



## Recommendation for Action

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**File #: 22-1019, Agenda Item #: 13.**

**2/3/2022**

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### **Posting Language**

Authorize negotiation and execution of a Construction Manager-at-Risk agreement with Linbeck Group, LLC, for preconstruction and construction services for the Mexic-Arte Museum project in an amount not to exceed \$14,000,000.

[Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievement of Good Faith Efforts with 4.00% MBE and 5.00% WBE participation.]

### **Lead Department**

Financial Services Department.

### **Managing Department**

Public Works Department.

### **Fiscal Note**

Funding is available in the Fiscal Year 2021-2022 Capital Budget of the Economic Development Department.

### **Purchasing Language:**

Best Value to the City of Austin of five offers received and evaluated.

### **Prior Council Action:**

December 2, 2021 - City Council authorized negotiation and execution of a professional services agreement with Exigo Architecture.

June 4, 2020 - City Council authorized use of Construction-Manager-at-Risk alternative delivery procurement method for the Mexic-Arte Museum.

### **For More Information:**

Respondents to this solicitation, and their representatives, shall direct inquiries to Rolando Fernandez, 512-974-7749, Beverly Mendez, 512-974-3596, or the Project Manager, Sergio Altamirano, 512-974-1747.

### **Additional Backup Information:**

Mexic-Arte Museum was founded in 1984 by artists Sylvia Orozco, Sam Coronado, and Pio Pulido in the Arts Warehouse, in downtown Austin, to share the art and culture of Mexico with Texas. To expand its programs and exhibitions, in 1988 the Mexic-Arte Museum moved into its current home located at 419 Congress Avenue. Since 1984, the Mexic-Arte Museum has been a pioneer institution as one of the few Mexican and Mexican American art museums in the United States; and is designated as the Official Mexican and Mexican American Fine Art Museum of Texas with an average of 75,000 visitors, ranging from enthusiastic children to art

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connoisseurs, touring the museum each year.

This project will include Construction Manager-at-Risk services for all phases including review of the building program, development of opinions of probable costs and constructability reviews of design documents at preliminary design, 30% design, 60% design, and 90% design phases, and construction and post construction phase services. The Construction Manager-at-Risk will also participate in any presentations to the community during design and construction phases, and presentations to boards and commissions if requested.

Consistent with all City of Austin bond-funded projects, the project will include a public art component to be delivered under a separate contract by the Art in Public Places (AIPP) program. The Construction Manager-at-Risk will collaborate with the selected AIPP lead artist and the Selected Project Prime Design Consultant in the installation of the AIPP commission artwork.

The primary funding for this project comes through the approval by voters of the 2006 and 2018 Bond Election.

This item is not time sensitive, however, as per Resolution No. 20200521-095 directing the City Manager to review capital project delivery planning and accelerate delivery of cultural center facilities included in the 2018 bond package, the Mexic-Arte Museum is specifically identified as one of the capital projects intended to aid economic recovery of the City's vital arts, music, and entertainment industries during the COVID-19 pandemic.

If authorization is not given to execute a Construction Manager-at-Risk agreement, Mexic-Arte Museum will not be able to continue to expand its enrichment of the community through education programs, exhibitions and the collection, preservation, and interpretation of Mexican, Latino, and Latin American art and culture for visitors of all ages.

The Construction Manager-at-Risk method is a project delivery method where the City will contract with an architect/engineer to perform design services and separately contract with a Construction Manager to perform preconstruction and construction phase services. The role of the Construction Manager goes beyond performing general contractor services. The Construction Manager is under contract early in the design process to perform key preconstruction phase services such as collaborating with the City and the design team on scope and constructability and to optimize the design and control costs and budgets, and to provide quality assurance-quality control. After design, and before construction begins, the City will negotiate and execute a Guaranteed Maximum Price for the remainder of the work, including actual construction.

The Construction Management firm is recommended by a City-staffed evaluation panel that evaluated and scored proposals based on published evaluation criteria to determine the highest ranked proposer. As set forth in Government Code Chapter 2269, the City will select a construction manager firm that will provide the "best value" to the City for preconstruction and construction services for the project.

The contract allows for 730 calendar days for completion of this project. The project is located in zip code 78701 (District 9).

Linbeck Group, LLC is located in Houston, Texas.

**Strategic Outcome(s):**

Culture and Lifelong Learning, Government that Works for All, Economic Opportunity and Affordability.