



# City of Madison

City of Madison  
Madison, WI 53703  
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## Master

**File Number: 82987**

**File ID:** 82987

**File Type:** Resolution

**Status:** Passed

**Version:** 1

**Reference:**

**Controlling Body:** BOARD OF PUBLIC WORKS

**Lead Referral:**

**Cost:**

**File Created Date :** 04/11/2024

**File Name:**

**Final Action:** 04/16/2024

**Title:** Authorizing two (2) non-competitive Purchase of Services contracts for enhanced structural assessment, repairs, and maintenance to the Bolz Conservatory structure at Olbrich Botanical Gardens, 3330 Atwood Ave. (District 15)

### Notes:

**Code Sections:**

**CC Agenda Date:** 04/16/2024

**Indexes:**

**Agenda Number:** 72.

**Sponsors:** Yannette Figueroa Cole, Dina Nina Martinez-Rutherford And Derek Field

**Effective Date:** 04/18/2024

**Attachments:** Original file, Exhibit A - Background Information.pdf, Exhibit B - IMEG Corp. - Non-Competitive Selection Request.pdf, Exhibit C - Bauer Builders, Inc. - Non-Competitive Selection Request.pdf

**Enactment Number:** RES-24-00257

**Author:**

**Hearing Date:**

**Entered by:** echristianson@cityofmadison.com

**Published Date:**

**Related Files:** 82617

### Approval History

Version	Seq #	Action Date	Approver	Action	Due Date
1	1	4/11/2024	Robert Mulcahy	Approve	5/1/2024

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	BOARD OF PUBLIC WORKS	04/11/2024	RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055				
<b>Action Text:</b> This Resolution was RECOMMEND TO COUNCIL TO ADOPT UNDER SUSPENSION OF MGO 2.055							

1	COMMON COUNCIL	04/16/2024	Adopt under suspension of MGO 2.055 (14 votes required)	Pass
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**Action Text:** A motion was made by Figueroa Cole, seconded by Duncan, to Adopt under suspension of MGO 2.055 (14 votes required). The motion passed by voice vote/other.

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**Text of Legislative File 82987**

**Fiscal Note**

The proposed resolution authorizes the Mayor and City Clerk to enter into two non-competitive contracts. The first non-competitive contract authorized is for Purchase of Services (Design Professional) with IMEG, Corp. for professional structural engineering analysis of structural and glazing components at an initial cost of \$91,410 and \$58,590 for additional services as needed after completion of the initial assessment for a contract authorization not to exceed \$150,000.

The second non-competitive contract authorized is for Purchase of Services with Bauer Builders, Inc. for labor, equipment, and materials for work as directed by IMEG, Corp. at an initial cost of \$59,690 and \$90,310 for additional materials and labor beyond the allowances requested by the RFB as needed for a contract authorization not to exceed \$150,000.

Funding for this project is authorized in the 2024 Adopted Parks Division Capital Budget in the Olbrich Botanical Gardens Conservatory project (Munis #15051). No additional appropriation is required.

**Title**

Authorizing two (2) non-competitive Purchase of Services contracts for enhanced structural assessment, repairs, and maintenance to the Bolz Conservatory structure at Olbrich Botanical Gardens, 3330 Atwood Ave. (District 15)

**Body**

WHEREAS, in 2021 Olbrich Botanical Gardens Visitor Center and Bolz Conservatory had its 30<sup>th</sup> Anniversary, and  
WHEREAS, in 2023 Engineering-Facility Management and Olbrich Botanical Gardens had commissioned and completed a professional engineering assessment of the main complex building structures and mechanical systems,  
WHEREAS, the result of the 2023 assessment identified certain structural components, glazing components, and mechanical equipment in the Bolz Conservatory which needed additional assessment requiring the removal of insulation, rust and paint, general repairs, and mechanical system maintenance, and  
WHEREAS, the 2024 Capital Budget includes funding for necessary maintenance, and replacement of aging major mechanical, electrical, and structural systems, as well as specialized building features within and around the Olbrich Botanical Gardens Complex, and  
WHEREAS, in January 2024 City Engineering-Facility Management and Olbrich Botanical Gardens announced a Request for Bids to complete a Phase 2 assessment of structural systems, glazing and mechanical system maintenance within the Bolz Conservatory, and  
WHEREAS, no bids were received, allowing City Engineering-Facility Management to pursue consulting services directly with a structural engineering firm and IMEG, Corp. was selected to assemble an assessment team as outlined in the RFB due to their previous involvement in the

2023 assessment, and

WHEREAS, IMEG, Corp. assembled an assessment team per the requirements outlined in the RFB, with the team consisting of IMEG, Corp. for structural analysis, Facility Engineering, Inc. for glazing component analysis, and Bauer Builders, Inc. for construction and maintenance services, for a sum total of \$151,000.00 for all services requested in the RFB including allowances for unknown general repairs as specified in the RFB, and

WHEREAS, Olbrich Botanical Gardens has closed the Bolz Conservatory for annual maintenance from March 11 through March 22, 2024 and has Park Commission approval to remain closed through June 15, 2024 for this work to be completed, and the assessment team is prepared to begin work upon Council approval and the execution of the Purchase of Services agreements to meet this schedule, and

WHEREAS, Engineering-Facility Management and Olbrich Botanical Gardens is requesting authorization for the City of Madison to enter into two (2) separate Purchase of Services Contracts for reasons of construction liability insurance,

WHEREAS, one POS contract will be with IMEG, Corp. as the primary consultant having Facility Engineering, Inc. as a sub-consultant, for an amount not to exceed \$91,410. The term of this contract will be June 14, 2024, and

WHEREAS, the other POS contract will be with Bauer Builders, Inc. for an amount not to exceed \$59,690. The term of this contract will be June 14, 2024, and

WHEREAS, MGO 4.26 requires Common Council approval of service contracts of \$50,000 or more if the contractor was not selected through a competitive selection process, and the reasons for selecting this contractor are set forth above and in the attached Noncompetitive Selection Request Form; and

NOW THEREFORE BE IT RESOLVED, that the Common Council hereby authorizes the Mayor and City Clerk to enter into a contract for Purchase of Services (Design Professional) in a form to be approved by the City Attorney with IMEG, Corp. to provide professional structural and glazing analysis of components of the Bolz Conservatory and lead guidance of their assessment team, for a total compensation not to exceed \$91,410.00 without prior approval and contract amendment, and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Common Council hereby authorizes the Mayor and City Clerk to enter into a contract for Purchase of Services in a form to be approved by the City Attorney with Bauer Builders, Inc. to provide labor, equipment, and materials, as directed by IMEG, Corp. within the Bolz Conservatory, for a total compensation not to exceed \$59,690.00 without prior approval and contract amendment, and

NOW THEREFORE BE IT FURTHER RESOLVED, that upon the request by IMEG Corp. for additional labor and materials, and approval of said request by the City Engineer, that the Mayor and City Clerk are authorized to sign amendments with Bauer Builders, Inc. as required for a not to exceed total contract sum of \$150,000, with no additional extension of the contract term, and

BE IT FINALLY RESOLVED, that upon the request by Bauer Builders, Inc. for additional labor and materials, and approval of said request by the City Engineer, that the Mayor and City Clerk are authorized to sign amendments with Bauer Builders, Inc. as required for a not to exceed total contract sum of \$150,000, with no additional extension of the contract term.