

Collin County Community College District Board of Trustees

2016-9-13

September 27, 2016

Resource: Kenneth Lynn

Acting Vice President of Administrative Services/CFO

TITLE: Approval to Terminate Services of Contractor in Connection with Change in Construction Method for Public Safety Training Center, Compensate Contractor for Pre-Construction Services Rendered, and Authorize the District President to Take Any Action Necessary or Advisable to Effectuate the Termination

DISCUSSION: On October 27, 2015, the Board of Trustees approved Pogue Construction ("Pogue") as the construction manager-at-risk ("CMAR") for the construction of the Public Safety Training Center ("Project"). Pogue's proposal included a preconstruction fee of \$10,000.00. Since that time, although no contract was entered into with a CMAR, Pogue has provided some pre-construction services but not as was contemplated or expected under the usual CMAR relationship. Pogue's cost estimation, which was compiled without the level of meaningful involvement that is normally provided during the preconstruction and design development phase, has been erratic and the construction cost estimate delivered at the 75% design stage is considerably higher than anticipated.

The value to the District in the CMAR process is having the CMAR involved in the planning and design of the Project which should theoretically lead to a Project with higher constructability standards and lower costs. The Administration believes that the theoretical value of the CMAR for the Project has expired. The 100% drawings have been filed with the City of McKinney Planning and Zoning departments and all that is left is the awarding of a contract and construction of the Project.

The Administration now believes that changing the delivery method to a lump sum offer - competitive sealed proposal (CSP) method - and selecting a contractor who will be responsible only for construction at a set price will encourage competition, save the District money, and provide better value for the District. Changing the

construction delivery method to the CSP method renders Pogue's services as a CMAR redundant and not required.

**DISTRICT PRESIDENT'S
RECOMMENDATION:**

The District President recommends approval of terminating the services of Pogue as the construction manager-at-risk approved in October 2015 for the Public Safety Training Center in connection with changing the construction method for the Project, and compensating Pogue for their pre-construction services fee.

SUGGESTED MOTION:

"Mr. Chairman, I make a motion that the Board of Trustees of Collin County Community College District approves termination of the services of the construction manager-at-risk approved by the Board of Trustees for the construction of the Public Safety Training Center in connection with the change in construction method, compensation to Pogue for their pre-construction fee, and authorizes the District President to take any action necessary or advisable to effectuate the termination."