

Date of Meeting: July 12, 2016

8

**BOARD OF SUPERVISORS
FINANCE/GOVERNMENT OPERATIONS AND
ECONOMIC DEVELOPMENT COMMITTEE
ACTION ITEM**

SUBJECT: **AWARD AUTHORITY INCREASE/Architectural and Engineering Services for the Phase III Expansion of the Courts Complex**

ELECTION DISTRICT: Leesburg

CRITICAL ACTION DATE: July 12, 2016

STAFF CONTACTS: Joe Kroboth, Transportation and Capital Infrastructure
Mark Hoffman, Transportation and Capital Infrastructure
Christopher Bresley, Finance and Procurement

PURPOSE: To increase the award authority of the Architectural and Engineering Services for the Phase III Expansion of the Courts Complex by \$700,000.

RECOMMENDATION: Staff recommends that the Finance/Government Operations and Economic Development Committee (FGOEDC) authorize the Purchasing Agent to increase the award authority for the Architectural and Engineering Services for the Phase III Expansion of the Courts Complex to Dewberry Architects, Inc., by \$700,000 for a new total amount of \$7,648,807.

BACKGROUND: Request for Proposal No. QQ-01782 was issued on March 29, 2013 for Architectural and Engineering Services for the Phase III Expansion of the Courts Complex. Twelve proposals were received on May 2, 2013 and evaluated by the Proposal Analysis Group (PAG). Based on the recommendation of the PAG, four firms were interviewed and Dewberry Architects, Inc. was determined to be the top ranked firm. At their October 16, 2013 Business Meeting, the Board of Supervisors approved the award of the design contract in the estimated amount of \$5,690,461.

The contract's scope of work includes all architectural and engineering services for the design and construction administration for a structured parking garage at the current Pennington Parking Lot site, new construction of an 92,000 gross square feet (GSF) Courts building at the Church Street Parking Lot site and renovation to the existing Courts buildings at 18 and 20 East Market Street while maintaining Courts operations throughout the project.

ISSUES:

The Town of Leesburg Board of Architectural Review (BAR) process: The Loudoun County Courthouse Expansion-Phase III began with expectations that the BAR would have an active interest in this project, as would the citizens of the Town of Leesburg. All efforts were made to identify the schedule impact this would have and an overall project process schedule was created by DTCI staff with input from Town of Leesburg staff. Early meetings were held with Town of Leesburg staff, who indicated that they would cooperate in the process to create efficiencies. Part of this process included simultaneous review of site and building to reduce overall time frame (and with that a reduction of escalation of construction costs.)

The design team worked with the Courts, stakeholders and DTCI staff to create a functional building within the County's budget. In execution, this proved more difficult than initially considered. Throughout the re-zoning, plan amendment and BAR process many issues associated with the critical review of the design arose, which created extra effort for the design team. The BAR process required extensive redesign of the building. These changes had an impact on civil, structural, mechanical, plumbing, fire protection, security, and other building systems.

The increased cost to courthouse construction alone, due to the increased complexity of the new courthouse building design as requested by the BAR, has exceeded \$1.6 million. Changes included providing gable roofs in lieu of a flat roof, building envelope modifications to include building projections and recesses, added brick banding, thickened walls at the base of the building, added site design, and site structures as examples. The landscape design associated with this proposed building is still under review by the Town of Leesburg BAR and may continue as the construction documents are produced. These requests generated design and re-design efforts, which have impacted the initial design fee.

The Town of Leesburg Rezoning and Plan Amendment Process: The rezoning and plan amendment process required the design team to make revisions to the site plans and structures with each new site plan submittal. Again, these requested changes from the Town have added to the design effort and have impacted the design fee. These changes had to be made within a very short time period so new designs could be ready for following presentations to the Planning Commission and Town Council.

In addition, the Town requested that the Designer study over 150 acres of land feeding into the existing storm water management system in the area of the new Pennington Parking Structure, Semones Lot, and Courthouse. The design team was required to solve existing upstream and downstream issues of both flooding and storm water capacity in several areas of downtown as part of the approval of this project. In several instances, after designing a working solution, the design team was asked to redesign different approaches by the Town of Leesburg staff reviewers.

Another impact has been the addition of the 4th level and redesign of the parking garage. This has become an area of a significant comment and the need for additional requirements. The Leesburg Town Council approval of the Pennington Lot rezoning, required several additional design revisions. These revisions included redesign of the Storm Water Management System, custom designed storm water structures, several design options for the Pennington Parking Structure envelope, unanticipated security measures to the 4th deck of the parking structure, several site plan design options, and additional lighting design analyses.

The estimated total additional construction costs related to Town Council and Planning Commission requests exceeds \$3 million. To address these issues and the BAR-related issues, the design contract awarded to Dewberry Architects has been increased by \$1,258,345 under staff authority. An additional \$700,000 is anticipated to be needed to complete the project design.

FISCAL IMPACT: Sufficient funding is available in the Courts Complex Phase III Design project account in the Capital Fund to increase the contract award authority by \$700,000 for a new award authority amount of \$7,648,807. Current design appropriations total \$9,326,000 consisting of lease revenue bond proceeds and local tax funds. The current unencumbered balance for design services totals \$1,412,096, which is sufficient to increase the design contract award authority by \$700,000.

ALTERNATIVES:

1. Authorize the Purchasing Agent to increase the award authority for the Architectural and Engineering Services for the Phase III Expansion of the Courts Complex to Dewberry Architects, Inc., by \$700,000 for a new total amount of \$7,648,807.
2. Do not authorize the award authority increase and direct staff on how to proceed.

DRAFT MOTIONS:

1. I move that the Finance/Government Operations and Economic Development Committee authorize the Purchasing Agent to increase the award authority for the Architectural and Engineering Services for the Phase III Expansion of the Courts Complex to Dewberry Architects, Inc., by \$700,000 for a new total amount of \$7,648,807.

OR

2. I move an alternative motion.