



Legislation Text

File #: ID 17-0796, **Version:** 1

Resolution Authorizing City Staff to Execute a Contract with Barnhill Contracting Company to Construct Phase 2 of the Steven B. Tanger Performing Arts Center for a sum not to exceed \$57,900,000

Department: Coliseum
Council District: All

Public Hearing: N/A
Advertising Date/By: N/A

Contact 1 and Phone: Matt Brown, 373-7406
Contact 2 and Phone: Rick Lusk, 373-2077

PURPOSE:

A City Council resolution is requested to authorize staff to execute a contract with Barnhill Contracting Company to construct Phase 2 of the Steven B. Tanger Performing Arts Center for a sum not to exceed \$57,900,000.

BACKGROUND:

On March 4, 2014, the City Council adopted a Resolution authorizing the Mayor and City Manager to enter into a Memorandum of Understanding (“MOU”) between the Community Foundation of Greater Greensboro (“CFGG”) and the City to design, finance, develop, construct, and manage the operations and programs of the proposed Steven B. Tanger Performing Arts Center (STPAC) for a total cost of \$65 million. The CFGG committed to raise \$35 million in private donations, and the City committed to funding \$30 million from Hotel and Motel Tax Revenues and User Fees from the VIP Parking Lot on the site of the STPAC. On December 8, 2015, the City increased its funding commitment to \$39.6 million and the CFGG increased its commitment to \$38.5 million. On April 25, 2017, City Council passed a resolution to construct Phase 1 of the project. Phase 1 will be completed in mid-December 2017, and the City has received construction documents to construct Phase 2 of the STPAC. Phase 1 consisted of making the site “shovel-ready”, which included Grading Earthwork and Storm Water Utilities, and the installation of Water, Sewer, and Electrical Utilities. Phase 2 will consist of the construction of the performing arts center and parking lot. The City Council will also be asked to approve an amendment to the MOU that increases the City’s funding commitment to \$42.9 million and increases the CFGG commitment to \$41.8 million.

On September 7, 2017, the Coliseum received two pre-qualification proposals from T. A. Loving Company and Barnhill Construction Company to construct Phase 2 of the STPAC. Bids were received on December 5, 2017. T.A. Loving submitted the lowest bid in the amount of \$56,574,000. However, based off of a review of their M/WBE package and participation, they were found to have not made a good faith effort. Barnhill Contracting Company submitted a bid in the amount of \$57,900,000. Based off a review of their M/WBE package and participation, they were found to have met the City’s M/WBE guidelines and requirements and were deemed by the City’s M/WBE office to have made a good-faith effort in retaining minority and women business participation for the project (see attached M/WBE office response).

The MOU established a 20% MWBE subcontracting goal for the eligible construction and supplier contracts. This 20% goal on the eligible construction and supplier contracts was also approved by the City's Goal Setting Committee September 26, 2014. After the City held an MWBE Outreach meeting during Phase 1, the City clarified the 20% goal as 10% MBE and 10% WBE participation. On bid day, Barnhill proposed to commit \$1,766,528 (3.1%) of the total contract value of \$57,900,000 to M/WBE firms.

BUDGET IMPACT:

The project cost of the Phase 2 GMP is not to exceed \$57,900,000. These project costs will be funded from accounts established in the Performing Arts Center Capital Project Fund. A budget adjustment is required to move funding into the correct accounts.

RECOMMENDATION / ACTION REQUESTED:

Pass a Resolution authorizing City staff to execute a contract with Barnhill Contracting Company for the construction of Phase 2 of the Steven B. Tanger Performing Arts Center for a sum not to exceed \$57,900,000.