



CITY OF ALLENTOWN

No. _____

RESOLUTION

R96 - 2023

Introduced by the Administration on June 13, 2023

Authorization for Contract price increase of 10% or more for an existing Contract over \$40,000.00, that was previously Bid and Awarded under City Policies, with BL Companies Pennsylvania, Inc. in the amount of \$6,000.00 that was previously bid for design and preparing the construction documents for the Valania Park Improvements Project.

Resolved by the Council of the City of Allentown, That

WHEREAS, Article 130.16 of the City's Administrative Code (recodified as §5-21) requires City Council approval by Resolution for the award of contracts or engagement of professional services.

WHEREAS, it is the desire of the City of Allentown to increase the contractual sum of the previously awarded agreement with the following named contractor/consultant, for the use and purpose indicated in supporting the Recommendation of Award or Contract dated August 12, 2019-:

1. Name of Contractor/Consultant: BL Companies Pennsylvania, Inc.
2. Project or Contract Reference: C27-000062/Bid No. 2019-07 - Valania Park Improvement Project
3. Description of Service(s) to be provided: The Contractor shall provide the services of designing and preparing the construction documents for the Valania Park Improvements Project.

NOW, THEREFORE, BE IT RESOLVED, on this the 7th day of June, 2023, that the Council of the City of Allentown, hereby authorizes the Mayor and/or such other City officials as deemed appropriate by the City Solicitor, to sign and execute a Contract or Amendment and such other agreements and documents as are deemed by the City Solicitor to be necessary and/or related thereto, with the above named contractor/consultant, for the project identified.

SUBJECT: Request for Approval by City Council of Contract Price Increase Pursuant to City Ordinance, Article 130.16

Project or Contract Reference: C27-000062/Bid No. 2019-07 - Valania Park
Renovation

TO: City Council, City Clerk, and Council Solicitor

FROM: Mandy Tolino, Department Head

DATE: May 26, 2023

Pursuant to City Ordinances, Article 130.16, this Recommendation of Award is before City Council for it's approval of the contract consideration increase.

- This recommendation is for a contract consideration increase of 10% or more for an existing contractual sum. Said contract was previously bid and awarded under city policies.
- The contract appropriation or price increase is included in this year's budget
- List the name and address of the recommended Contractor/Vendor, include the following:

Contract Sum:	\$136,530.00
Requested Increase:	<u>\$ 6,000.00</u>
New Contract	\$142,530.00

Funding Source: 700-01-7404-0212-46

- Description of project or scope of services to be provided and why is an increase needed:

On August 12, 2019, both parties mutually agreed and entered into an agreement for the Contractor to provide the services of design and preparing the construction documents for the Valania Park Improvements Project. Per the 1st amendment additions to this project are as follows: Grandstand Structural Design, Splash pad/Sanitary/ Stormwater Redesign, and Sew Facility Planning Module. At this time, the City and the Contractor agreed that the CONTRACTOR shall coordinate with the City and Flyway Excavating, Inc. to prepare an application with necessary justification plans for a submission to the State of Pennsylvania Department of Labor & Industry (L&I) for a Uniform Construction Code (UCC) Accessibility Advisory Board Petition with an Expedited Review. The Contractor, and our Subcontractor (SALT Design Studio) will attend one (1) meeting with the City and Flyway Excavating, Inc. to review potential deficiencies that were identified during construction that according to the City Inspector did not meet the relevant Accessibility Code(s). The Contractor will prepare the Advisory Board Petition Application, justification as to a professional opinion regarding the ADA accessibility of the project and prepare an Accessibility Plan showing ADA accessibility through the site. The Plan will assess the design condition, not the constructed condition and does not include an As-Built of the constructed condition. The Contractor, and our

Subcontractor will attend one (1) site visit with the City, Inspector, and Flyway Excavating, Inc. to review the results of the Petition submission to L&I, and coordinate remediation measures. The City will pay for the Additional Services specified. Contractor will provide the Additional Services on an Hourly basis, but Contractor will not incur fees above the NTE Fee without authorization or approval from the City. Authorization or approval can be given by any commercially reasonable means including electronic means. The NTE Fee is a good faith estimate based on the information currently available about the Project and the extent of Contractor's effort that will be required by the City, but Contractor does not guaranty that the services can be completed within the NTE Fee. The Not To Exceed Fee of Six Thousand Dollars (\$6,000.00)

- List the current Contract Term and if an increase is needed:

The current contract term commenced upon the issuance of the Notice to Proceed, September 9, 2019 and shall cease upon the Contractor's performance and all services required under the contract.

- List any renewal term options and duration of each renewal, if any:

N/A

- Maximum dollar value of all renewals provided for beyond the original term as if all renewals were exercised:

N/A

A vote of final approval is requested of the members of Council and by passing the accompanying resolution, this Contract will be deemed approved

By: Mandy Tolino, Department Head

Copies To: Mayor
Director of Finance
Purchasing
Controller

Attachment: proposed resolution