THE CITY OF ASHEVILLE

STAFF REPORT

City Council Meeting Date: May 10, 2022

Subject: Amend two contracts associated with the Rankin Avenue Garage and Wall Street Garage Elevator Modernization Project.

Staff Resource(s): Ken Putnam, Transportation Department Director
Garrett Male, Parking Services Division Manager

Action Requested: Adopt a resolution ratifying and authorizing the City Manager to amend the following contracts:

- The Wooten Company to extend contract termination date to be June 30, 2022.
- Patton Construction Group, Inc. to extend contract termination date to be June 30, 2022.

Background:

- The City's contract with The Wooten Company to provide Construction Administration services for the modernization of elevators within the Rankin Avenue and Wall Street Parking Garages expired on January 31, 2022.
- Due to COVID-19 related supply chain and staffing issues, work has not been performed at the pace originally planned.
- The City's contract with Patton Construction Group, Inc. to provide general construction services for the modernization of elevators within the Rankin Avenue and Wall Street Parking Garages expired on January 31, 2022.
- Due to COVID-19 related supply chain and staffing issues, work has not been performed at the pace originally planned.
- Both contractors have been providing services under the terms of the contracts since the date of contract expiration to present, and this action would ratify those services provided and include them under the current contract terms.
- Both contractors have expressed a ready willingness to ensure that work is satisfactorily completed; it is recommended that both contracts be extended, with a new expiration date to be June 30, 2022.

Vendor Outreach Efforts:

- None.
- The contract with The Wooten Company was issued in 2016 as the result of a competitive bidding process; the contract with Patton Construction Group was issued in 2019 as the result of a competitive bidding process.

Council Goal(s):

- Transportation and Accessibility

Committee(s):

- None

Pro(s):

- This action will allow the elevators at the Rankin Avenue Garage and Wall Street Garage to reopen.

Con(s):

- Failure to take this action will result in the City's inability to safely reopen the elevators at the Rankin Avenue Garage and Wall Street Garage.

Fiscal Impact:

- There is no fiscal impact to the Parking Services Capital and/or Operating Budgets as a result of the recommended action.

Suggested Motion:

- Motion to adopt two resolutions ratifying and authorizing the City Manager to amend the following contracts:
  - The Wooten Company to extend contract termination date to be June 30, 2022.
  - Patton Construction Group, Inc. to extend contract termination date to be June 30, 2022.

Attachment(s)

- Resolutions

RESOLUTION NO. 22-____

RESOLUTION RATIFYING AND AUTHORIZING THE CITY MANAGER TO AMEND THE EXISTING PARKING GARAGE ELEVATOR MODERNIZATION CONSTRUCTION ADMINISTRATION SERVICES CONTRACT BETWEEN THE CITY OF ASHEVILLE AND THE WOOTEN COMPANY TO INCREASE THE CONTRACT VALUE AND EXTEND THE CONTRACT EXPIRATION DATE

WHEREAS, the City of Asheville has authority pursuant to N.C.G.S. §143 -129 for letting of public contracts; and

WHEREAS, the City of Asheville and The Wooten Company have entered into a contract to provide construction administration services for the modernization of elevators within the Rankin Avenue and Wall Street Parking Garages; and

WHEREAS, additional time and services are required to satisfactorily complete the modernization project; and

WHEREAS, the City and Asheville and The Wooten Company negotiated in good faith to make revisions to the contract, as described the proposed Amendment, in order to reflect the increase cost in providing the required construction administration services; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

City Council hereby ratifies and authorizes the City Manager to amend the existing Parking Garage Elevator Modernization, General Construction Contract between the City of Asheville and The Wooten Company to extend the contract termination date to be June 30, 2022.

Read, approved and adopted this the 10th day of May, 2022.

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City Clerk Mayor

Approved as to form:

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City Attorney

RESOLUTION NO. 22-____

RESOLUTION RATIFYING AND AUTHORIZING THE CITY MANAGER TO AMEND THE EXISTING PARKING GARAGE ELEVATOR MODERNIZATION GENERAL CONSTRUCTION SERVICES CONTRACT BETWEEN THE CITY OF ASHEVILLE AND PATTON CONSTRUCTION GROUP, INC. TO INCREASE THE CONTRACT VALUE AND EXTEND THE CONTRACT EXPIRATION DATE

WHEREAS, the City of Asheville has authority pursuant to N.C.G.S. §143 -129 for letting of public contracts; and

WHEREAS, the City of Asheville and Patton Construction Group, Inc. have entered into a contract to provide general construction services for the modernization of elevators within the Rankin Avenue and Wall Street Parking Garages; and

WHEREAS, additional time and services are required to satisfactorily complete the modernization project; and

WHEREAS, the City and Asheville and Patton Construction Group negotiated in good faith to make revisions to the contract, as described the proposed Amendment, in order to reflect the increase cost in providing the required construction administration services; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

City Council hereby authorizes the City Manager to amend the existing Parking Garage Elevator Modernization, Construction Administration Contract between the City of Asheville and Patton Construction Group, Inc. to extend the contract termination date to be June 30, 2022.

Read, approved and adopted this the 10th day of May, 2022.

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City Clerk Mayor

Approved as to form:

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City Attorney