Sun Eagle Corporation and professional services contract to Saemisch and Di Bella Architects, Inc.

**BACKGROUND INFORMATION:**

***Project History:***

McClintock Pool was constructed by the City of Tempe on Tempe Union High School District property through an IGA contractual agreement that originated in 1964. During the past fifteen years, the city has infused nearly \$1.3 million into McClintock pool through capital improvement projects which include: new heaters, new slides and an extensive renovation in 1996. Tempe Union High Schools and local swim clubs utilize the pool for physical education classes, swim team practice and local/regional swim team competitions. The pool is not currently open to the public for recreational swim.

The objective of this construction project is to complete necessary renovation and infrastructure improvements to the main competition pool and reopen to the public. A design has been completed and permitted by Saemisch + Di Bella Architects, Inc. (SDA). Moving forward, a post-design professional services proposal has been devised by SDA, and includes the scope of work listed below.

***Scope of Work – Construction Contract:***

The following items are included in the scope of work:

- Demolish, remove, and reconstruct pool shell, decking, and plumbing.
- Procure and install identified mechanical and electrical pool equipment.
- Construct new surge tank structure.
- Procure and install new bulkhead structure, diving stands, and competitive swimming starting platforms.
- Construct new entry stairs to pool (to accommodate recreational swimming).
- Add pool gate exits and lighting to accommodate updated building code.

***Scope of Work – Professional Services Contract:***

The following items are included in the scope of work for post-design professional services by SDA:

Issue responses to requests for information's (RFI) per discipline:

- Review shop drawings per each discipline.
- Issue architects supplemental instructions (ASI) as may be needed.
- Review expedited shop drawing reviews as requested by the city per discipline.
- Provide site visits to monitor compliance of construction drawings, and summarize observations in a field report letter enumerating conditions, including any corrective actions that may be required.
- Attend weekly construction meetings, and record and distribute weekly meeting minutes.
- Incorporate as-built project information as provided by the contractor for final 24" x 36" mylar record drawings along with CAD files.

**Contract Type:** *Design, Bid, Build*

**Procurement Method:**

Design, Bid, Build (lowest responsible bid) was selected as the construction delivery method due to the standardized details, project timeline, and the ability to develop precise plans and specifications for construction of this project. The scope of work does not warrant the use of Job Order or Construction Manager at Risk construction services. Staff reviewed the bid of Sun Eagle Corporation, the lowest responsible bid, and found it to be in order. The selection was based on the process set forth in A.R.S. § 34-201, et seq.

On September 22, 2016, the following bids were received:

Sun Eagle Corporation	\$2,466,500.00
Low Mountain Construction, Inc.	\$2,471,018.72
Bayley Construction, A General Partnership dba Ronald E. Bayley Construction of Arizona	\$2,486,000.00
DNG Construction, LLC.	\$2,535,741.96
Stratton Builders	\$2,582,000.00

**Contract Type:** *Professional services consultant contract.*

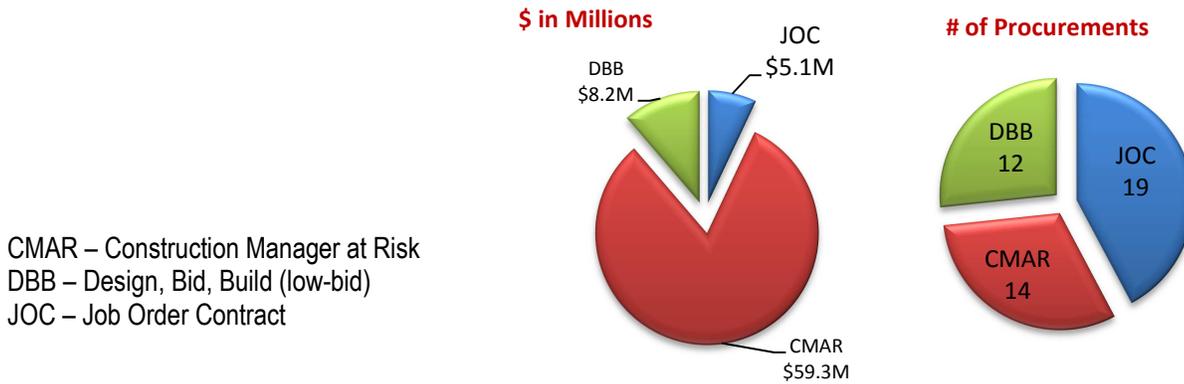
**Procurement Method – On-call Consultant Short List:**

Saemisch and Di Bella Architects, Inc. was selected from the Engineering Division's On-call Consultant Short List based on the scope of work for this project, their familiarity with the project, and the specific expertise required for successful completion of this work. The Short List is established using a qualifications based selection process, pursuant to Arizona Revised Statutes (ARS) § 34-103. This selection process includes evaluation of the firms who apply for each discipline based on the following selection criteria and relative weights (ARS prohibits the use of pricing as a criterion for this qualifications based process):

- 30% Overall capability and qualifications of the firm;
- 30% Relevant municipal project experience of the firm;
- 25% Qualifications and experience of the firm's key local staff, and;
- 15% Overall evaluation of the firm and its familiarity of local regulations.

Once Saemisch and Di Bella Architects, Inc. was selected from the Short List, staff worked with them to finalize the scope of work and negotiate the post-design fee. The proposed labor rates submitted by Saemisch and Di Bella Architects, Inc. were reviewed by staff and are consistent with industry standards.

Staff is providing a snapshot of the City's current CIP construction activity by procurement method:



CMAR – Construction Manager at Risk  
DBB – Design, Bid, Build (low-bid)  
JOC – Job Order Contract

**ATTACHMENTS:** Construction Contract and Professional Services Contract.

**STAFF CONTACT(S):** Marilyn DeRosa, Deputy Public Works Director/Interim City Engineer, (480) 350-2660

Department Director: Don Bessler, Public Works Director  
Legal review by: Chuck Cahoy, Deputy City Attorney  
Prepared by: Jennifer Svetichan, Public Works Supervisor - Admin