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**PARKS, RECREATION & FACILITIES
MANAGEMENT**

Dean R. Gazza, Director

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TO: Finance Committee

FROM: Dean R. Gazza, Director of Parks, Recreation and Facilities Management

DATE: 12/13/2016

RE: Action Item: Approve Change Order #1 to contract 50-16 for Erb Park and Pool renovation project for a separated recirculation system of slides in the amount of \$130,590.99 resulting in a decrease of the contingency from \$613,048 to \$482,457.01. No change to the overall contract amount.

On July 21, 2016 bids were received and publicly opened to hire a General Contractor for the construction and renovation of Erb Park and Pool. Just a few days before, on July 15, 2016 the engineer received a letter from the Division of Industry Services indicating that during the review of the plans they identified an area of non-compliance to the applicable Wisconsin Administrative Codes. Specifically, the runout slides are required to be separated from the pool circulation system. The engineer noted that in their past designs they would combine the slides with the pool and it had always been acceptable to the state. Though this code has been in effect since 2009, the engineer has provided examples of installations whereas the state allowed slides and pools to share the same recirculation system. Regardless, I expect any work done in the City of Appleton be constructed to current code.

Because this letter was received just days before bid opening we requested this be a change order once the cost was known. There has been significant conversation with the engineer and they will be covering all mark-ups totaling \$6,915.57 and all engineering costs related to the change. Mark-ups are fees charged by the contractor to administer and manage the additional scope of work.

When the Finance Committee previously approved the contract I had mentioned that we were aware of this and I would be bringing it back to Committee/Council once we had it worked out. This is the change I noted at the meeting.

Please feel free to contact me at 832-5572 with any questions, or by email at dean.gazza@appleton.org.