



PUBLIC FACILITIES AUTHORITY

Rusty Paul, Chairperson

John Paulson
Steve Soteres
Chris Burnett
Jody Reichel
Tibby DeJulio
Andy Bauman

Tuesday, April 17, 2018

Public Facilities Authority

Following the Work Session

SPECIAL CALLED MEETING OF THE CITY OF SANDY SPRINGS PUBLIC FACILITIES AUTHORITY (THE “AUTHORITY”)

City Council Chambers

1. **PFA18-33** **CALL TO ORDER** – Chairperson Rusty Paul
2. **PFA18-34** **ROLL CALL** – Secretary Michael Casey
3. **PFA18-35** **APPROVAL OF MEETING AGENDA**
4. **PFA18-36** Approval of the March 20, 2018 Public Facilities Authority Meeting Minutes
5. **PFA18-37** Resolution to Increase the Guaranteed Maximum Price for Construction of the City Springs Project, as Established by Change Order #18 Pursuant to the Provisions of a Certain Contract for Construction Between the City of Sandy Springs, GA and Holder Construction Group, LLC, Dated June 30, 2015, and to Authorize the General Manager to Execute the Change Order (Change Order #18)
(Presented by John McDonough, General Manager)
6. **PFA18-38** **ADJOURNMENT**

City Springs Update

April 17, 2018



SANDY SPRINGS
GEORGIA



Budget and Cost

- Approval of Change Order 18
- Review of pending items

Project Revenues

Funding Sources	Total Budget	Funded through 2/28/2018	Balance to Fund
Pay As You Go	\$38,250,000	\$38,250,000	\$0
Available City Center Funds	\$9,812,000	\$9,812,000	\$0
Land Sale Escrow	\$9,000,000	\$6,055,812	\$2,944,188
Bond Issuance	\$171,400,000	\$171,400,000	\$0
Interest Income	\$750,000	\$718,838	\$31,162
	\$229,212,000	\$226,236,650	\$2,975,350

Project Expenditures

Cost Uses	Total Budget	Funded through 2/28/2018	Balance to Fund
Construction	\$195,927,795	\$160,460,928	\$35,466,867
Consulting	\$17,175,808	\$17,129,423	\$46,385
Special Costs	\$10,945,260	\$9,971,615	\$973,645
Owner Contingency	\$5,163,137	\$0	\$5,163,137
	\$229,212,000	\$187,561,966	\$41,650,034

Change Order 18

- Scope/value additions
 - Access control revisions
 - Revised wall finishes (credit)
 - Added power at Conference Level terrace
 - Server room power final configuration
 - Outparcel landscape
 - Operable projector arms at Studio Theatre
 - Final allowance reconciliation
 - Ceiling revisions at Lobby/Gallery levels
- No change to occupancy date
- Transfer of Contingency: \$643,967

SANDY SPRINGS

Change Order 18

		3/29/2018	4/10/2018
COR-396	Bulletin 39 (8/14/17)- Security design changes (per submittal comments)	-\$4,183	-\$4,183
COR-446	Underground Detention Pond - Header System	\$6,499	\$6,499
COR-468	RFI #1496 - Restroom Building Brick Veneer Clarification	\$4,588	\$4,588
COR-469	RFI 1505 - PAC VIP Gallery Level Soffit Panel Layout Confirmation	\$5,403	\$5,403
COR-483	RFI 1471 Door Hardware coordination with FA, Electrical, Security	\$8,274	\$8,274
COR-494	Added Repeater Pole at JF	\$1,981	\$1,981
COR-495	ASI 114/114.01 - Duct and Wall changes at parking deck and portable dock leveler.	\$41,061	\$41,061
COR-502	Bulletin 49 dated 11/10/18 - Added Access Control	\$23,160	\$23,160
COR-505	ASI 115 - Wall type Changes for Studio Theater Smoke Barrier	\$9,367	\$9,367
COR-506	Bulletin 50 Dated 11/21/17 - RCP/ACT, MEP Revisions	\$221,063	\$150,000
COR-508	RFI 1499 - Omitted Wall Coverings WC-11 and WC-12	-\$43,542	-\$43,542
COR-521	RFI #1263 - Office Tower - West Face Knee Wall - Missing Detail Clarification	\$2,482	\$2,482
COR-531	Bulletin 52 dated 12/7/17 - Conference Terrace Power (owner add)	\$33,194	\$33,194
COR-541	ASI 118 dated 12/13/17 - Exterior glass rail waterproofing and restroom building details	\$9,136	\$9,136
COR-554	RFI 1616 - Prefunction Paint Color - Millwork Alignment - Furr-out wall	\$7,209	\$7,209
COR-556	RFI 1622 - RJTR Elevator Control Room S437 - D.F.H Clarification	\$1,431	\$1,431
COR-558	ASI 119/119.01 - Cable Pass Architectural Details	\$5,866	\$5,866
COR-570	RFI 1415 - Pop-Up D Structural vs. Architectural Drawing Clarifications	\$8,351	\$8,351
COR-581	Water Wall Final Design (moved from Budget Amendment Costs)		\$114,763

SANDY SPRINGS

Change Order 18

		3/29/2018	4/10/2018
COR-582	RFI 1597 - Server Room PDU Power Feed Clarifications	\$74,697	\$74,697
COR-583	RFI 1585 - Arbor Pit Ships Ladder Change Confirmation	\$2,357	\$2,403
COR-595	RFI 1666 - Area D Pop Up - Stair D01 Interior Lighting Clarifications	\$14,248	\$14,248
COR-607	RFI 1675 - Office Lobby Stair - Floor Finish Verification	\$3,261	\$3,261
COR-613	Operable Projector Arms - Studio Theatre only	\$29,639	\$29,639
COR-619	AHU-3 Return Fan	\$10,336	\$10,336
COR-624	Landscape/hardscape at outparcel	\$90,000	\$71,378
COR-631	Allowance Reconciliation #6	\$49,154	\$49,154
COR-632	Holder Bond - Change Order 18	\$3,015	\$3,811
			<u>\$643,967</u>

Summary

Owner Contingency	\$5,163,137
Change Order 18	\$643,967
Other Pending Items	\$1,236,282

Soft Costs Budget Transfer

- \$2,000,000 added in Dec. 2017 Budget Amendment
 - Held in Owner Contingency
- Extended duration for consultants
 - Design team
 - Special consultants
 - Project management
- Additional services
- Transfer \$707,520 to Consulting

SANDY SPRINGS

Soft Costs Budget Transfer

		12/19/2017		4/10/2018		Rem. Balance
Soft Cost Expenses (does not include legal)						
Rosser Basic Services To Finish	\$	487,520	\$	487,520	\$	-
Special Consultants Services To Finish	\$	241,775			\$	241,775
Rosser ASR Variance	\$	550,000			\$	550,000
City Directed Additional Rosser Services (Coiling Revisions, etc.)	\$	150,000			\$	150,000
Center Program Management extended through July 2018	\$	220,000	\$	220,000	\$	-
Ennis Parker Schedule Extension	\$	17,500			\$	17,500
Contingency	\$	380,000			\$	380,000
	\$	2,046,795	\$	707,520	\$	1,339,275

Schedule

ACTIVITY DESCRIPTION	ESTIMATED DATE OF COMPLETION
<i>Performing Arts Center</i>	
Certificate of Occupancy	Summer 2018
<i>Office Building / Studio Theatre</i>	
Move In	Early May 2018
<i>Park</i>	
Civic Roads/Hardscape/Plantings Complete	March/April 2018
Park Opening	May/June 2018
<i>Private Development</i>	
Private Development Roads/Hardscape Complete	Complete

* Schedule evaluation is in progress, with projections based on exposures known to date



Amended Project Expenditures

Cost Sources	Total Budget	Amended Budget	Budget Change
Construction	\$195,927,795	\$196,571,762	\$643,967
Consulting	\$17,175,808	\$17,883,328	\$707,520
Special Costs	\$10,945,260	\$10,945,260	\$0
Owner Contingency	\$5,163,137	\$3,811,650	(\$1,351,487)
	\$229,212,000	\$229,212,000	\$0

Questions

TO: Members of the City of Sandy Springs Public Facilities Authority (“PFA”)

FROM: John McDonough, General Manager of the PFA, and City Manager of the City of Sandy Springs (“City”)

DATE: April 12, 2018 for Submission on the April 17, 2018 PFA Meeting Agenda

ITEM: RESOLUTION TO INCREASE THE GUARANTEED MAXIMUM PRICE FOR CONSTRUCTION OF THE CITY SPRINGS PROJECT, AS ESTABLISHED BY CHANGE ORDER #18 PURSUANT TO THE PROVISIONS OF A CERTAIN CONTRACT FOR CONSTRUCTION BETWEEN THE CITY OF SANDY SPRINGS, GA AND HOLDER CONSTRUCTION GROUP, LLC, DATED JUNE 30, 2015, AND TO AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE CHANGE ORDER

Background and Discussion:

On June 16, 2015 at regular Council meeting, City Council adopted a resolution approving a certain Contract for Construction (“Contract”) between the City (subsequently assigned to the PFA) and Holder Construction Group, LLC (“Holder”) for constructing the City Springs project (“Project”).

Pursuant to the Contract, Holder agreed that the cost to the City of performing the work under the Contract, including the cost of the work described in the Contract, the general conditions costs, and Holder’s fee, shall not exceed the Guaranteed Maximum Price (“GMP”), as established by change order pursuant to the Contract. The Contract further provides that the establishment of the GMP shall be accomplished by written change order (“GMP Change Order”).

The Contract further provides that an adjustment to the GMP may be made as authorized by written change order. On February 16, 2016, Council approved a GMP value of \$180,057,353.00 for the Project. The GMP value was established by a GMP Change Order dated February 16, 2016, in accordance with Contract provisions.

On August 16, 2016, Council again approved an increase to the GMP by Change Order #5, resulting in a GMP value of \$188,956,290.00 for the Project. The increase was requested due to: transfers from the City held budgets for equipment, design evolution/completion, differing site conditions, and scope changes.

In October of 2016, Change Order #6 was executed by the City. Change Order #6 granted a time extension of forty-two (42) days; however, there was no increase to the GMP value.

The Contract was assigned by the City to the PFA in June of 2016, and on March 21, 2017, the PFA approved the actions taken by the City in Change Orders #5 and #6.

On March 7, 2017, the PFA approved Change Order #7, which increased the GMP value by the amount of \$2,854,088.00, for a new GMP value of \$191,810,378.00, and granted a time extension for fifty-six (56) calendar days. The overall budget for the Project was not increased by Change Order #7.

On May 2, 2017, the PFA approved Change Order #8, which increased the GMP by \$875,315.00, for a new GMP value of \$192,685,693.00.

On June 6, 2017, the PFA approved Change Order #9, which increased the GMP by \$19,921.00, for a new GMP value of \$192,705,614.00.

On July 18, 2017, the PFA approved Change Order #10, which decreased the GMP by \$352,722.00, for a new GMP value of \$192,352,892.00.

On August 15, 2017, the PFA approved Change Order #11, which increased the GMP by \$273,195.00, for a new GMP value of \$192,626,087.00.

On September 19, 2017, the PFA approved Change Order #12, which increased the GMP by \$946,031.00, for a new GMP value of \$193,572,118.00.

On October 17, 2017, the PFA approved Change Order #13 which increased the GMP by \$312,802.00, for a new GMP value of \$193,884,920.00.

On December 19, 2017, the PFA approved Change Order #14 which increased the GMP by \$384,093.00, for a new GMP value of \$194,269,013.00.

On January 16, 2018, the PFA approved Change Order #15 which increased the GMP by \$466,341.00, for a new GMP value of \$194,735,354.00.

On February 20, 2018, the PFA approved Change Order #16 which increased the GMP by \$587,136.00, for a new GMP value of \$195,322,490.00.

On March 20, 2018, the PFA approved Change Order #17 which increased the GMP by \$605,305.00, for a new GMP value of \$195,927,795.00.

Holder has now requested approval of Change Order #18 pursuant to the terms of the Contract, which will increase the GMP by \$643,967.00, for a new GMP value of \$196,571,762.00. Such GMP increase is for scope/value additions, including: access control revisions; revised wall finishes; added power at conference level terrace; server room power final configuration; outparcel landscape; operable projector arms at studio theatre; final allowance reconciliation; and ceiling revisions at lobby/gallery levels.

Change Order #18 does not change the occupancy date.

When Change Order #18 is executed, the increase to the GMP will effectively be added to the Contract. A copy of Change Order #18 is attached to the Resolution.

Recommendation:

Project consultants and the General Manager recommend that the PFA approve an increase to the GMP value of \$643,967.00, for a new GMP value of \$196,571,762.00, and further recommend that the PFA authorize the General Manager to execute Change Order #18.

Alternative:

Reject the recommendation and provide further instruction to the General Manager and Project consultants.

Attachments:

Resolution with attached Change Order #18.

**STATE OF GEORGIA
COUNTY OF FULTON**

**RESOLUTION TO INCREASE THE GUARANTEED MAXIMUM PRICE FOR
CONSTRUCTION OF THE CITY SPRINGS PROJECT, AS ESTABLISHED BY CHANGE
ORDER #18 PURSUANT TO THE PROVISIONS OF A CERTAIN CONTRACT FOR
CONSTRUCTION BETWEEN THE CITY OF SANDY SPRINGS, GA AND HOLDER
CONSTRUCTION GROUP, LLC, DATED JUNE 30, 2015, AND TO AUTHORIZE THE
GENERAL MANAGER TO EXECUTE THE CHANGE ORDER**

WHEREAS, on June 16, 2015 at regular Council meeting, City Council adopted a resolution approving a certain Contract for Construction ("Contract") between the City of Sandy Springs, GA ("City") and Holder Construction Group, LLC ("Holder") for constructing the City Springs project ("Project"); and

WHEREAS, pursuant to the Contract, Holder agreed that the cost to the City of performing the work under the Contract, including the cost of the work described therein, the general conditions costs, and Holder's fee, shall not exceed the Guaranteed Maximum Price ("GMP"), as established by change order pursuant to the Contract; and

WHEREAS, on February 16, 2016, City Council approved a GMP of \$180,057,353.00 for the Project by change order, in accordance with Contract provisions; and

WHEREAS, the Contract provides that an adjustment to the GMP may be made as authorized by written change order; and

WHEREAS, on August 16, 2016, Council again approved an increase to the GMP by Change Order #5, resulting in a GMP value of \$188,956,290.00 for the Project for transfers from the City held budgets for equipment, design evolution/completion, differing site conditions, and scope changes; and

WHEREAS, in October of 2016, Change Order #6 was executed by the City, which granted a time extension of forty-two (42) days but did not increase the GMP value; and

WHEREAS, the Contract was assigned by the City to the PFA in June of 2016, and on March 21, 2017, the PFA approved the actions taken by the City in Change Orders #5 and #6; and

WHEREAS, on March 7, 2017, the PFA approved Change Order #7 which increased the GMP value by the amount of \$2,854,088.00, for a new GMP value of \$191,810,378.00, and granted a time extension for fifty-six (56) calendar days; and

WHEREAS, on May 2, 2017, the PFA approved Change Order #8 which increased the GMP by \$875,315.00, for a new GMP value of \$192,685,693.00; and

WHEREAS, on June 6, 2017, the PFA approved Change Order #9 which increased the GMP by \$19,921.00, for a new GMP value of \$192,705,614.00; and

WHEREAS, on July 18, 2017, the PFA approved Change Order #10 which decreased the GMP by \$352,722.00, for a new GMP value of \$192,352,892.00; and

WHEREAS, on August 15, 2017, the PFA approved Change Order #11 which increased the GMP by \$273,195.00, for a new GMP value of \$192,626,087.00; and

WHEREAS, on September 19, 2017, the PFA approved Change Order #12 which increased the GMP by \$946,031.00, for a new GMP value of \$193,572,118.00; and

WHEREAS, on October 17, 2017, the PFA approved Change Order #13 which increased the GMP by \$312,802.00, for a new GMP value of \$193,884,920.00; and

WHEREAS, on December 19, 2017, the PFA approved Change Order #14 which increased the GMP by \$384,093.00, for a new GMP value of \$194,269,013.00; and

WHEREAS, on January 16, 2018, the PFA approved Change Order #15 which increased the GMP by \$466,341.00, for a new GMP value of \$194,735,354.00; and

WHEREAS, on February 20, 2018, the PFA approved Change Order #16 which increased the GMP by \$587,136.00, for a new GMP value of \$195,322,490.00; and

WHEREAS, on March 20, 2018, the PFA approved Change Order #17 which increased the GMP by \$605,305.00, for a new GMP value of \$195,927,795.00; and

WHEREAS, Holder has now requested approval of Change Order #18 pursuant to the terms of the Contract, which will increase the GMP by \$643,967.00, for a new GMP value of \$196,571,762.00; and

WHEREAS, such GMP increase is for scope/value additions, including: access control revisions; revised wall finishes; added power at conference level terrace; server room power final configuration; outparcel landscape; operable projector arms at studio theatre; final allowance reconciliation; and ceiling revisions at lobby/gallery levels; and

WHEREAS, Change Order #18 will not change the occupancy date for the Project; and

WHEREAS, Change Order #18, when executed, will effectively be added to the Contract; and

WHEREAS, Project consultants and the General Manager recommend that the PFA approve the attached Change Order #18; and

WHEREAS, Project consultants and the General Manager further recommend that the PFA authorize the General Manager to execute the attached Change Order #18; and

WHEREAS, the PFA desires to approve Change Order #18, as recommended, and to authorize the General Manager to execute Change Order #18.

NOW, THEREFORE, BE IT RESOLVED by the City of Sandy Springs Public Facilities Authority, as follows:

1. An increase to the GMP of \$643,967.00, for a new GMP value of \$196,571,762.00, is hereby approved; and
2. The attached Change Order #18 is hereby approved; and
3. The General Manager of the PFA is hereby authorized to execute the attached Change Order #18; and
4. The General Manager and the attorney for the PFA are hereby authorized to make such minor revisions to Change Order #18 as may be deemed reasonable, necessary, and in the best interest of the

PFA prior to execution by the General Manager, and will promptly report any revisions to members of the PFA; and

5. The General Manager and the attorney for the PFA are hereby authorized to take such actions deemed necessary or prudent to effectuate the intent of this resolution.

RESOLVED this the 17th day of April, 2018.

Approved:

Russell K. Paul, Chairman

Attest:

Michael D. Casey, Secretary

(Seal)

ATTACHMENT
CHANGE ORDER #18

CHANGE ORDER

PROJECT NAME: CITY OF SANDY SPRINGS, GA, CITY SPRINGS PROJECT (Formerly referred to as CITY CENTER PROJECT)

OWNER: CITY OF SANDY SPRINGS, GA

CONSTRUCTION MANAGER: HOLDER CONSTRUCTION GROUP, LLC

DATE OF AGREEMENT: JUNE 30, 2015

DATE OF THIS CHANGE ORDER: APRIL 17, 2018

CHANGE ORDER NUMBER: 18

The Agreement between Owner and Construction Manager (the "Agreement") is changed as follows:

1. Pursuant to Sections 5.3 and 7.2 of the Agreement and Section 11.1.3 of the General Conditions, the Guaranteed Maximum Price and Contract Time are adjusted, as set forth in this Change Order, for the changes in the Work set forth in the following Bulletins and ASIs issued by Rosser International, Inc.:

-) Bulletin 39 dated 8/14/17
-) ASI 114/114.01
-) Bulletin 49 dated 11/10/18
-) ASI 115
-) Bulletin 50R2 dated 4/3/18
-) Bulletin 52 dated 12/7/17
-) Bulletin 52R1 dated 12/22/17
-) ASI 118
-) ASI 119/119.01

including other miscellaneous changes referenced in the COR's identified below.

The adjustments to the Guaranteed Maximum Price and Contract Time made by this Change Order are based upon the following COR's issued by Construction Manager. The COR's are identified herein for reference and to clarify the bases of the adjustments to the Guaranteed Maximum Price and Contract Time only and are not incorporated into the Contract and are not Contract Documents.

COR's and back-up 396, 446, 468, 469, 483, 494, 495, 502, 505, 506, 508, 521, 531, 541, 554, 556, 558, 570, 581, 582, 583, 595, 607, 613, 619, 624, 631, and 632

The Owner and Construction Manager expressly acknowledge and agree that the changes in the Work and the adjustments to the Guaranteed Maximum Price made by this Change Order are subject to the clarifications and exclusions identified by the Construction Manager in each of the foregoing COR's.

2. The Owner and Construction Manager acknowledge the Owner's acceptance of the following Contingency Authorizations issued by the Construction Manager: CA-024, CA-074, CA-083, CA-085, CA-087, CA-089, and CA-094.
3. Unless otherwise defined herein, all capitalized terms used in this Change Order shall have the meanings ascribed to them in the Agreement. Except as expressly changed herein, all terms and conditions of the Agreement shall remain unchanged and in full force and effect.

The Contract Time is hereby ~~increased~~~~decreased~~ by the following number of calendar days: 0 days

The Construction Manager hereby waives and releases any claim it may have against the Owner for any adjustment in the Contract Time resulting from, or related to, the change reflected in this Change Order, except as agreed to above.

The Contract Sum / GMP is hereby ~~increased~~~~decreased~~ by \$643,967.00

The Construction Manager hereby waives and releases any claim it may have against the Owner for any adjustment in the Contract Sum / GMP arising out of, or related to, the changes reflected in this Change Order, including, but not limited to, any claim for damages due to delay, disruption, hindrance, impact, interference, inefficiencies or extra work arising out of, resulting from, or related to, the change reflected in this Change Order, except as agreed to above.

Original Contract Sum / GMP: \$12,631,702.00

Net Change by Previous Change Orders: \$183,296,093.00

Contract Sum / GMP before this Change Order: \$195,927,795.00

Increase in this Change Order: \$643,967.00

Contract Sum / GMP, as adjusted by this Change Order: \$196,571,762.00

~~Increase~~~~Decrease~~ in Contract Time: 0 days

Upon execution of this Change Order by Owner and Construction Manager, the above-referenced change shall become a valid and binding part of the original Agreement without exception or qualification, unless noted in this Change Order.

Owner

Construction Manager

By: _____

By: _____

Date: _____

Date: _____