

**PARKS, RECREATION & CULTURE MEMORANDUM
#25-2021**

DATE: Sept. 27, 2021

TO: Honorable Mayor Meredith Leighty and City Council Members

THROUGH: Heather Geyer, City Manager *hmg*

FROM: Amanda J. Peterson, Director of Parks, Recreation & Culture *ajp*
Eric Ensey, Senior Planner
Nathan Haasis, PE, Senior Engineer

SUBJECT: CR-101 – Professional Services Agreement Addendum #2 with Cumming Management Group

PURPOSE

To consider CR-101, a resolution approving Addendum #2 to the contract with Cumming Management Group (CMGI) for the Northglenn Civic Center (NGCC) Master Plan Phase I project.

BACKGROUND

In 2018, City Council approved a Professional Services Agreement with Cumming Management Group (then known as Project One). The consultant was retained to provide program and project management services associated with the implementation of Phase I of the NGCC project, including the construction of the new Recreation Center, Senior Center, and Theatre, along with the associated public infrastructure. Under the contract, the consultant has performed the duties of the owner's representative and project administrator for the project. The original contract was approved for \$881,980. Later, a budget reduction of \$101,345 was approved through a change order, reducing the total to \$780,635.

On Dec. 21, 2020, City Council approved Addendum #1 to the Professional Services Agreement, increasing the total contract value to \$1,111,106. Addendum #1 authorized funding for the consultant to provide program and project management services for the implementation of Phase II of the NGCC Master Plan, which will include the design and construction of a new city hall facility.

UPDATE

In 2018, CMGI provided an estimate for their fee for Phase I based on a 39-month schedule. The 39th month of work for CMGI occurred in July 2021; services are needed through the month of October. City staff has worked closely with CMGI to efficiently manage their time; as a result, there was a remaining contract value of approximately \$38,874.70 as of the end of July. To allow for CMGI to continue providing the same level of service through the month of October, an additional \$18,020.30 is needed.

This adjustment was calculated using:

- Average monthly billing from January through July 2021
 - \$18,965
- Estimate to complete
 - Three months x \$18,965 = \$56,895

- Remaining balance contract value
 - \$38,874.70
- Difference between estimate to complete and remaining contract value
 - \$18,020.30

CMGI continues to be a great partner on the Civic Center projects, Phase I and Phase II, and has proven to be an asset to the City throughout the project.

STAFF RECOMMENDATION

Attached is CR-101, a resolution that, if approved, would authorize the Mayor to execute Addendum #2 to the contract between the City and Cumming Management Group for Phase I of the Northglenn Civic Center Master Plan project in an amount not to exceed \$18,020.30. Staff recommends approval of CR-101.

BUDGET/TIME IMPLICATIONS

The contract addendum is for a not-to-exceed amount of \$18,020.30. This is included in the overall project budget for implementation of Phase I of the NGCC Master Plan. There is no increase to the overall project budget.

STAFF REFERENCE

If Council members have any questions, please contact Amanda Peterson, Director of Parks, Recreation & Culture, at 303.450.8950 or apeterson@northglenn.org.

CR-101 – Professional Services Agreement Addendum #2 with Cumming Management Group
Addendum #2 to Professional Services Agreement

SPONSORED BY: MAYOR LEIGHTY

COUNCILMAN'S RESOLUTION

RESOLUTION NO.

No. CR-101
Series of 2021

Series of 2021

A RESOLUTION APPROVING ADDENDUM #2 TO THE PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF NORTHGLENN AND CUMMING MANAGEMENT GROUP, INC. FOR PROGRAM AND PROJECT MANAGEMENT SERVICES FOR THE IMPLEMENTATION OF PHASE 1 OF THE CIVIC CENTER MASTER PLAN

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTHGLENN, COLORADO, THAT:

Section 1. Addendum #2 to the Professional Services Agreement between the City of Northglenn and Cumming Management Group, Inc., attached hereto, in an amount not to exceed \$18,020.30 for program and project management services for the implementation of Phase 1 of the Civic Center Master Plan is hereby approved and the Mayor is authorized to execute same on behalf of the City of Northglenn.

DATED at Northglenn, Colorado, this ____ day of _____, 2021.

MEREDITH LEIGHTY
Mayor

ATTEST:

JOHANNA SMALL, CMC
City Clerk

APPROVED AS TO FORM:

COREY Y. HOFFMANN
City Attorney

ADDENDUM #2 TO AGREEMENT FOR PROFESSIONAL SERVICES

THIS FIRST ADDENDUM TO AGREEMENT FOR PROFESSIONAL SERVICES is made and entered into this _____ day of _____, 20____, by and between the CITY OF NORTHGLENN, State of Colorado (hereinafter referred to as the "City") and Cumming Management Group, Inc. (hereinafter referred to as "Consultant").

RECITALS:

A. On April 9, 2018 the City and Consultant entered into an Agreement for Professional Services for the implementation of Phase 1 of the Civic Center Master Plan (the "Agreement").

B. On April 13, 2020 the City and Consultant executed an Amendment to the Agreement to reflect the identity of the new legal parties to the Agreement.

C. On April 20, 2020 the City and Consultant executed Change Order #1 to the Agreement to reduce the scope of services by \$101,345.

D. On December 21, 2020 the City and Consultant executed Addendum #1 to increase the scope of services to add Program and Project Management of Phase 2 of the Civic Center Master Plan, increasing the contract amount by \$330,471.

E. The parties desire to supplement the Agreement with this Addendum #2 to allow for an additional scope of services for:

Exhibit A, NGCC Masterplan Phase 1 Implementation Additional Services

AGREEMENT

NOW, THEREFORE, it is hereby agreed that for the consideration hereinafter set forth, that Consultant shall provide to the City, professional consulting services as needed in the manner provided in the Agreement.

1. The Scope of Services in the Agreement is hereby supplemented to include the scope of services for closeout attached hereto as **Exhibit A**, and incorporated herein by this reference (the "Additional Scope of Services"). Consultant shall commence work on the Additional Scope of Services within ten (10) days of the issuance of a Notice to Proceed.

2. Subparagraph A. of Article IV entitled "Compensation" is hereby amended to provide as follows:

A. Compensation shall be increased by \$18,020.30 for the work described in **Exhibit A** to this Addendum #2.

3. The original Agreement is in full force and effect and is hereby ratified by the City and the Consultant. The original Agreement, Addendum #1 and this Addendum #2 constitute all of the agreements between the City and the Consultant.

9/10/21

IN WITNESS WHEREOF, the parties hereto each herewith subscribe to the same in duplicate.

CITY OF NORTHGLENN, COLORADO

By: _____

Meredith Leighty

Print Name

Mayor

Title

Date

ATTEST:

Johanna Small, CMC, City Clerk

APPROVED AS TO FORM:

Corey Y. Hoffmann, City Attorney

CONSULTANT

By: *Kristen Ryle*

Vice President 9/15/2021

Title

Date

ATTEST:

[Signature]

DIRECTOR 9/15/2021

Title

Date

9/10/21

CMGI Additional Services Proposal

- Original Contract: \$881,980.00
- Deductive C.O.: (\$101,345.00)
- Revised Contract: **\$780,635.00** Based on a **39-month** schedule/services

- Billed thru July 2021: \$741,760.30 July 2021 was the **39th** month of services

- Remaining to Bill: \$ 38,874.70

- Average monthly billing in 2021 (Jan through July): \$18,965

- Remaining months (3 months)
 - o August: construction/punchlist
 - o September: sign-offs/punchlist
 - o October: closeout

- Estimated effort to complete: 3 months x \$18,965 = \$56,895

- Delta between the estimated to complete and the remaining/base contract value: \$56,895 - \$38,874.70 = **\$18,020.30**

- FCI construction schedule was extended 7 weeks from original duration (3 weeks for permit delay and 4 weeks for ASI #4 delay).