

COMMUNITY DEVELOPMENT AUTHORITY OF THE CITY OF MADISON, WISCONSIN

Resolution No. 4389

Amending Resolutions 4332 and 4351; amending Resolution 4381 approving contract changes with The Bauen Group, LLC; amending the 2020 budget; and authorizing the signing of this contract for tenant improvement work at The Village on Park.

Presented May 26, 2020
Referred _____
Reported Back _____
Adopted May 26, 2020
Placed on File _____
Moved By Sheri Carter
Seconded By Gregory Reed
Yeas 7 Nays 0 Absent 0
Rules Suspended _____
Legistar File No. 60613

WHEREAS, the Community Development Authority of the City of Madison (“CDA”) is the owner of The Village on Park, located at 2300 South Park Street (the “Property”); and

WHEREAS, the CDA and the Board of Regents of the University of Wisconsin System (the “Lessee”) negotiated terms and conditions to a lease outlined collectively in CDA Resolutions #4332 and #4351 (the “Resolution”), which passed on June 13, 2019 and November 21, 2019, respectively; and

WHEREAS, the lease was recorded on January 30, 2020 as Document # 5559509 with the Dane County Register of Deeds in Madison, Wisconsin (the “Lease”); and

WHEREAS, the CDA is required to perform the Scope of Work in the Premises as outlined in the Lease; and

WHEREAS, the CDA Board approved Resolution 4381 on April 9, 2020 to execute the UW TI Contract with The Bauen Group, LLC (“Contractor”) to perform the Scope of Work in the amount of \$ 147,125 (the “Bid Amount”) plus the “Bid Amount Adjustment” of \$1100, which equates to \$148,245 (the sum is defined as the “Contract Amount”); and

WHEREAS, the Lessee approved Change Order #2 regarding the water piping and fixtures, which equates to an additional \$4882 (the “CO#2 Amount”) to the Contract Amount. Resolution 4381 authorizes future change orders deemed reasonable to CDA staff and approved by the Lessee, to the UW TI Contract that are no greater in total than \$4500 (the “TI Contingency Amount”). The CO#2 Amount is greater than the TI Contingency Amount by \$382 (the “TI Contingency Amount Overage”); and

WHEREAS, the Lessee is evaluating Change Order #1 regarding LED light fixtures, which equates to \$1485 (the “CO#1 Amount”), and Change Order #3 which adds dimming switches and wiring under two scenarios with the greater option costing \$12,400 (the CO#3 Amount”); and

WHEREAS, the CDA Board approved in the Property’s 2020 budget \$152,500 (the “TI Budget Amount”) to perform the Scope of Work. Two contracts relating thereto have been approved with Strang Inc. (\$15,658) and JWC Building Specialties Inc. (\$24,894), which leaves a remaining balance of \$111,948 (“TI Budget Amount Balance”). The Bid Amount less the TI Budget Amount Balance equals a difference of \$35,197 (the “Deficit TI Budget Amount”). Resolution 4381 on April 9, 2020 authorized the amendment the 2020 TI Budget Amount by the sum of the (i) Deficit TI Budget Amount plus (ii) the TI Contingency Amount plus (iii) the Bid Amount Adjustment (collectively the “TI Budget Adjustment Amount”); and

NOW, THEREFORE, BE IT RESOLVED that the CDA hereby authorizes the execution of an amendment(s) to the UW TI Contract with The Bauen Group, LLC to perform the Change Order #2 work at CO#2 Amount, and

potentially Change Order #1 and Change Order #3 if approved by the Lessee at the CO#1 Amount and CO#3 Amount, respectively. The sum of CO#1 Amount plus CO#2 Amount and CO#3 Amount equals \$18,767 (the "CO1-3 Amount Total"); and

BE IT FURTHER RESOLVED that the CDA hereby authorizes other future change orders deemed reasonable to CDA staff and approved by the Lessee, to the UW TI Contract that are no greater in total than \$5000 (the "Potential CO Total Amounts"); and

BE IT FURTHER RESOLVED that the CDA hereby authorizes to amend the 2020 TI Budget Amount by the sum of the (i) TI Contingency Amount Overage due to CO#2 plus (ii) the CO#1 Amount plus (iii) the CO#3 Amount plus (iv) Potential CO Total Amounts (collectively the "Second TI Budget Adjustment Amount"); and

BE IT FURTHER RESOLVED that the Chair and Director or Deputy Director of the CDA in the absence of a Director are hereby authorized to execute the aforementioned amendment(s) to the UW TI Contract at an amount no greater than the CO1-3 Amount Total (\$18,767) in a form approved by the City Attorney's office, and any future change orders, if needed, that would constitute an amendment to the UW TI Contract as long as the sum of the collective future change orders does not exceed the Potential CO Total Amounts (\$5,000).