

**COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF MADISON, WISCONSIN**

Resolution No. 3018

Resolution authorizing the CDA to amend the construction management agreement for The Village on Park with J.H. Findorff & Sons, Inc. for work relating to Phase Two Site/Façade Improvements.

Presented April 14, 2011  
Referred \_\_\_\_\_  
Reported Back \_\_\_\_\_  
Adopted April 14, 2011  
Placed on File \_\_\_\_\_  
Moved By Kelly Thompson-Frater  
Seconded By Alice Fike  
Yeas 4 Nays 0 Absent 3  
Rules Suspended \_\_\_\_\_

**PREAMBLE**

The CDA, through an RFP process, selected J.H. Findorff & Son, Inc. ("Findorff") to provide construction manager/contractor services for the reconstruction of the Atrium in The Village on Park. Resolution 2811 authorized the execution of a contract with Findorff. Findorff completed work as the construction manager during the second half of 2010. All work was done in satisfactory manner.

On January 13, 2011, the CDA approved Resolution 2997 authorizing the execution of a contract with Findorff for construction manager/contractor services for the build-out of the Public Health-Madison-Dane county space at The Village on Park. Findorff has solicited bids and on March 10, 2011, the CDA approved Resolution 3010 authorizing the award of contracts for the bid packages of tenant improvements within the Public Health –Madison and Dane County space.

On February 10, 2011 the CDA approved Resolution 3003 authorizing a new contract with Findorff to provide construction manager/contractor services for work including but not limited to partial demolition of the south building, construction of a new façade for the south building, and completion of the remaining site work at The Village on Park ("Phase Two Site/Façade Improvements"). The estimated cost of Phase Two Site/Façade Improvements is \$767,000.

On February 10, 2011 the CDA also approved Resolution No. 3006 authorizing the CDA to enter into a lease with Kien C. ma, d/b/a/ Yue Wah Oriental Foods, for the leasing of space at The Village on Park. The letter of intent calls for the CDA to complete tenant improvements for Yue Wah Oriental Food (the "Tenant Improvements"). The estimated cost of the Tenant Improvements is \$300,000.

The south building demolition, the construction of the new facades and the Tenant Improvements are integrally related. Hiring Findorff to provide construction manager/contractor services for the Tenant Improvements increases the efficiencies of the entire scope of work and reduces the probability of delays and cost overruns.

NOW THEREFORE BE IT RESOLVED that the CDA does hereby authorize the Secretary of the CDA to execute an amendment to the Contract for Purchase of Services with J.H. Findorff & Son Inc. ("Findorff") for construction manager/contractor services for Phase Two Site/Façade Improvements to include the scope of work for the Tenant Improvements (the "Amendment"). The Amendment shall be subject to having a signed lease with Yue Wah Oriental Foods and shall include but not be limited to the following terms and conditions.

1. The Construction Management Fee shall remain at 3% of the cost of the work with an additional payment for general conditions to be negotiated by staff and approved by the Chair. Preconstruction services are included in the fee. For additive change orders a fee of 3% of the cost of the change order will be charged. There will be no fee for deductive change orders.
2. Findorff will be allowed to bid on and self perform portions of the work for which it is the successful lowest qualified bidder.

BE IT FURTHER RESOLVED that the CDA hereby authorizes the disbursement of funds to pay for the services provided from The Village on Park Account# UC15-58430251000.