THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: September 28, 2021

Subject: Harrah's Cherokee Center Asheville - Window Replacement & Concrete Repairs

Staff Resource(s): Jade Dundas, Capital Projects Director

Action Requested: Adoption of a resolution authorizing the City Manager to amend the executed construction contract with WxProofing, LLC., for the Harrah's Cherokee Center Asheville - Window Replacement & Concrete Repairs project to $1,222,885; with further authorization for the City Manager to execute any change orders that may arise during the remainder of the project up to the amount of $13,000, for a total construction contract amount not to exceed, $1,235,885.

Background:

- A bid alternate to include the rear deck storefront glass system was made available during bidding but the City did not have enough funds allocated at the time to take on the additional scope.
- Now that the base project has reached 90% completion with no significant unknown conditions arising, the alternate could be accepted with very little supplement project funding.
- WxProofing, LLC. has agreed to honor their original bid alternate pricing of $98,215 and will not upcharge to remobilize, which will occur to complete this work.
- The result of adding the bid alternate would cause the contract price to go beyond the original not to exceed contract value of $1,187,785.50 by $35,099.50.
- The new contract value would therefore be $1,222,885, with further authorization for up to $13,000 in contingency for a new not to exceed value of $1,235,885.
- The current contract completion date for this project is October, 2021 and the revised expected completion date would become January, 2022.

Vendor Outreach Efforts:

- This is a change to an existing contract.

Council Goal(s):

- A Clean and Healthy Environment & A Financially Resilient City

Committee(s):

- None

Pro(s):

- This will complete the window replacement in its entirety for the Harrah's Cherokee Center Asheville Arena Building, preventing a mismatch in performance and aesthetics.
- Saves staff time and resources from having to create a second bid package to address this scope at a later date, which would have needed to occur in the next 12 months.

Con(s):

- Long lead times on materials could push the completion of this additional scope to January, 2022.

Fiscal Impact:

- Funding for this contract amendment will come from previously approved budgets within the Harrah's Cherokee Center - Asheville Capital Improvement Program.

Suggested Motion:

- Motion to adopt a resolution authorizing the City Manager to amend the executed construction contract with WxProofing, LLC., for the Harrah's Cherokee Center Asheville - Window Replacement & Concrete Repairs project to $1,222,885; with further authorization for the City Manager to execute any change

orders that may arise during the remainder of the project up to the amount of $13,000, for a total construction contract amount not to exceed, $1,235,885.

Attachment(s)

- Resolution
- Map
- Progress and Before/After Photos

RESOLUTION NO. 21-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE CONSTRUCTION CONTRACT WITH WXPROOFING, LLC., FOR THE HARRAH'S CHEROKEE CENTER ASHEVILLE - WINDOW REPLACEMENT & CONCRETE REPAIRS PROJECT

WHEREAS, the City of Asheville has authority pursuant to Article 3 of Chapter 160A of the North Carolina General Statutes to enter into contracts for services with other entities; and

WHEREAS, the City desires to amend a contract with WxProofing, LLC., for the construction services for Harrah's Cherokee Center Asheville - Window Replacement & Concrete Repairs Project; and

WHEREAS, pursuant to N.C.G.S. § 143-129, bids were solicited for the Harrah's Cherokee Center Asheville - Window Replacement & Concrete Repairs Project# C1901**;** and

WHEREAS, WxProofing, LLC., of Greensboro, NC was awarded the contract in the amount up to $1,187,785.50; and

WHEREAS, the acceptance of an additional bid alternate to complete the storefront glass system has led to an increase in costs for construction services beyond the not to exceed threshold; and

WHEREAS, the amount of the additional costs are $35,099.50, and funding for the project is allocated within Harrah's Cherokee Center Asheville Capital Improvement funds;

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

The City Manager is hereby authorized to amend the executed construction contract with WxProofing, LLC., for the Harrah's Cherokee Center Asheville - Window Replacement & Concrete Repairs project to $1,222,885; with further authorization for the City Manager to execute any change orders that may arise during the remainder of the project up to the amount of $13,000, for a total construction contract amount not to exceed, $1,235,885.

Read, approved and adopted this the 28th day of September, 2021.

_____ _____

City Clerk Mayor

Approved as to form:

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City Attorney

Map of Project:
Harrah's Cherokee Center Asheville
87 Haywood St.
Asheville, NC 28801



Progress Photos
(Before and After Photos)



