

# CITY of NOVI CITY COUNCIL Agenda Item 2 May 20, 2019

**SUBJECT:** Approval to award a construction contract for the Lakeshore Park renovation project to DeMaria Building Company, Inc., the lowest qualified bidder with the most advantageous bid for the City, in the amount of \$4,820,400 and amend the budget for a total project cost of \$5,866,242 with the final form of the agreement to be reviewed and approved by the City Manager and City Attorney.

**SUBMITTING DEPARTMENT**: Integrated Solutions – Facilities Management Parks, Recreation, and Cultural Services

CITY MANAGER APPROVAL:



EXPENDITURE REQUIRED	\$ 5,866,242	
AMOUNT BUDGETED	\$ 4,615,486	
APPROPRIATION REQUIRED	\$ 1,250,756	
LINE ITEM NUMBER	400-691.00-977.013	

#### **BACKGROUND INFORMATION:**

The Capital Improvement Millage, supported by the public via a general election in 2016, outlined a need for improvements to City facilities including Lakeshore Park. City staff gathered feedback from the community using several methods including two, well attended, Lakeshore Park forums. In June of 2018, the City Council approved a park design that included the construction of an approximately 6,200 square foot building to support a myriad of programs on the north side of the City. Following this approval staff continued to update the design to incorporate citizen feedback. Additionally, staff met onsite with neighboring residents and walked the east and west borders of the park to identify further screening in those areas.

The City received nine (9) bids in response to its advertisement on the Michigan Intergovernmental Trade Network (MITN). As with any construction project, it is important to evaluate the firms on their ability to successfully perform all aspects of the required work. Due to the uniqueness of the Lakeshore project, it is also important to consider some additional criteria:

- The level of customer service provided by the onsite construction supervisor is important in assuring that if an issue impacting the neighboring citizens comes to his or her attention that it is handled in a timely and professional manner.
- City of Novi staff interacts with numerous construction firms. Those past experiences, both positive and negative, were taken into consideration when evaluating a firm's ability to perform within the scope of this project.
- One of the major components of this project is the ability to mobilize and begin this project the first week of June and be substantially complete by December 1st in order to minimize the time that the park is closed during this project.

- The review team felt that is was important that the firm selected had a familiarity with Lakeshore Park and an understanding of what the citizens and the City of Novi were trying to achieve by this project.
- The ability of the selected firm to control costs and suggest additional ways in which the city could save money on this project. (Value Engineering, or VE)

The team interviewed the top four firms and conclude that DeMaria Building Company, Inc. was the most qualified to complete this project. They excelled in every area evaluated including the use of construction management software for project efficiency and accountability. Additionally, DeMaria brought forth several VE items for the City's consideration. The most potentially useful suggestion was an optional lighting solution that incorporated the ability to reduce the illumination of the park lights after 9 pm. These advanced lighting controls will provide additional flexibility to dim the park lighting canopy.

Knowing that the park lighting was a concern for citizens living near the park we have taken additional steps beyond the incorporation of an advanced lighting control system. We have added a seven (7) inch skirt option to each light. When you combine this with the low profile LED bulb you achieve a solution in which the bulb is contained within the skirting of the light fixture. This produces a smaller or tighter plume of light. The attached photometric plan demonstrates that this combination achieves a 0.0 measurement of light, in 98% of the data points, where the park borders the residential property. The remaining data points, bordering the residential property, are no higher than 0.1. The photometric plan does not take into consideration the additional screening (landscaping) that was incorporated into the plan. The team met with residents on both the east and west sides of the park to hear and address their screening concerns. The current plan incorporates screening solutions that resulted from those meetings. We believe that this multi-pronged approach will mitigate the lighting concerns.

While there were firms that submitted lower bids, DeMaria was qualified in every area and the team concluded upon full review that overall its bid is the most advantageous to the City.

#### Project Award Breakdown

\$4,820,400 Construction Award DeMaria Building Company, Inc.

\$1,045,842 Construction Contingency and Soft Costs

\$5,866,242 Total Project Scope

#### **RECOMMENDED ACTION:**

Approval to award a construction contract for the Lakeshore Park renovation project to DeMaria Building Company, Inc., the lowest qualified bidder with the most advantageous bid for the City, in the amount of \$4,820,400 and amend the budget for a total project cost of \$5,866,242 with the final form of the agreement to be reviewed and approved by the City Manager and City Attorney.

#### **RESOLUTION**

NOW, THEREFORE BE IT RESOLVED that the following Budget Amendment for the Lakeshore Park Renovation Project is authorized:

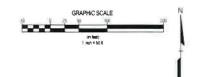
INCREASE (DECREASE)

Capital Improvement Program (C	IP) Fund	
APPROPRIATIONS		
Capital Outlay		1,250,756
TOTAL APPROPRIATIONS	\$	1,250,756
Net Increase (Decrease) to Fund Balance	_\$_	(1,250,756)

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Novi at a regular meeting held on May 20, 2019

Cortney Hanson City Clerk





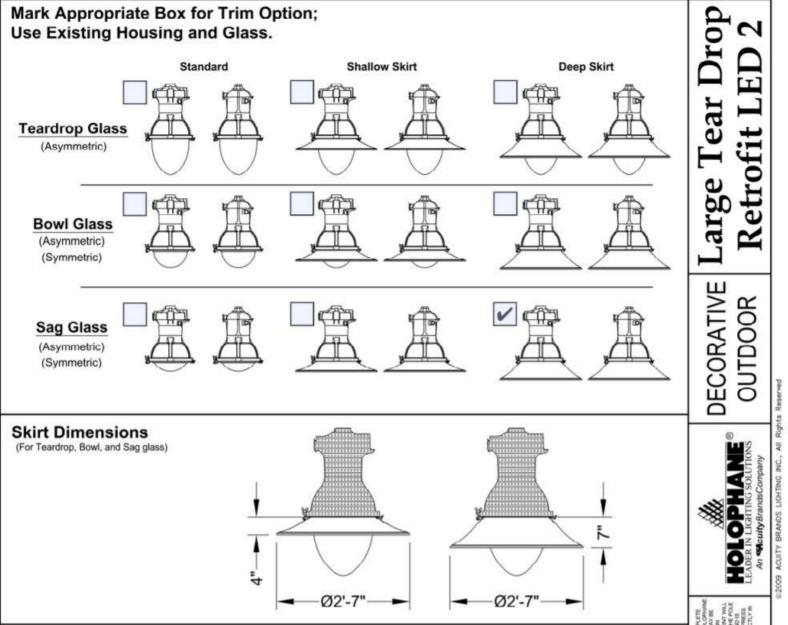


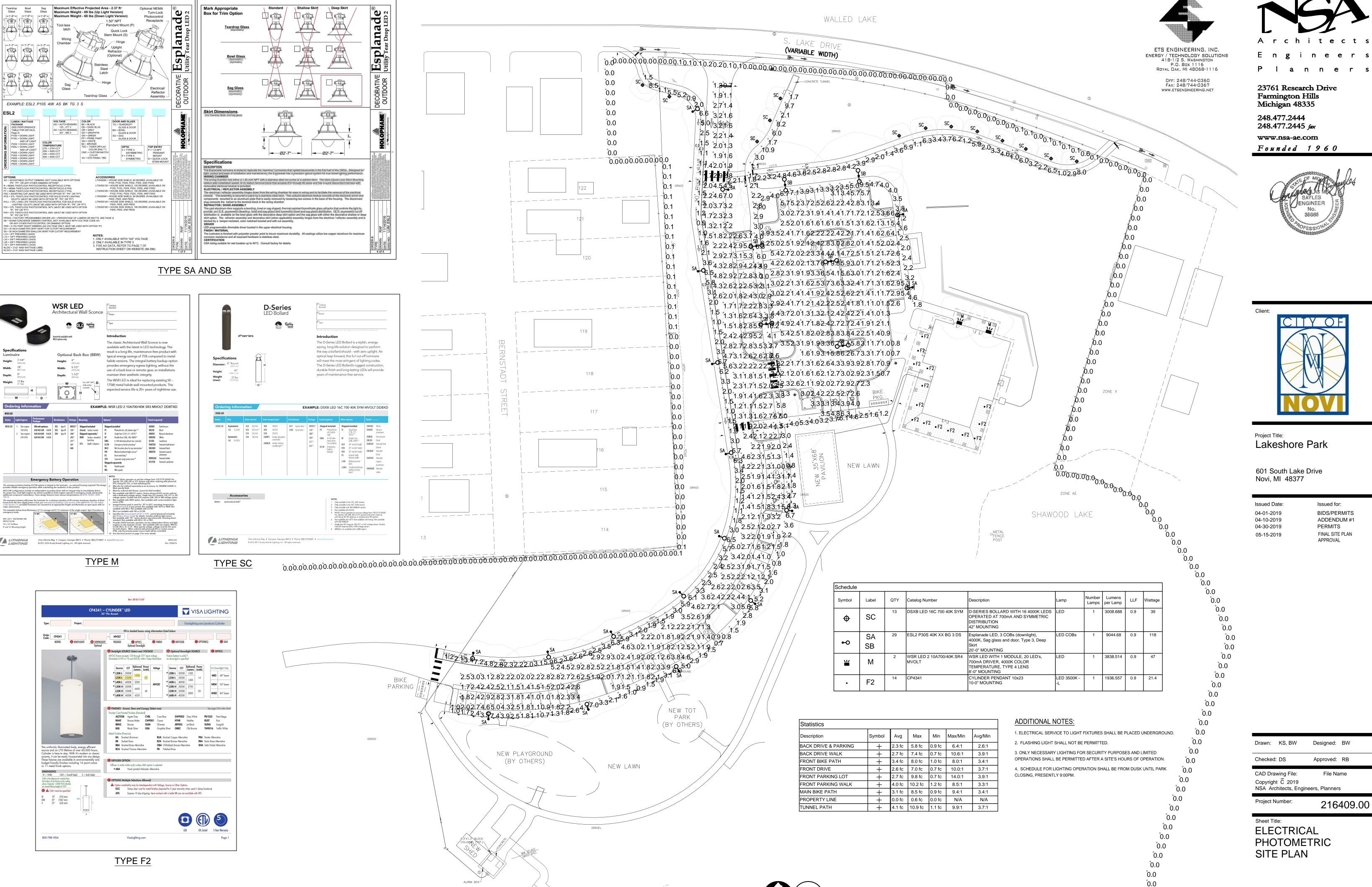












ELECTRICAL PHOTOMETRIC SITE PLAN

23761 Research Drive Farmington Hills Michigan 48335

248.477.2444 248.477.2445 fax

www.nsa-ae.com Founded 1960





Project Title: Lakeshore Park

601 South Lake Drive Novi, MI 48377

Issued Date: Issued for: **BIDS/PERMITS** 04-01-2019 ADDENDUM #1 04-10-2019 PERMITS

FINAL SITE PLAN

APPROVAL

Copyright C 2019 NSA Architects, Engineers, Planners Project Number: 216409.00

Sheet Title: **ELECTRICAL PHOTOMETRIC** SITE PLAN

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PE-10

Designed: BW

Approved: RB

File Name

## CITY OF NOVI Lakeshore Park Bid Tab "As Read" April 26, 2019 2:00 P.M.

This tabulation reflects submittal data by the following companies which have not been evaluated for accuracy of information. Final decision for award will be determined once the evaluation has been completed.

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Company	Bid Bond	Addenda (3)	Base Bid
Cross Renovation	Y	Υ	\$ 4,647,777.00
Axiom Construction	Y	Υ	\$ 4,650,000.00
LaSalle Group	Υ	Υ	\$ 5,000,000.00
DeMaria, Inc.	Y	Υ	\$ 5,034,900.00
NRC, LLC	Υ	Υ	\$ 5,047,000.00
Brix Corporation	Y	Υ	\$ 5,280,000.00
DCC Construction	Y	Υ	\$ 5,284,000.00
Bernco Inc.	Y	Υ	\$ 5,300,000.00
Brencal Contractors	Υ	Υ	\$ 5,695,000.00

**BID INFORMATION** 

# DOCUMENT 004113 - BID FORM - STIPULATED SUM (SINGLE-PRIME CONTRACT)

A.	Bidder: DeMaria, Inc.
B.	Project Name: Lakeshore Park.
C.	Project Location: 601 South Lake Drive, Novi, Michigan 48375.
D.	Owner: City of Novi.
E.	Architect: NSA Architects, Engineers, Planners.
F.	Architect Project Number: 216409.00.
1.2 A.	Base Bid, Single-Prime (All Trades) Contract: The undersigned Bidder, having carefully examined the Procurement and Contracting Requirements, Conditions of the Contract, Drawings, Specifications, and all subsequent Addenda, as prepared by NSA Architects, Engineers, Planners and Architect's consultants, having visited the site, and being familiar with all conditions and requirements of the Work, hereby agrees to furnish all material, labor, equipment and services, including all scheduled allowances, necessary to complete the construction of the above-named project, according to the requirements of the Procurement and Contracting Documents, for the stipulated sum of:  1. Five million, thirty four thousand, Dollars (\$ 5,034,900).  2. The above amount may be modified by amounts indicated by the Bidder on the attached Document 004322 "Unit Prices Form" and Document 004323 "Alternates Form."

#### 1.3 BID GUARANTEE

1.1

A. The undersigned Bidder agrees to execute a contract for this Work in the above amount and to furnish surety as specified within 10 days after a written Notice of Award, if offered within 60 days after receipt of bids, and on failure to do so agrees to forfeit to Owner the attached cash, cashier's check, certified check, U.S. money order, or bid bond, as liquidated damages for such failure, in the following amount constituting five percent (5%) of the Base Bid amount above:

1.	Two Hundred Fifty Five Thousand	Dollars (\$_255,000.00	).
		Donais (# 200,000.00	J

B. In the event Owner does not offer Notice of Award within the time limits stated above, Owner will return to the undersigned the cash, cashier's check, certified check, U.S. money order, or bid bond.

## ARCHITECTS, ENGINEERS, PLANNERS NSA Project No. 216409.00

#### 1.4

A.

1.5

1.6

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A.

SUB	CONTRACTORS AND SUPPLIERS
The f	following companies shall execute subcontracts for the portions of the Work indicated:
1.	Concrete Work: To Be Submitted Upon Award
2.	Carpentry Work:
3.	Masonry Work:
4.	Roofing Work:
5.	Plumbing Work:
6.	HVAC Work:
7.	Electrical Work:
TIM	E OF COMPLETION
on a	andersigned Bidder proposes and agrees hereby to commence the Work of the Contract Documents date specified in a written Notice to Proceed to be issued by Architect, and shall fully complete the within <insert number=""> calendar days.  338 Days</insert>
ACK	NOWLEDGEMENT OF ADDENDA
The u	
1.	Addendum No. 1, dated 4/10/19
2.	Addendum No. 2, dated <u>4/18/19</u>
3.	Addendum No. 3, dated <u>4/25/19</u>
4.	Addendum No. 4, dated
	SUPPLEMENTS Collowing supplements are a part of this Bid Form and are attached hereto.

#### 1.7

- A.
  - Bid Form Supplement Alternates. Removed Per Addendum 3 1.
  - 2. Bid Form Supplement - Unit Prices.
  - 3. Bid Form Supplement - Allowances.
  - 4. Bid Form Supplement - Bid Bond Form (AIA Document A310).

#### 1.8 CONTRACTOR'S LICENSE

The undersigned further states that it is a duly licensed contractor, for the type of work proposed, in the A. State of Michigan, City of Novi, and that all fees, permits, etc., pursuant to submitting this proposal have been paid in full.

1.9	SUBMISSION OF BID		
A.	Respectfully submitted this 26th day of April , 2019	).	
B.	Submitted By: DeMaria, Inc. (Name of bid	ding firm or corp	oration).
C.	Authorized Signature: Talkony De Marie (Handwritt	en signature).	
D.	Signed By: Anthony DeMaria (Type or	r print name).	
E.	Title: President (Owner/Partner/President/Vi	ce President).	
F.	Witness By: Jennifer Michal & (Handwritt	ten signature).	
G.	Attest: Talkony De Maria (Handwritte	en signature).	
H.	By: Anthony DeMaria (Type or	print name).	
I.	Title: Corporate Secretary (Corporate Secretary or Assista	nt Secretary).	
J.	Street Address: 45500 Grand River Ave	·	
K.	City, State, Zip: Novi, MI 48374		
L.	Phone: (248) 348-8710	·	
M.	License No.: 2102017583	·	
N.	Federal ID No.: 381915034 (Affix Corporate	e Seal Here).	STATE BUILDING

END OF DOCUMENT 004113

## **DOCUMENT 004322 - UNIT PRICES FORM**

1.1	BID INFORMATION								
A.	Bidder: DeMaria, Inc.								
В.	Project Name: Lakeshore Park and Recreation Center.								
C.	Project Location: 601 South Lake Drive, Novi, Michigan 48375.								
D.	Owner: City of Novi.								
E.	Architect: NSA Architects, Engineers, Planners.								
F.	Architect Project Number: 216409.00.								
1.2	BID FORM SUPPLEMENT								
A.	This form is required to be attached to the Bid Form.								
B.	The undersigned Bidder proposes the amounts below be added to or deducted from the Contract Sum on performance and measurement of the individual items of Work and for adjustment of the quantity given in the Unit-Price Allowance for the actual measurement of individual items of the Work.								
C.	If the unit price does not affect the Work of this Contract, the Bidder shall indicate "NOT APPLICABLE."								
1.3	UNIT PRICES								
Α.	Unit-Price No. 1: Removal of unsatisfactory soil and replacement with satisfactory soil material.								
	1 Dollars (\$_20/CY) per unit.								
B.	Fill out Site and Building Unit Price Excel Spreadsheets included with the Bid Documents and submit them with the Bids.								
1.4	SUBMISSION OF BID SUPPLEMENT								
A.	Respectfully submitted this 26th day of April, 2019.								
B.	Submitted By: DeMaria, Inc. (Insert name of bidding firm or corporation).								
C.	Authorized Signature: De Maria (Handwritten signature).								
D.	Signed By: Anthony DeMaria (Type or print name).								
E.	Title: President (Owner/Partner/President/Vice President).								

END OF DOCUMENT 004322

4/1/2019

## **DOCUMENT 004321 - ALLOWANCE FORM**

1.1	BID INFORMATION
A.	Bidder: DeMaria, Inc.
B.	Project Name: Lakeshore Park and Community Center.
C.	Project Location: 601 South Lake Drive, Novi, MI 48375.
D.	Owner: City of Novi.
E.	Architect: NSA Architects, Engineers, Planners.
F.	Architect Project Number: 216409.00.
1.2	BID FORM SUPPLEMENT
A.	This form is required to be attached to the Bid Form.
В.	The undersigned Bidder certifies that Base Bid submission to which this Bid Supplement is attached includes those allowances described in the Contract Documents and scheduled in Section 012100 "Allowances."
1.3	SUBMISSION OF BID SUPPLEMENT
A.	Respectfully submitted this 26th day of April 2019.
В.	Submitted By: DeMaria, Inc. (Insert name of bidding firm or corporation).
C.	Authorized Signature: Unthony De Maria (Handwritten signature).
D.	Signed By: Anthony DeMaria (Type or print name).
E.	Title: President (Owner/Partner/President/Vice President).

END OF DOCUMENT 004321

SCH	EDULE OF VALUES			AIA DOCUME	NT G703				
Project:	Lakeshore Park Novi					Bidding Genera	l Contractor:	DeMaria	
Location:	601 South Lake Drive, Novi MI 48377					ARCHITECT'S P.	ROJECT NO:	216404	
A	В	С	D	E	F	G	н	1	J
Division	DESCRIPTION OF WORK								SCHEDULED
NO.									VALUE
01	General Requirements								\$458,983
02	Demolition								\$30,595.00
03	Concrete								\$292,203.00
04	Masonry								\$562,545.00
05	Metals								\$61,609.00
06	Wood, Plastics, and composites								\$581,094.00
07	Thermal and Moisture protection								\$221,915.00
08	Openings								\$146,722.00
09	Finishes								\$205,099.00
10	Specialties								\$40,520.00
11	Equipment								\$3,923.00
12	Furnishings								\$11,218.00
13	Special construction								\$147,205.00
21	Fire Suppression								\$35,694.00
22	Plumbing								\$107,922.00
23	HVAC								\$134,619.00
26	Electrical								\$579,719.00
27	Communications		Included Rough in						\$0.00
28	Electronic safety and security		Included Rough in						\$0.00
31	Earthwork								\$804,434.00
32	Exterior Improvements								\$608,881.00
	GRAND TOTAL								\$ 5,034,900

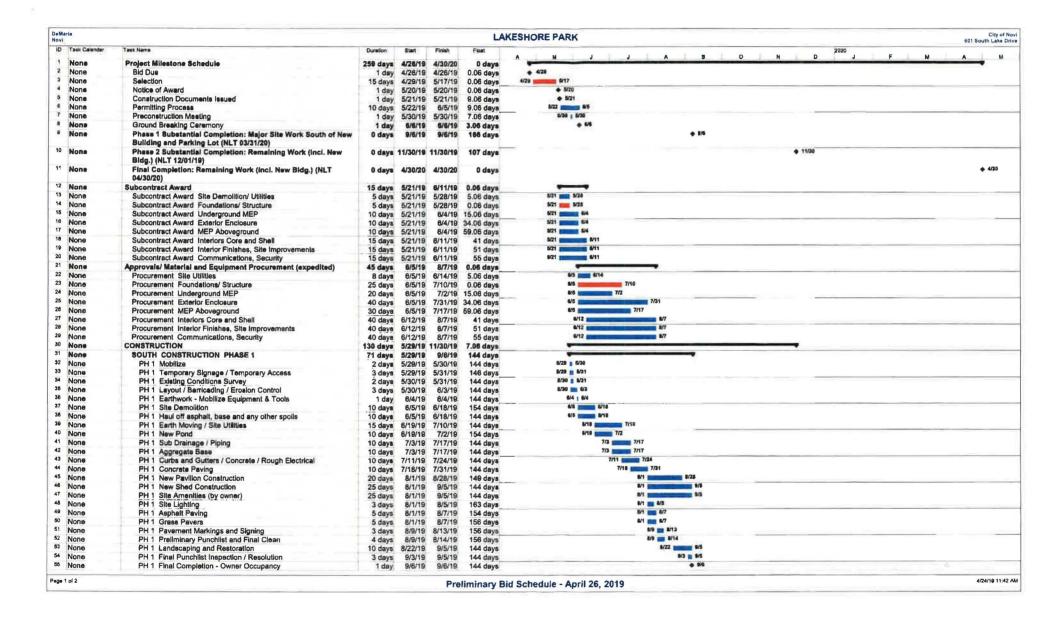
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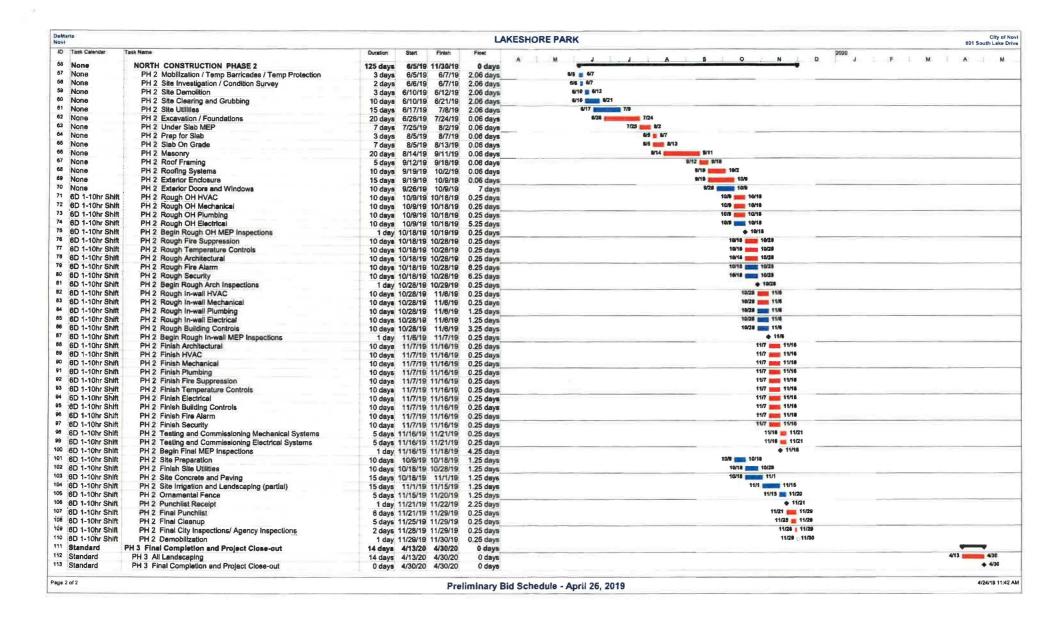
4/26/19

City of Novi Lakeshore Park project Value Engineering Options

Attn: Brandon McCullough

- 1. Waive the ABAA Requirements regarding the 072726 Air barrier Deduct \$2,750.00
- 2. Eliminate specified pressure treatment (061516/2.3) to all 2" decking Deduct \$15,000
- 3. Use RediRock in lieu of Keystone (Used on DPW) retaining wall Add \$18,000.00
- 4. We have included the allowance for CCTVs, however we have NOT included any further security costs due to lack of information. (Per Jeff Branch, Security Corp).
- 5. Excludes asphalt stamping. Location and quantity not shown.
- 6. Excludes Cycle Grip green application. No bidders.
- 7. No fire pump for fire protection, assuming adequate supply.
- 8. If 2,000 CY of unsatisfactory soil removal and replace with satisfactory soils is not required. Deduct \$35,000
- 9. DeMaria has identified approximately \$250,000 in Value Engineering.





### THE AMERICAN INSTITUTE OF ARCHITECTS



AIA Document A310

# Bid Bond

#### KNOW ALL MEN BY THESE PRESENTS, that we

DeMaria Building Company, Inc. 45500 Grand River Ave, Novi, MI 48374

as Principal, hereinafter called Principal, and

Liberty Mutual Insurance Company 175 Berkeley Street, Boston, MA 02116

a corporation duly organized under the laws of the State of Massachusetts as Surety, hereinafter called Surety, are held and firmly bound unto

City of Novi 45175 West Ten Mile Road, Novi, MI 48375

as Obligee, hereinafter called Obligee, in the sum of Five Percent of Accompanying Bid

Dollars (5% of Bid

for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

(Here insert full name, address and description of project)

Lakeshore Park

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof, or in the event of the failure of the Principal to enter such Contract and give such bond or bonds, if the Principal shall pay to the Obligee the difference not to exceed the penalty hereof between the amount specified in said bid and such larger amount for which the Obligee may in good faith contract with another party to perform the Work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect.

Signed and sealed this 26th day of April	, 2019
	DeMaria Building Company /Inc.
Kennifer Michalthi	(Seal)
(Witness)	Anthony DeMaria (Title) President
	Liberty Mutual Insurance Company
May	(Surety) (Seal)
(Witness)	Hory melals
	( <i>Title</i> )  Holly Nichols ,Attorney in Fact



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8198083-013068

on any business day

EST

this Power of Attorney 9:00 am and 4:30 pm

validity of the observation of t

the va-

To confirm 1-610-832-8

#### POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampsh	ire, that
Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly or	ganized
under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Nicho	las
Ashburn, Anne Barick, Robert D. Heuer, Paul M. Hurley, Michael D. Lechner, Mark Madden, Richard S. McGregor, Holly Nichols, Jason Rogers	

all of the city of Troy state of MI each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 30th day of November , 2018 .

1912





Liberty Mutual Insurance Company The Ohio Casualty Insurance Company West American Insurance Company

David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 30th day of November, 2018 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



#### COMMONWEALTH OF PENNSYLVANIA

Notarial Seal
Teresa Pastella, Notary Public
Upper Merion Twp., Montgomery County
My Commission Expires March 28, 2021

By: Teresa Pastella Teresa Pastella, Notary Public

This Power of Altorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12, Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such altorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such altorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 26th day of April , 2019







By: Rent chiley

Renee C. Llewellyn, Assistant Secretary