



## Legislation Text

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Resolution Authorizing an Increase of More than 25% of Original Contract Price Awarded Under ITB 23-65/TM to Eastern Waterproofing & Restoration of Virginia, LLC. for Maritime Center Façade Repairs as Required by Hampton City Code

### **PURPOSE/BACKGROUND:**

In May of 2023, the Department of Public Works solicited a formal bid under ITB 23-65/TM for repairs to the façade of the Hampton Maritime Center. The bid was awarded to Eastern Waterproofing & Restoration of Virginia, LLC as the lowest responsive and responsible bidder at a quoted price of \$648,849.00. Subsequent to the award, change orders were submitted and approved in the amount of \$162,212.25 for additional repairs to the curtain walls and columns as well as the installation of additional fireproofing, new light fixtures, pedestrian traffic coating, and railing supports. Additional damage involving the curtain wall and columns have subsequently been discovered that must be repaired for the safety of public use. This will require an additional change order expected to be in the sum of \$74,841.53 bringing the cumulative total of change orders to \$237,053.78, which equates to an approximate 37% increase over the original contract price. Hampton City Code § 2 336 requires the advanced written approval of City Council in order to increase a contracted amount by more than 25% or \$30,000, whichever is greater.

### **Discussion:**

Approval by City Council to increase the contract price would allow the department to issue a change order modifying the contract to repair all of the damages to the curtain wall and columns located during construction. The scope of work under the existing contract with Eastern Waterproofing & Restoration of Virginia, LLC consists of repairs to the façade of the Maritime Center. Change orders issued by Eastern Waterproofing & Restoration of Virginia, LLC for the additional repairs are reasonable, and staff believes that this is the most efficient and cost-effective way to have the additional repairs fixed.

### **Impact:**

Net Impact of \$74,841.53 in additional funding for the Maritime Center Façade Repairs.

### **Recommendation:**

Approve Resolution

WHEREAS, the City has engaged Eastern Waterproofing & Restoration of Virginia, LLC. through the Virginia Public Procurement Act, to repair the Hampton Maritime Center Façade for \$648,849.00;

WHEREAS, during construction additional damage was uncovered at the Maritime Center that was not known to exist and was therefore not included in the City's initial contract with Eastern

Waterproofing & Restoration of Virginia, LLC.

WHEREAS, removal and repairs made to the Maritime Center are necessary for the safety of the public;

WHEREAS, Eastern Waterproofing & Restoration of Virginia, LLC. has advised that the additional repairs will cost approximately \$74,841.53;

WHEREAS, Hampton City Code § 2 336 provides that a contract may be increased by more than 25% of the original contract price or \$30,000, whichever is greater, only after advanced written approval of the City Council;

WHEREAS, the additional sum necessary, as provided by the contractor, Eastern Waterproofing & Restoration of Virginia, LLC, for the additional removal and repairs is reasonable; and

WHEREAS, because Eastern Waterproofing & Restoration of Virginia, LLC. is already under contract and is actively working to repair the Maritime Center Facade, modifying that contract is the most efficient and cost effective way to complete this project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HAMPTON, VIRGINIA:

1. That it approves modification of the contract between the City and Eastern Waterproofing & Restoration of Virginia, LLC. by change orders in the total sum of \$74,841.53 deemed necessary for the repair of the curtain wall and column damage of the Maritime Center as required by Hampton City Code § 2 336; and

2. That the City Manager, or her authorized designee, is hereby authorized to take any and all necessary actions to carry out the purposes of this Resolution, including but not limited to executing change orders and contract amendments, subject to approval by the City Attorney.