



Legislation Details (With Text)

File #: 80106 **Version:** 2 **Name:** 2ND ALTERNATE Amending the 2023 Adopted Capital Budget of the Economic Development Division and Awarding Public Works Contract No. 8595, Madison Public Market.

Type: Resolution **Status:** Passed

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Title: ALTERNATE Amending the 2023 Adopted Capital Budget of the Economic Development Division and Awarding Public Works Contract No. 8595, Madison Public Market (District 12)

Sponsors: Marsha A. Rummel, Amani Latimer Burris

Indexes:

Code sections:

Attachments: 1. 8595 BidOpeningTab.pdf, 2. 092823-092923_CC_public_comments.pdf, 3. 100323_CC_public_comment.pdf, 4. 80106v1.pdf, 5. 80106-ALTERNATE-v2.pdf, 6. 2023-10-09 DRAFT MPM Bid+BA Breakdown.pdf, 7. 8595 breakdown version 1.pdf, 8. 8595 breakdown version 2.pdf, 9. Madison Public Market Background Memo, 10. 100323_101723_CC_public_comments.pdf, 11. 101723_CC_public_comment.pdf, 12. 80106 v3 Second Alternate.pdf, 13. 101723_CC_public_comments.pdf, 14. File 80106 Registration Report.pdf

Date	Ver.	Action By	Action	Result
10/17/2023	1	COMMON COUNCIL	Adopt Alternate	Pass
10/9/2023	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER	Pass
10/5/2023	1	PUBLIC MARKET DEVELOPMENT COMMITTEE (ended 1/2024)	Return to Lead with the Following Recommendation(s)	Pass
10/4/2023	1	BOARD OF PUBLIC WORKS	Return to Lead with the Following Recommendations	Pass
10/3/2023	1	FINANCE COMMITTEE	Refer	
10/3/2023	1	FINANCE COMMITTEE	Refer	
10/3/2023	1	COMMON COUNCIL	Refer	Pass
9/27/2023	1	Engineering Division	Referred for Introduction	

Fiscal Note

The proposed resolution amends the 2023 Adopted Capital Budget of the Economic Development Division, and authorizes the award of Public Works Contract No. 8595, Madison Public Market. The budget amendment adds ~~\$2,279,755~~ \$1,641,071 in new City-issued General Obligation borrowing authorization, and up to \$1,000,000 in additional Dane County funding, to the Madison Public Market project (MUNIS #10069) to support overall project costs. The resolution also directs City staff to pursue an amendment the TID #36 Project Plan from the TIF Joint Review Board to utilize TID #36 funding in lieu of GO borrowing. If the Project Plan amendment is approved, TIF funding would replace GO Borrowing.

The construction cost for the base bid ~~plus alternates #1 and #2~~ will be funded by the Madison Public Market

project (MUNIS #10069). Funding for alternate #3 - Solar PV system bid item will be funded via existing budget in the Engineering Facilities Management Capital Budget Energy Improvement program (MUNIS #14908).

This resolution authorizes the award of the base bid and alternates #1, #2 and #3 in Public Works Contract No. 8595. The budget amendment provides sufficient budget authority to award Public Works Contract No. 8595 - Madison Public Market and complete the remaining non-Public Works project costs (i.e. design consultant fees, staff time, furnishings/fixtures/equipment, percent for art, and related startup costs).

Title

ALTERNATE Amending the 2023 Adopted Capital Budget of the Economic Development Division and Awarding Public Works Contract No. 8595, Madison Public Market (District 12)

Body

WHEREAS, the City of Madison has been planning for a Madison Public Market for years, with work on the most recent effort starting in 2012 through the formation of the now named Public Market Development Committee; and

WHEREAS, site searches, business planning, the completion of a Racial Equity and Social Justice Initiative analysis, and the launch of a MarketReady Program for prospective vendors occurred during early years of the Public Market Development Committee work; and

WHEREAS, the City of Madison selected the Madison Public Market Foundation in 2018 to be the entity responsible for operating the Madison Public Market; and

WHEREAS, once open, the Madison Public Market will address three primary goals: supporting food based entrepreneurship, especially among historically disadvantaged business owners; providing affordable, healthy food options; and, providing a public, year-round gathering place for all Madisonians; and

WHEREAS, on February 5, 2019 the City of Madison Common Council authorized the Mayor and City Clerk to enter into a contract for Purchase of Services (Architect) with Meyer, Scherer & Rockcastle, Ltd. to provide professional architectural and engineering design services and construction administration services for the design and construction of the Madison Public Market. (RES-19-00093); and

WHEREAS, on March 3, 2020 the City of Madison Common Council approved a change to the zoning of property located at 202 North First Street and approved a General Development Plan and Specific Implementation Plan to convert the Fleet Services Building into the Madison Public Market (ORD-20-00029); and

WHEREAS the City of Madison Common Council approved a Lease, Operating Agreement, and Responsibility Matrix with the Madison Public Market Foundation on 7/25/23 (RES-23-00508); and

WHEREAS after the project team completed a robust series of design phases, all of which included a professionally developed construction cost estimate, the City of Madison Common Council on 6/20/2023 approved plans and specifications and authorized the Board of Public Works to advertise and receive bids for Madison Public Market. (RES-23-00441); and

WHEREAS, the A/E consultant team completed construction documents for Public Works bidding and received a final construction cost estimate of \$12,500,000 (plus an associated 8% construction contingency of \$1,000,000); and

WHEREAS, the project stakeholders agreed upon a maximum construction budget of \$13,670,000 (plus an associated 8% construction contingency of \$1,093,600) in anticipation of elevated bids; and

WHEREAS, after advertising the project from 07/20/2023 to 09/14/2023, three base general contractor bids

were received with an apparent low base bid -not including additive alternates- of \$15,189,510 (plus an associated 8% construction contingency of \$1,215,161); and

WHEREAS, the apparent low base bid and associated construction contingency is \$1,641,071 above the project's maximum construction budget; and

WHEREAS, it was determined that rebidding the Madison Public Market project would likely not result in significantly lower costs and would delay completion of the project; and

WHEREAS, there is a desire to proceed with the base bid which will add an additional \$1,641,071 in project costs; and

~~WHEREAS, there is also a desire to proceed with alternates #1 and #2 and proceed with the originally conceived budget for the market furnishings, fixtures, and equipment package which would add an additional \$1,638,684 in projects costs for a total of \$3,279,755 beyond the current project budget; and~~

WHEREAS, the additional project costs will be funded by additional city borrowing of ~~\$2,279,755~~ \$1,641,071 and potentially funded from Dane County sources of \$1,000,000; and

WHEREAS, there is a desire to proceed with alternate #3 (solar PV) to be funded via existing budget in the Engineering Facilities Management Capital Budget in the Energy Improvement program;

NOW, THEREFORE, BE IT RESOLVED that the Economic Development Division's 2023 Adopted Capital Budget is amended to appropriate an additional \$1,641,071 of GO Borrowing to the Madison Public Market project (MUNIS #10069); ~~and~~

BE IT FURTHER RESOLVED that City staff is directed to seek an amendment to the TID #36 Project Plan from the TIF Joint Review Board to utilize TID #36 funding in lieu of GO Borrowing, and if approved, to replace the ~~\$2,279,755~~ \$1,641,071 of GO Borrowing with TID #36 funding; ~~and~~

BE IT FURTHER RESOLVED that the Economic Development Division's 2023 Adopted Capital Budget shall be amended upon execution of an agreement with Dane County to appropriate an additional \$1,000,000 county contribution to the Madison Public Market project (MUNIS #10069); ~~and~~

BE IT FURTHER RESOLVED that the following low bids for miscellaneous improvements be accepted and that the Mayor and City Clerk be and are hereby authorized and directed to enter into a contract with the low bidder, as determined by the base bids contained herein, and proceed with a contract for work identified as part of the base bid and additive alternates #1 (south hall garage doors), #2 (south hall windows), and #3 (solar PV), subject to the Contractor's compliance with Section 39.02 of the Madison General Ordinances concerning compliance with the Affirmative Action provisions and subject to the Contractor's compliance with Section 33.07 of the Madison General Ordinances regarding Best Value Contracting; ~~and~~

BE IT FINALLY RESOLVED that the funds be encumbered to cover the cost of the projects contained herein.