



Legislation Details (With Text)

File #: 72857 **Version:** 1 **Name:** Amending the 2022 Adopted Capital Budget of the Parks Division's Olbrich Botanical Gardens-Expansion project. (15th AD)

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Title: Amending the 2022 Adopted Capital Budget of the Parks Division's Olbrich Botanical Gardens-Expansion project. (15th AD)

Sponsors: Yannette Figueroa Cole, Syed Abbas

Indexes:

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Attachments:

Date	Ver.	Action By	Action	Result
9/6/2022	1	COMMON COUNCIL	Adopt - 15 Votes Required	Pass
8/29/2022	1	FINANCE COMMITTEE	RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER	Pass
8/2/2022	1	COMMON COUNCIL	Refer	Pass
7/25/2022	1	Parks Division	Referred for Introduction	

Fiscal Note

The proposed resolution amends the 2022 Parks Division Capital Budget Olbrich Botanical Complex project (Project 17193) to recognize fulfillment of Olbrich Botanical Society's (OBS) contribution commitment of \$6,000,000 and adjust final invoicing of OBS to reflect \$92,946.05 of direct expenses paid by OBS as part of the project for furniture, plants and planters. In addition, the resolution authorizes acceptance and appropriation of Focus on Energy Incentives of \$14,002.03; Insurance Claim Reimbursement from Engle Martin & Associates in the amount of \$34,440.22 for water damage caused to Information Technology equipment during construction; and transfers existing general obligation-supported funding authorization of \$36,612.92 from the 2021 Parks Division's Park Facility Improvements (Major Project 17443) Olbrich Sprinkler and Irrigation project (Project 13447) to offset the increased General Obligation Debt.

Title

Amending the 2022 Adopted Capital Budget of the Parks Division's Olbrich Botanical Gardens- Expansion project. (15th AD)

Body

WHEREAS, the Olbrich Botanical Gardens Expansion project, which includes the construction of a 9,200 square foot Learning Center and a new 11,000 square foot state-of-the-art Greenhouse, was jointly planned, designed and funded with the Olbrich Botanical Society was completed in 2020 with the goal of meeting the project budget, including scaling back initial designs; and

WHEREAS, in 2018, the project encountered unanticipated costs, including fire protection and life safety code requirements of connected buildings within the campus, additional structural requirements caused by poor soil

conditions requiring new support structures and requirement of a Storm Water Management plan by MGO 37.06, which placed estimated cost of completion at above the authorized project budget; and

WHEREAS, on May 15, 2018, Common Council authorized RES-18-00398, Leg File 51436 Amending the 2018 Adopted Capital Budgets of the Parks Division and Engineering - Facilities Management Division for the Olbrich Botanical Gardens - Expansion project (Project #17193) by increasing expenditure authority by \$2,000,000. This increased expenditure authority is funded by \$1,000,000 in General Obligation debt and \$1,000,000 in private donations; and

WHEREAS, Olbrich Botanical Society (OBS) committed to sharing costs of the project on an equal basis, which in 2018, were expected to be \$6,000,000 for both The City and OBS; and

WHEREAS, construction of the Olbrich Botanical Gardens Expansion occurred between 2018 and 2020, has been substantially completed, with the facility reopening to the public in 2021 following disruption from the COVID-19 pandemic; and,

WHEREAS, the project created a state-of-the-art facility which received numerous awards and certifications as follows:

- US Green Building Council (USGBC) - LEED Platinum certification, far exceeding the required MGO goal of Silver certification, as The Frautschi Family Learning Center achieved a platinum rating scoring 84 out of a possible 100 points.
- 2021 USGBC Leadership Award for West North Central Region, an award that recognized exemplary leadership in contributing to the creation of sustainable, healthier, equitable, and resilient buildings, cities, and communities.
- American Council of Engineering Companies (ACEC), Honor Award for exceptional engineering achievement, a regional award for outstanding design of mechanical systems; and

WHEREAS, Olbrich Botanical Society led a major Capital Campaign from 2017-2019 to support the Olbrich Botanical Gardens Expansion Project in excess of \$6,000,000, fulfilled the funding commitment of \$6,000,000 to the project and covered additional costs in excess of the original estimated costs, including paying out of pocket expenses for costs not shared with the City as well as for furniture, plants and planters critical to creating a cohesive environment with the new facility, for which The City has agreed to provide reimbursement; and

WHEREAS, under the existing Cooperation and Coordination Agreement between Olbrich Botanical Society, Inc and The City of Madison authorized by Common Council on October 18, 2016 (Leg File 44551, Res-16-00783), the City may accept financial contributions from OBS in the form of funds for projects or operations that do not amount to a project construction subject to public works bidding requirements without obtaining further approval from Madison Common Council; and

WHEREAS, the project participated in the Focus on Energy Design Assistance Program and received approximately \$7,100 of comprehensive building energy efficiency incentives. In addition the project received approximately \$3300 for greenhouse custom energy efficiency incentives and \$4,000 for prescriptive solar electric (PV) incentives from Focus on Energy; and,

WHEREAS, during construction, water damage occurred to information technology equipment, requiring initial payment for equipment charged against the project and Engineering staff to subsequently seek insurance claims with the contractors risk management; and

WHEREAS, the Parks Division has identified existing resources that can be reallocated from the Olbrich Sprinkler and Irrigation project (Project #13447), that will not be completed in the Bolz Conservatory in the

immediate term based on need for more comprehensive capital needs assessment of the facility; and

WHEREAS, staff continue to address additional minor projects that remain through approved Capital projects and have identified that, while the cistern was built as part of the project and all mechanicals are fully functional, the pH of the water stored within the concrete cistern renders it unsafe for watering valuable plant collections, requiring creation of an additional project to determine, fund and implement adequate remedies; and

NOW, THEREFORE, BE IT RESOLVED, that the final invoice to Olbrich Botanical Society will acknowledge fulfillment of the \$6,000,000 donation commitment and be adjusted to reflect a reduction of \$92,946.05 for additional direct expenses incurred to provide furniture, plants and planters to furnish the newly remodeled facility; and,

BE IT FURTHER RESOLVED, that the City accepts Focus on Energy Incentives of \$14,002.03 and insurance claim reimbursement from Engle Martin & Associates in the amount of \$34,440.22 for water damage caused to Information Technology equipment during construction and appropriates the funds of \$48,442.25 to the 2022 Parks Division Capital Budget Olbrich Botanical Complex project (Project #17193); and,

BE IT FURTHER RESOLVED, that the 2022 Parks Division Capital Budget be amended to transfer expenditure authorization of \$36,612.92 from 2021 Parks Division's Park Facility Improvements (Major Project 17443) Olbrich Sprinkler and Irrigation project (Project #13447) to the Olbrich Botanical Gardens Expansion project (Project #17193); and,

BE IT FINALLY RESOLVED, that following these amendments, the Olbrich Botanical Gardens Expansion Project (Project #17193) will be officially closed out and any minor additional related work that is required shall be completed as part of the approved Parks or Engineering Facilities Maintenance Capital Budget and larger projects will be requested as part of the future capital budgeting processes.