City Council Agenda Item Request
Submit to Clerk's Office
No later than 30 days before proposed Council meeting

1. **Date submitted to Clerk's Office:** 09/12/2025

2. **Primary contact person and Department requesting agenda item:** Rebecca Cipriano, Capital Management

3. **Requested Council meeting date:** 10/14/2025

4. **Subject:** Malvern Hills Park Design Contract Amendment

5. **Action Requested:** Resolution authorizing the City Manager to amend the design contract with Clark Nexsen, in the amount of $162,000.00, for the Malvern Hills Park Improvement project; and further authorizing the City Manager to execute any change orders that may arise during the project up to the contingency amount of $16,000.00.

6. **Note if time sensitive, and why:** Yes, the public has a strong interest in this project to be expedited. Postponing council review will result in a 5 week delay to the project.

7. **Potential fiscal impact(s) - if known by staff at time of request:**
    - Funding for this contract is included in the adopted 2024 GO Bond Capital Budget.

8. **Identify all vendor outreach for Minority & Women Owned Business Enterprises (MWBE).**
    - For the initial contract, staff performed outreach to minority and women owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System.
    - All A/E design firms on the City's MWBE list were emailed prior to advertising the project to inform them of upcoming City of Asheville Design Projects.

9. **Identify all Boards, Commissions and Council Committees with tentative dates - add in the vote and recommendation from each Board:** None.

10. **Identify key issues:**
    - Background
        i. The City of Asheville is replacing the existing 90 year old municipal pool in Malvern Hills Park with a new, modern, and code-compliant, accessible aquatic facility (including the pool house and pump house buildings) that enhances community recreation opportunities and ensures accessibility for all residents
        ii. A community preference survey was launched on the Public Input platform on March 31st, to gather community input for the pool project.
        iii. The survey concluded on April 28, 2025.
        iv. The Request for Qualifications was advertised on March 12th, 2025, which solicited design teams for design, architecture, and engineering of the Malvern Hills Park Project, a selection committee reviewed the qualifications of 11 firms.
        v. The design team led by Clark Nexsen from Asheville was selected as the most qualified to provide design services.The design fee was negotiated

to $269,400.00 with a $27,000.00 contingency, and a contract was approved by City Council on May 27, 2025.

vi. The scope for the original design contract included: planning, budgeting, designing, public meeting attendance and preparing construction documents for a $2,000,000.00 pool.

- Update:
  i. Updated construction estimates for the pool and the pool building are anticipated to exceed this original budget listed above, totaling $4,750,000.00 for construction.
  ii. Based on the additional design work required, the design fee and contract with Clark Nexsen will be adjusted accordingly with this council action.

- Upcoming
  i. The project is currently on schedule to conclude the design portion mid-2026.
  ii. Construction is anticipated to begin thereafter and be completed late 2027.
  iii. Staff is proposing to use a Construction Manager at Risk project delivery method in order to expedite the construction start date and will continue to expedite project delivery.

