



**CITY OF KNOXVILLE, TENNESSEE**

**City Council**

**AGENDA INFORMATION SHEET**

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**AGENDA DATE:** July 30, 2019

**DEPARTMENT:** Finance

**DIRECTOR:** Jim York

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**AGENDA SUMMARY** A Resolution authorizing the Mayor to execute an amendment to an agreement with Volkert, Inc. to provide the Owner's Representative services to manage the planning, design, bidding and construction of a new Public Safety Complex, to increase the contract price by \$227,000.00 for a total contract amount not to exceed \$1,668,960.00.

**COUNCIL DISTRICT(S) AFFECTED** - District 5 - Mark Campen

**BACKGROUND** - Council approved the Owner's Representative Agreement with Volkert, Inc. on 11/6/2018, R-376-2018, for the development of a public safety complex. The contract was executed on November 20, 2018. The proposed amendment to this contract will add demolition and site improvements to the scope of work and increase the project budget by \$6,500,000. The additional negotiated Owners Representative Services fee paid to Volkert, Inc. will be \$227,500 which is three- and one-half percent of the additional program cost as established in the original contract.

**OPTIONS** - Approve or Deny

**RECOMMENDATION** - Approve

**ESTIMATED PROJECT SCHEDULE** - Timeline of the original executed Owner's Representative Agreement will remain the same.

**PRIOR ACTION/REVIEW** Council approved the Owner's Representative Agreement with Volkert, Inc. on 11/6/2018, R-376-2018. The total fee for basic Owner's Representative services through the Construction Phase and FFE Management is \$1,400,000. Optional warranty phase services are \$41,960.

**FISCAL INFORMATION** - The additional negotiated Owners Representative Services fee paid to Volkert, Inc. will be \$227,500 which is three- and one-half percent of the additional program costs, as reflected by an increase in the total Project budget of \$6,500,000.

**ATTACHMENTS:**

- RESOL Volkert C-19-0112 Amend No. 1 (DOCX)
- Volkert Owner Rep for New Public Safety Complex C-19-0112 - Amend Scope (DOCX)

<b>RESULT:</b>	<b>APPROVED [8 TO 1]</b>
<b>MOVER:</b>	Mark Campen, Fifth District
<b>SECONDER:</b>	Finbarr Saunders, Vice-Mayor, At-Large Seat C
<b>AYES:</b>	Campen, McKenzie, Rider, Roberto, Saunders, Stair, Wallace, Welch
<b>NAYS:</b>	Seema Singh

**HISTORY:**

<b>07/16/19</b>	<b>City Council</b>	<b>POSTPONED</b>
Next: 07/30/19		

## RESOLUTION

RESOLUTION NO. R-258-2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF KNOXVILLE AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO AN AGREEMENT WITH VOLKERT, INC. TO PROVIDE OWNER'S REPRESENTATIVE SERVICES TO MANAGE THE PLANNING, DESIGN, BIDDING AND CONSTRUCTION OF A NEW PUBLIC SAFETY COMPLEX, TO INCREASE THE CONTRACT PRICE BY \$227,000.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,668,960.00.

RESOLUTION NO: R-258-2019

REQUESTED BY: Finance Department  
PREPARED BY: Law Department

APPROVED: 7-30-2019

APPROVED AS AN EMERGENCY MEASURE: \_\_\_\_\_

MINUTE BOOK: 83 PAGE \_\_\_\_\_

WHEREAS, the City previously entered into an Agreement with Volkert, Inc. (Document No. C-19-0112) for Owner's Representative Services to facilitate the planning, design, bidding and construction of a new Public Safety Complex Project ("Project") for the City's Police and Fire Departments (the Agreement"); and

WHEREAS, the parties desire to amend the Agreement to add demolition and site improvements to the scope of work, thus increasing the Contract Price by \$227,500.00 which is 3.5% of the additional program costs, as reflected by an increase in the total Project budget by \$6,500,000.00.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF KNOXVILLE:**

**SECTION 1:** That the Mayor be, and hereby is, authorized to execute an Amendment, in a form substantially like the document attached hereto, between the City of Knoxville and Volkert,

Inc. to modify Document No. C-19-0112 to add demolition and site improvements to the scope of work, thus increasing the Contract Price by \$227,500.00, which is 3.5% of the additional program costs, as reflected by an increase in the total Project budget by \$6,500,000.00, for a new total contract price of the Agreement of \$1,668,960.00.

**SECTION 2:** This Resolution will take effect from and after its passage, the welfare of the City requiring it.

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Presiding Officer of the Council

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Recorder

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**FIRST AMENDMENT**

**THIS FIRST AMENDMENT** is made by and between the **City of Knoxville**, a municipal corporation organized and existing under the laws of the State of Tennessee, 400 Main Avenue, P.O. Box 1631, Knoxville, Tennessee 37901 (“City”), and **Volkert, Inc.**, 302 Innovation Drive, Suite 100, Franklin, Tennessee 37067 (“Contractor”). It modifies the Agreement known as Document No. C-19-0112 as follows:

**WITNESSETH:**

**WHEREAS**, the parties listed above previously entered into an Agreement for Owner’s Representative Services to facilitate the planning, design, bidding and construction of a new Public Safety Complex Project (“Project”) for the City’s Police and Fire Departments (the Agreement”); and

**WHEREAS**, the parties desire to amend the Agreement to add demolition and site improvements to the scope of work, increasing the Contract Price by \$227,500.00 which is 3.5% of the additional program cost, as reflected by an increase in the total Project budget by \$6,500,000.00; and

**WHEREAS**, the Contractor agrees to comply with all the conditions of the original Agreement.

**NOW, THEREFORE**, the City and the Contractor, for the mutual considerations stated herein, agree to modify Document No. C-19-0112 by increasing the Contract Price by \$227,500.00, which is 3.5% of the additional program costs, and by adding demolition and site improvements to the scope of work, as reflected by an increase in the total Project budget by \$6,500,000.00, for a new total contract price of the Agreement not to exceed \$1,668,960.00.

WITH THE EXCEPTION OF THE ABOVE-SPECIFIED MODIFICATION, ALL OTHER ARTICLES OF SAID ORIGINAL AGREEMENT WILL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, the City and the Grantee have executed this Amendment to Document No. C-19-0112, in two (2) copies as of the below-written date.

APPROVED AS TO FORM:

CITY OF KNOXVILLE

\_\_\_\_\_  
CHARLES W. SWANSON  
LAW DIRECTOR

BY: \_\_\_\_\_  
MADELINE ROGERO  
MAYOR

FUNDS CERTIFIED:

DATE: \_\_\_\_\_

\_\_\_\_\_  
JAMES YORK  
FINANCE DIRECTOR

VOLKERT, INC.  
BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

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*-The City of Knoxville is an EEO/AA/Title VI/Section 504/ADA/ADEA Employer-*