

October 27, 2023 (REV)

Spanish Peaks Community Foundation  
Huerfano County  
Colorado Preservation, Inc.

Re: Fox Theatre – Add Service  
Structural Engineering

Dear Carl, Mike, and Kate:

Form+Works Design Group has prepared this request for approval for Additional Services for the Fox Theatre Building project in Walsenburg, Colorado. This request was prepared in response to the contractor's discovery of unforeseen structural conditions in the attic. Once safe access was available into and throughout the attic space and materials were moved out of the way, the contractor identified fractures / partial failures in two of the roof truss's top and bottom chords, which were not visible during design investigations.

The structural engineer, JVA, has provided updated shoring requirements in response to the new discoveries. This direction was provided under their in-place Construction Administration contract. The unforeseen conditions noted above necessitate that JVA redesign the truss strengthening treatments and update the structural drawings. This effort falls outside their base Construction Administration contract.

The structural engineer expended more than double their fees in the design phases. To date, they have spent more than four times their current contracted Construction Administration fees, included in the current Architectural and Engineering contract executed August 23, 2023, developing updated shoring requirements and coordinating truss design concepts with the contractor and with Form+Works Design Group. This preliminary truss design work has included multiple iterations that followed the contractor's guidance to accommodate material availability, costs, and schedule concerns.

It is the design team's hope that the frequent discussions/coordination with the contractor and the multiple iterations of the preliminary design will result in minimal construction cost changes as a result of the discovery of the unforeseen conditions. For example, initial input from the contracting team indicated that the simplest structural design solution, first proposed by JVA, would add more than \$100,000 to the project cost. As a result, JVA explored another in-place strengthening concept before pivoting to the final solution that was endorsed by the contractor. The collaborative redesigning effort focused on alleviating cost and schedule burdens to keep the project viable. Preliminary discussion with the contractor during this process indicated that the final solution may be equal to the original anticipated cost of the structural work or even a cost savings on the construction side of the project.

In addition to time spent designing, the time spent coordinating and documenting decisions and direction has been significant for the A/E team. Form+Works has spent considerable time beyond their assumed Construction Administration fee attending and documenting meetings with the structural engineering team, the contractor, and the Owner in order to facilitate a solution that works well for the entire team and the project as a whole.

With the awareness that the project is reliant on grant funding and the Owner has already seen change orders from the contractor which have impacted the project budget, the design team is proposing to split the additional costs associated with this additional work with the Owner. The requested additional fees listed below represent approximately half of the additional fees spent or anticipated to be spent due to the changes to the project scope.

Based on the above information, the design team respectfully requests the following additional fees be added to the existing Construction Administration contract associated with State Historical Fund grant 23-02-029. As noted above, this amount represents 50% of the fees expended, or anticipated to be expended, by the design team for this effort.


<i>JVA, Inc. Structural Engineering</i>	\$20,000.00
<b>TOTAL ADD SERVICE AMOUNT REQUESTED</b>	<b>\$20,000</b>

Note that Form+Works will track and invoice against the construction administration contract for State Historical Fund grant 21-M2-023 to absorb the overage on the Architectural Construction Administration associated with the project.

We are appreciative of continuing to work with you on this project. If you have any questions concerning this proposal, we are glad to discuss them with you.

Sincerely,  
Form+Works Design Group, LLC

Accepted By:



Jessica Reske, AIA, LEED AP

President

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

<b>JVA Construction Administration Services Budget Report</b>				
<i>Task</i>	<i>Contract Amount</i>	<i>Spent to Date</i>	<i>Anticipated</i>	<i>Delta</i>
CA – Shoring	\$5,562	\$18,741	\$0	\$13,179
Truss Repair Concepts	\$0	\$6,776	\$0	\$6,776
Anticipated Truss Repairs – Formal Issue as ASI 01	\$0	\$0	\$12,000	\$12,000
Anticipated Site Visits, Field Reports, and Submittals	\$0	\$0	\$8,000	\$8,000
<b>CA TOTAL</b>	<b>\$5,562</b>	<b>\$25,517</b>	<b>\$20,000</b>	<b>\$39,955</b>

Note that the above table only includes Construction Administration services for JVA, Inc. Structural Engineering. It should be noted that the Structural Engineering budget for Design Services is also over budget, but no additional fee is being requested at this time.

A table of Structural Design Fee Data for the Design Phase of the project is below for reference.

<b>JVA Design Services Budget Report</b>				
<i>Task</i>	<i>Contract Amount</i>	<i>Spent to Date</i>	<i>Anticipated</i>	<i>Delta</i>
Construction Documents	\$13,300	\$32,810	\$0	\$19,510
Construction Documents for PV	\$4,000	\$8,319	\$0	\$4,319
<b>DESIGN TOTAL</b>	<b>\$17,300</b>	<b>\$41,129</b>	<b>\$0</b>	<b>\$23,829</b>