


COUNCIL COMMUNICATION

	Number:	23-454	Meeting:	October 23, 2023
	Agenda Item:	8	Roll Call:	23-1406
	Submitted by:	John F. TeKippe, Fire Chief, James M. Hoff, Assistant City Manager, and Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approving Agreement with Ryan Companies US, Inc. for Construction Manager at Risk services for the Des Moines Fire Station No. 4 Replacement, with pre-construction services not to exceed \$140,100.

SYNOPSIS:

Recommend approval of the Agreement with Ryan Companies US, Inc. (Michael R. McElroy, President, 533 South Third Street, Suite 100, Minneapolis, Minnesota, 55415) for a total cost not to exceed \$140,100, based on hourly rates, to provide pre-construction services for the Des Moines Fire Station No. 4 Replacement project.

FISCAL IMPACT:

Amount: \$140,100

Funding Source: 2023-2024 Capital Improvement Program (CIP), Page 65, Fire Station 4, BL136, Being: Ground Emergency Medical Transportation Funds transferred from 2023-24 CIP, Page 52, Fire Building Improvements, BL063

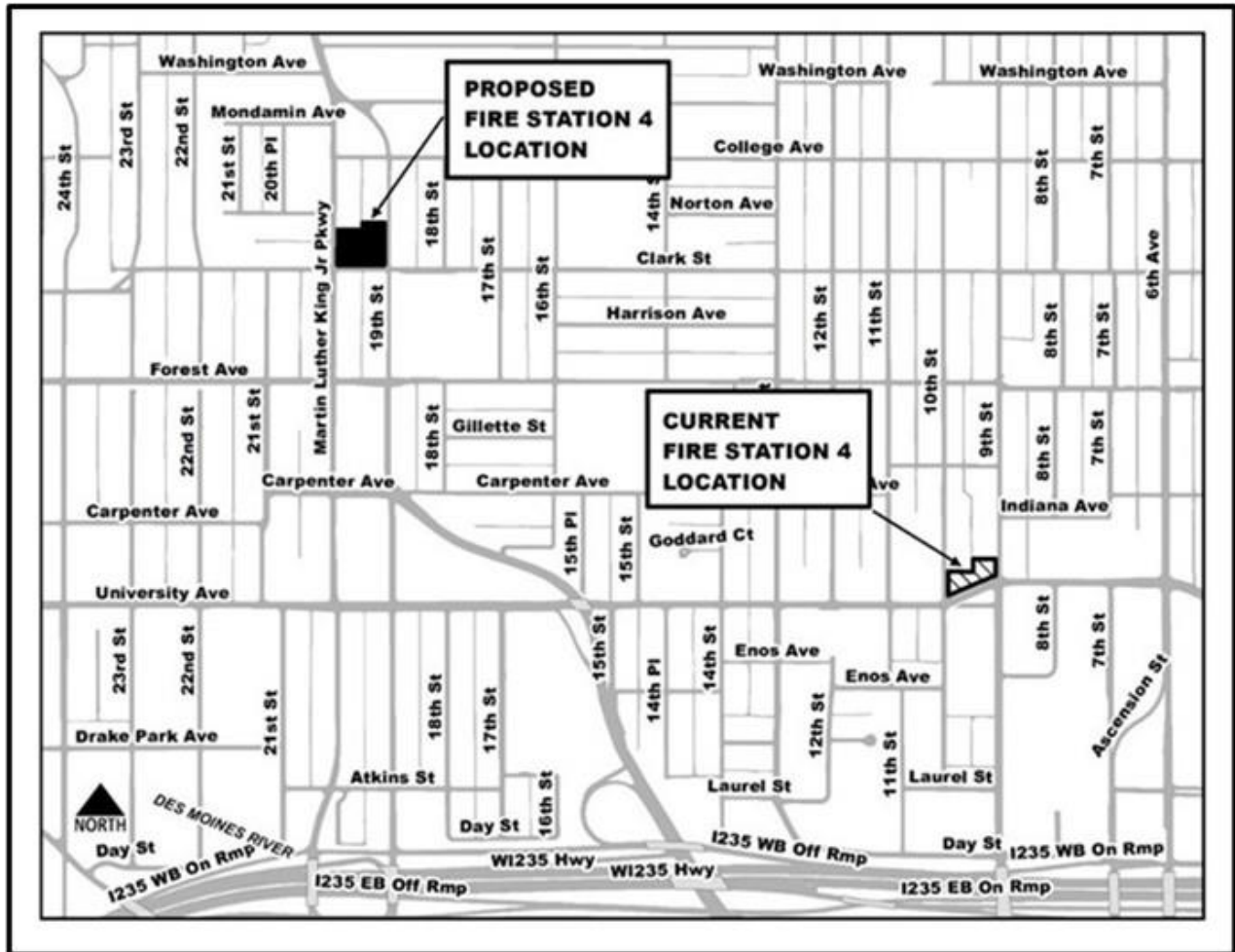
ADDITIONAL INFORMATION:

- On July 1, 2022, Senate File 183 established a new Chapter 26A of the Iowa Code, which allows and authorizes public improvement projects to be constructed under the Construction Manager at Risk (CMR) project delivery method.
- CMR is defined in Iowa Code Chapter 26A as a sole proprietorship, partnership, corporation, or other legal entity that assumes the risk for construction, rehabilitation, alteration, or repair of a project and provides consultant services to the government entity in the project development and design phases, working collaboratively with the design professionals involved. A CMR project delivery method involves the negotiation of a Guaranteed Maximum Price (GMP) for the project with a construction manager who agrees to complete the project for the public entity-owner within the GMP. The GMP includes the cost of the construction work (including work performed by subcontractors and any self-performed work by the construction manager), plus the construction manager's negotiated fee. CMR cannot be used on highway, bridge, or culvert construction projects.

- City staff prepared and issued a Notice of Intent, Request for Qualifications (RFQ), and Request for Proposals (RFP) with the intention of being used to procure a CMR. A selection committee of Engineering and Facilities staff received and reviewed the 12 statements of qualifications received in response to the RFQ and invited the top three (3) ranked firms to submit a RFP. Subsequently, the selection committee reviewed the three (3) proposals received in response to the RFP and interviewed all three (3) firms submitting proposals. Ryan Companies US, Inc. was selected to provide CMR services for this project based upon the selection criteria in the RFQ and RFP, as well as their demonstrated project approach, understanding, and related project experience.
- The Scope of Services to be performed by the Construction Manager under this Agreement for pre-construction services shall include design review and constructability recommendations, scheduling, cost estimating, value engineering, construction bid packaging, and subcontractor and supplier procurement in compliance with the requirements of Iowa Code Chapter 26A.
- City staff have negotiated an Agreement with Ryan Companies US, Inc. for a total cost not to exceed \$140,100, based on hourly rates, to provide pre-construction services for the Des Moines Fire Station No. 4 Replacement project.
- At a time to be mutually agreed upon by the City and the Construction Manager, the Construction Manager shall prepare a GMP proposal, including the sum of the estimated Cost of the Work, contingencies, and the Construction Manager's Fee percentage as established in the RFP. A GMP amendment to this Agreement will require future Council action and begin the construction phase of the project.
- Prior to the review of CMR Statements of Qualifications and Proposals, a RFP for design services of Fire Station No. 4 had been issued and posted on the City's website. Substance, LLC was selected to provide architectural design services based on their team's qualifications and experience with similar projects. WSKF Architects, an expert in public safety design, is included on the design team. On June 12, 2023, by Roll Call No. 23-0798, City Council approved a PSA with Substance, LLC for design services. As part of their pre-construction services, Ryan Companies US, Inc. will work very closely with Substance, LLC during the design process with the intent to develop a cost efficient and constructable design for this facility.
- As part of the Fire Department's long-term planning for fire station replacement, this project provides for the replacement and relocation of Fire Station No. 4. The new station will be similar in size to the newly constructed Fire Station No. 11 but will also include the addition of a fourth apparatus bay and a stair training tower.
- Fire Station No. 4 has been identified as the highest priority replacement project for the Fire Department for two (2) main reasons:
 - The ability to improve service delivery to the residents and guests of Des Moines in that area of the city; and
 - The opportunity to replace the second oldest fire station in the City.
- A project page was established on the City's website in May 2022. A virtual public meeting was held May 26, 2022, to share information regarding site selection and project planning with neighborhood residents. A recording of that meeting was posted to the project page. City staff

also attended a meeting of the King Irving Neighborhood Association on June 16, 2022, to present the project and answer questions. Project information and updates may be found at this link: https://www.dsm.city/departments/engineering - division/fire_station_no_4.php.

- The estimated construction cost is \$7,850,000. The design team will prepare proposed plans, specifications, and form of contract documents available for public inspection.
- Property acquisition for this project is currently underway and is expected to be completed by fall of 2023, with construction expected to begin in 2024 and be completed in 2025.



PREVIOUS COUNCIL ACTION(S):

Date: June 12, 2023

Roll Call Number: [23-0798](#)

Action: [Approving](#) Professional Services Agreement with Substance, LLC for the Des Moines Fire Station No. 4 Replacement project, not to exceed \$965,060. ([Council Communication No. 23-284](#)) Moved by Gatto to adopt. Second by Mandelbaum. Motion Carried 6-1. Absent: Sheumaker.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

City staff anticipate future Council action on this Agreement to approve a Guaranteed Maximum Price Amendment related to proceeding with construction of the Des Moines Fire Station No. 4 Replacement project.

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