THE CITY OF ASHEVILLE

STAFF REPORT

Council Meeting Date: July 27, 2021

Subject: Amend Splasheville Restoration Project Contract

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

Action Requested: Adoption of a resolution authorizing the City Manager to execute an amendment to the executed design-build contract with WPLaw Incorporated, in the amount of $23,440 for the Pack Square Park SPLASHEVILLE Fountain Restoration Project.

Background:

- The three Pack Square Park fountains were evaluated in Fall 2020.
- At that time, due to vandalism and repeated flooding of the vault, there was no power or water to the site.
- Without power and water the operability of the equipment could not be fully evaluated.
- In March 2021,the City entered into a design-build contract with WPLaw Incorporated (Fountains Division) of Lexington, SC to repair the Splasheville fountain for $214,765.
- The initial repairs have been completed.
- However, when the water and power were restored, additional essential equipment was not working including the main pump motor and chemical pumps.
- These additional funds allow for the equipment to be replaced and for the fountain to be placed back into operation.

Vendor Outreach Efforts:

- This is a change to an existing contract.
- Outreach for the original contract included staff performing outreach to minority- and women-owned businesses through solicitation processes which include posting on the State's Interactive Purchasing System and requiring prime contractors to reach out to Minority & Women-Owned Business Enterprise (MWBE) service providers for subcontracted services.
- No MWBE firms submitted bids with this prime contractor and all work will be self performed by the prime contractor.

Council Goal(s):

- A well planned and livable community.

Committee(s):

- Not applicable. Currently the Parks and Recreation Advisory Board is not meeting.

Pro(s):

- This contract amendment will fund the restoration of a highly used downtown amenity.
- The new equipment will provide a more reliable fountain feature.

Con(s):

- None

Fiscal Impact:

- Funding for this contract is included in the Pack Square maintenance budget in the Parks and Recreation Department's Adopted General Fund budget.

Suggested Motion:

- Motion to adopt a resolution authorizing the City Manager to execute an amendment to the executed design-build contract with WPLaw Incorporated, in the amount of $23,440 for the Pack Square Park SPLASHEVILLE Fountain Restoration Project.

Attachment(s)

- Resolution

RESOLUTION NO. 21-_____

RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE EXECUTED DESIGN-BUILD CONTRACT WITH WPLAW, FOUNTAIN DIVISION, INC. FOR THE PACK SQUARE PARK SPLASHEVILLE FOUNTAIN RESTORATION 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, pursuant to N.C.G.S. § 143-128.1A, the City passed resolution No.16-45 establishing criteria for determining when the design build method is appropriate. This criteria was described and approved for the Pack Square Park Splashville Fountain restoration project, City of Asheville; and

WHEREAS, the WPLAW, Inc., shall provide all design, labor, materials, and equipment for the project; and

WHEREAS, the amount of the amendment is $23,440, and funding for the project is allocated within the Parks and Recreation General Fund budget;

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

The City Manager is hereby authorized to execute an amendment to the executed design-build contract with WPLaw Incorporated, in the amount of $23,440 for the Pack Square Park SPLASHEVILLE Fountain Restoration Project. The total design build contract amount is not to exceed $285,075.

Read, approved, and adopted this the 27th day of July 2021.

_____ _____

City Clerk Mayor

Approved as to form:

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City Attorney