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

**Council Meeting Date: 11/13/2014**  
**Agenda Item: 5B11**

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**ACTION:** Award job order no. 13 to Builders Guild, Inc. for resurfacing of the swimming pool and related repairs at Kiwanis Recreation Center located at 6111 South All-America Way.

**FISCAL IMPACT:** The total job order amount is \$215,958.64 and the project contingency amount is \$21,000. Funds to cover this job order contract and related costs are appropriated for fiscal year 2014/15 in Capital Improvement Project No. 6304999, Aquatics Infrastructure and Equipment Replacement.

**RECOMMENDATION:** Award job order no. 13 with Builders Guild, Inc. through existing job order contract no. C2011-157.

**BACKGROUND INFORMATION:** The wave pool at the Kiwanis Recreation Center (KRC) has not been resurfaced since 1999. The average life span of pool resurfacing is 9 to 10 years. At 15 years old, the pool's surface has many cracks and is deteriorating.

The scope of work for this contract is to furnish all the labor and material required to completely remove existing surface and resurface the entire swimming pool. Work will also include pool's tile removal and replacement, cool deck repairs, application of epoxy to the concrete floor in the wave room, and installation of two additional ceiling fans to improve air circulation in the area of the main pool.

Job order contracting (JOC) was selected as the construction delivery method for this project in order to complete the pool resurfacing during the KRC building maintenance scheduled shutdown in December 2014. Job order contractors are required to select their subcontractors based on qualified bids, a combination of qualifications and bid price, which means the final job order price paid by the City includes the lowest subcontractor bids while at the same time assuring that the pool resurfacing is completed to the best industry standards and within the short time window for completing the project. In addition, the City was able to select a job order contractor with knowledge of pool resurfacing, which is important since there are no prior design documents or specifications completed for this work.

The long term deferred maintenance on the City infrastructure, living or static, is not a sound business strategy and detracts from the livability of the community, the lifecycle cost of the public resource and the stabilization of both residential and commercial property values.

The project contingency has been established at \$21,000, approximately ten percent (10%) of the contract amount, to cover possible unforeseen conditions during construction.

Job order contracting (JOC) was selected as the construction delivery method for this project primarily due to the tight schedule brought about by the recent failure of the drain valve. In order to be able to complete the repair work during the upcoming plant shutdown in November, there is insufficient time to procure construction services through design-bid-build or construction manager at risk selection. Hourly rates established in the standing JOC master contract will be used together with equipment and materials costs to assure a fair and appropriate fee based on actual work completed. The JOC process also helps to assure that the City will benefit from superior workmanship from a qualified contracting firm.

Builders Guild, Inc. was previously selected through a qualifications based process consistent with Arizona Revised Statutes, § 34-601 through 611 for job order contracting. The qualifications based selection process for job order contracting includes evaluating each contractor's statement of qualifications, in response to our request for qualifications (RFQ), and holding selection panel interviews with qualified firms based on the following criteria:

- 20% Relevant experience and qualifications of the proposed firm;
- 20% Relevant experience of key personnel;
- 20% Understanding of and approach to performing required services;

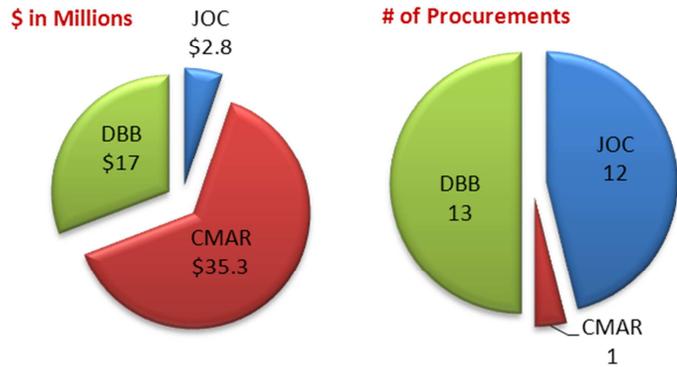
- 30% In depth discussion through question and answer session of the proposed firm's expertise, knowledge and qualifications of key personnel, and;
- 10% Overall evaluation of the proposed firm and its ability to provide the required services.

Once interviews are held, a final list of up to three qualified firms is established to negotiate and enter into contracts with. Once job order contracts are awarded, work is performed as a series of individual job orders. Scope, schedule and price are established for each individual job order, which is recommended to Mayor and Council for award if the job order exceeds \$50,000. For this project, staff has reviewed the proposal from Builders Guild, Inc. and found it to be reasonable for the scope of services.

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

At the close of the fiscal year, staff will provide a year-end summary to include all construction activity procured during the year.



**ATTACHMENTS:** Job Order and Exhibit A.

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