



## FIRE DEPARTMENT

**To:** Mayor and Town Council  
**From:** Stuart Blasingame, Fire Chief  
**Through:** Harlan Jefferson, Town Manager  
**Re:** Town Council Meeting – June 14, 2022

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**Agenda Item:**

Consider and act upon awarding RFP No. 2022-46-B Construction Manager-At-Risk for Prosper Fire Station No. 4 to Pogue Construction Co., LP; and authorizing the Town Manager to execute documents for the same.

**Description of Agenda Item:**

On November 9, 2021, the Town Council approved an agreement with Brown Reynolds Watford Architects (BRW) for the architectural and engineering design services for Prosper Fire Station No. 4. BRW requested that the Town select a Construction Manager-At-Risk (CMAR) no later than June 2022, to maximize the benefits of pre-construction services early in the design process.

On April 28, 2022, at 10:30 AM, five proposals were received for the Construction Manager-At-Risk for Prosper Fire Station No. 4. The project was advertised using the Construction Manager-At-Risk alternative construction method to award the project to the contractor that offers the best value proposal based on the following criteria:

- Overall Ability to Meet Town Objectives (10%)
- Experience with Similar Facility Construction (20%)
- Qualifications of Project Personnel (20%)
- References (10%)
- Cost Proposal (40%)

Utilizing the construction budget of \$6,000,000.00 for evaluation purposes, the cost proposals ranged between \$689,439.86 and \$1,019,176.00. The Pre-Construction Services fee and the General Conditions Cost fee are hard costs. The CMAR fee is a percentage of the construction cost, so the actual amount is unknown until design is complete, the CMAR bids out the trades, and a Guaranteed Maximum Price is negotiated.

The evaluation committee was comprised of 11 members representing Fire, Police, Development Services, Administrative Services, Building Inspections, Information Technology, and the Town's contracted architect for this project. Upon completion of the evaluation, Pogue Construction Co., LP, was the top-ranked contractor.

Pogue Construction Co., LP, was previously selected as the Town's CMAR for the Central Fire Station and Fire Administration Building currently under construction. They have also completed Town projects including Fire Station No. 2, Town Hall, and the Police Department and Dispatch Facility. They have extensive fire administration/station construction experience, and staff received favorable responses from references.

**Budget Impact:**

The entire project budget is \$8,000,000.00. The professional services budget for this project is estimated at \$623,380.00 and includes the Pre-Construction Services fee of \$15,000.00 and will be funded from Professional Services Account No. 750-5410-10-00-2137-FC in FY 22.

The construction budget for this project is \$6,000,000.00. The General Conditions Cost fee is \$570,039.86 and the CMAR Fee is 1.74% of construction costs. These fees will be included as part of the Guaranteed Maximum Price Amendment funded from Construction Account No. 750-6610-10-00-2205-FC in FY 22 when the Amendment is negotiated.

**Legal Obligations and Review:**

Terrence Welch of Brown & Hofmeister, L.L.P., has reviewed the AIA construction documents as to form and legality.

**Attached Documents:**

1. Evaluation Matrix
2. AIA Document A133-2019 Standard Form of Agreement Between Owner and Construction Manager as Constructor
3. Addendum to AIA Document A133-2019
4. AIA Document A201-2017 General Conditions of the Contract for Construction
5. Addendum to AIA Document A201-2017

**Town Staff Recommendation:**

Town staff recommends awarding RFP No. 2022-46-B Construction Manager-At-Risk for Prosper Fire Station No. 4 to Pogue Construction Co., LP; and authorizing the Town Manager to execute documents for the same.

**Proposed Motion:**

I move to award RFP No. 2022-46-B Construction Manager-At-Risk for Prosper Fire Station No. 4 to Pogue Construction Co., LP; and authorize the Town Manager to execute documents for the same.