



## Legislation Details (With Text)

**File #:** 2024-0927  
**Type:** Agenda Item **Status:** Passed  
**File created:** 2/29/2024 **In control:** City Council  
**On agenda:** 3/19/2024 **Final action:** 3/19/2024  
**Title:** Approve the award of the Agreement for Construction Manager at Risk Services to Wharton-Smith, Inc. for the provision of pre-construction and construction phase services for the Water Treatment Plant No. 2 Membrane Project in the amount of \$680,163

**Sponsors:**

**Code sections:**

**Attachments:** 1. FOR COUNCIL -Agreement for Construction Manager at Risk Services - Wharton Smith (WRS-240193) - 3-12-24, 2. Wharton-Smith, Inc - Bid Documents (1), 3. NOTICE OF INTENT TO AWARD, 4. Preliminary Plant Layout\_a72342a5

Date	Ver.	Action By	Action	Result
3/19/2024	1	City Council	Approved	Pass

Submitted By: Jimmy Lopez

Presentation By: Sean Lanier

Department: Engineering

---

### STAFF RECOMMENDATION (Motion Ready):

Approve the award of the Agreement for Construction Manager at Risk Services to Wharton-Smith, Inc. for the provision of pre-construction and construction phase services for the Water Treatment Plant No. 2 Membrane Project in the amount of \$680,163

---

### OCALA'S RELEVANT STRATEGIC GOALS:

Operational Excellence, Quality of Place

---

### PROOF OF PUBLICATION:

Bid released to public:05/16/2023; Newspaper Ad: 05/22/2023; Selection Committee Meeting: 8/18/2023

---

### BACKGROUND:

The goal of the Water Treatment Plant No. 2 Membrane Project (Project) is to construct a 7.5 million-gallons-per-day (MGD) water treatment plant facility to serve as the future potable water supply source for the City of Ocala's residents and customers. With anticipated future expansions, Water Treatment Plant No. 2 (WTP#2) will ultimately treat approximately 30 MGD. The full buildout for the Membrane Water Treatment Plant Project will be designed and constructed in multiple phases to meet the funding and capacity needs of the City of Ocala (City). The City reserves the right to continue each phase with the selected firm or to readvertise for re-

selection at the completion of each phase.

On November 9, 2021, the City issued a Request for Letters of Interest for professional engineering design services for the design and development phase of the Project. Kimley-Horn and Associates, Inc. (Kimley-Horn) was selected to provide complete design and construction documents and other related services necessary to implement the Project. On May 19, 2023, City issued its Request for Proposals seeking proposals from highly qualified, experienced, and licensed firms to provide professional Construction Manager at Risk (CMAR) services during the pre-construction and construction phases of the Project.

During the pre-construction phase, the City expects the CMAR firm to provide design-assist services with Kimley-Horn for the purposes of preparing the construction documents and for the development of an acceptable Guaranteed Maximum Price (GMP) proposal. The CMAR will be expected to ensure that construction costs will be transparent through an open-book GMP process during construction.

The WTP#2 facility construction will be completed in multiple phases to support the funding and capacity needs of the City. It is anticipated that the phasing will include Phases 3 through 8. The City reserves the opportunity to continue each phase with the selected CMAR or readvertise for reselection at each phase's completion.

#### **FINDINGS AND CONCLUSIONS:**

On May 19, 2023, the City of Ocala issued Request for Proposals (RFP) No. WRS/220664 for the provision of Construction Manager at Risk (CMAR) services for the WTP #2 Membrane Project. On August 4, 2023, one proposal was received.

In accordance with the Consultants' Competitive Negotiation Act (CCNA) codified at section 287.055, Florida Statutes, the proposal was first evaluated by the City's Selection Committee based on weighted criteria relating to the firm's qualifications, past experience, availability, and safety record. After oral presentations were held, the Selection Committee recommended award of the Agreement for CMAR Services for the WTP #2 Membrane Project to Wharton-Smith, Inc. Thereafter, City staff negotiated compensation for pre-construction phase services in the amount of \$680,163, which has been determined to be fair, competitive, and reasonable.

#### **FISCAL IMPACT:**

Funding for this contract is budgeted as follows: 308-030-335-533-69-65010 \$680,163

#### **PROCUREMENT REVIEW:**

These services were procured in compliance with the City's Procurement Policy.

#### **LEGAL REVIEW:**

This Agreement will be reviewed and approved for form and legality by City Attorney, William E. Sexton.

#### **ALTERNATIVE:**

- Approve with Changes
- Table
- Deny