

Memorandum



CITY OF DALLAS

DATE June 12, 2015

TO Honorable Members of the Arts, Culture & Libraries Committee: Philip T. Kingston (Chair), Mónica R. Alonzo (Vice Chair), Vonciel Jones Hill, Jerry R. Allen, Carolyn R. Davis, Jennifer Staubach Gates

SUBJECT **June 17, 2015 Public Works Upcoming Agenda Item: Kalita Humphreys Theatre HVAC improvements construction services contract with DMI Corp. dba Decker Mechanical**

The historic Kalita Humphreys Theater, located at 3636 Turtle Creek Blvd., Dallas, TX 75219, is the only existing freestanding theater designed by world renowned Architect Frank Lloyd Wright. Over the years the building has had two additions and the HVAC system renovated in response to various needs. Much of the existing mechanical system dates back to 1958 and various added systems fail to adequately control the interior environment, and are not responsive enough to adjust to the changing needs of the theater, and induce noticeable vibrations, drafts and noise when in operation.

The 2006 Bond Program included funds for HVAC improvements to the Kalita Humphreys Theater to provide significantly greater environmental control of the interior spaces while removing exposed and unsightly mechanical equipment. In 2010, Booziotis and Company completed the Dallas Theater Center Master Plan for the Kalita Humphreys Theater for Public Works. Although the Master Plan has not been approved by the City, it is the intention that the Master Plan be taken into consideration when designing solutions.

In December 2013, a Selection Committee convened to review the RFQs submitted by eighteen firms which have mechanical engineering qualifications necessary for the Kalita Humphreys Theater HVAC Upgrade project. The selection unanimously recommended G and S Consulting Engineers, LLC (G&S) as the highest ranked firm to perform engineering services for this project.

On Wednesday, March 4, 2015 the Kalita Humphreys Theater – HVAC Upgrade project was advertised for Competitive Sealed Proposals. On March 26, 2015, two Competitive Sealed Proposals were received. The Proposal Evaluation Committee evaluated and ranked all proposals according to grading criteria provided in the project specifications. DMI Corp., Decker Mechanical was chosen as the most qualified firm of the two proposers and it is recommended that the City of Dallas enter into a construction contract with DMI Corp., Decker Mechanical for the scope of work detailed in the Project Manual and Construction Documents.

The scope of this project includes the HVAC and Mechanical Improvements designed for the Kalita Humphreys Theater fall into three general categories – Health and Safety, Comfort and Satisfaction, and Energy Efficiency. This document describes the elements of the current design and how they apply to these critical performance factors for the facility.

HEALTH AND SAFETY

Stage Smoke Relief and Fire Safety

Building codes require a smoke and heat release vent associated with any stage over 1000 SF in area and over 50 feet high. This stage exceeds both of these criteria. The existing vents are the original smoke relief vents built in 1958, are no longer operational, and have been compromised in an attempt to solve an ongoing maintenance issue. This project includes the removal and replacement of these vents with ones that meet current codes.

Date June 12, 2015
Subject June 17, 2015 Public Works Upcoming Agenda Item: Kalita Humphreys Theatre HVAC improvements construction services contract with DMI Corp. dba Decker Mechanical

Fresh Air and Ventilation

Occupied buildings need fresh outside air, for which minimums are prescribed in the Mechanical Code. The building currently is hit-and-miss for fresh air, with some of the intakes closed and corroded completely shut, and the main intake without any control whatsoever. The existing fans serving the public toilet areas are too small, they do not meet current Mechanical Code. Several of the fans serving the individual toilets do not operate at all. Positive ventilation of toilets with a minimum air flow rate is also prescribed in the Mechanical Code.

The project includes replacement of the fresh air intake damper and controls to the main air handling unit serving the building, repair of the existing fresh air intakes to the backstage equipment, and addition of CO2-based ventilation and pressurization controls for the building. The project also includes replacement of the undersized toilet fans and a thorough testing of the existing toilet exhaust duct system.

COMFORT AND SATISFACTION

The Kalita Humphreys Theater is an entertainment venue, and the comfort of the audience contributes to the overall enjoyment of the experience, which translates directly to revenue. The situation at this theater has deteriorated to the point that regular patrons are withdrawing their continued support. The standards and expectations for conditioned environment have changed since the original concepts of 1958, and a simple, direct, one-for-one replacement of equipment would not have produced a comfortable and satisfactory environment to serve the audience of 2015.

Temperature and Air Flow

The main air conditioning system is redesigned to provide monitoring and control of the various areas so that the conditions are comfortable throughout the facility before, during, and after a performance or event. Temperature and air flow control devices are added to the air distribution system to maintain these comfortable conditions. Humidity levels will also be monitored and controlled. The ductwork and air distribution system is reconfigured to eliminate the cold drafts and need for blankets for the patrons in the rear of the audience during a performance. The aforementioned work to bring in and control the fresh air will also contribute to audience comfort.

Noise and Vibration

The equipment and ductwork have also been designed and selected for their quiet-ness – lack of noise. Special attention has been paid to the specification of the equipment directly serving the audience areas – the original main Theater as well as the newly created space in the basement. The air handling equipment has multiple, small, low-noise fans and is controlled to run the fans at the slowest and quietest speed necessary to provide comfort to the space. The two new units on the roof are completely enclosed and sealed so that noise from the exterior, such as aircraft or traffic, is blocked from the Theater.

Other

The satisfaction issue is not limited to the public and patrons. There are features of the new system which will facilitate the operation and maintenance of the equipment. The project includes a complete overhaul of the Building Energy Management and Controls system. Virtually all of the equipment serving the backstage and theater support still had the original vintage 1958 pneumatic controls and are completely inoperable. Staff has been operating the equipment manually for years.

Humidity control will be added to the functionality of the HVAC systems. The ability to control humidity to a maximum level will help the City preserve and maintain the original wood trim surfaces. The control of humidity should also increase the longevity of the fabric surfaces like the curtains, seating fabric, and carpets.

Date June 12, 2015
Subject June 17, 2015 Public Works Upcoming Agenda Item: Kalita Humphreys Theatre HVAC improvements construction services contract with DMI Corp. dba Decker Mechanical

ENERGY EFFICIENCY

Equipment

Most of the equipment in the main mechanical room was replaced in the mid-1970's. Some other equipment in the basement was added on an as-needed basis in the 1980's and the early 2000's. Virtually all of the equipment serving the upper levels backstage and in the upper levels of the original wings is the original equipment installed in 1958-1959. The existing boiler is the original boiler from 1958. All of the equipment is well past its useful life.

Air Handler

The new main air handling unit was designed with Fanwall technology, with multiple small fans in a parallel configuration. This enables the unit to run only the amount of air flow actually needed to meet the load, and improves the range of air flow rates and turn-down ratio approximately four-fold. The main system is Variable Air Volume (VAV), which incorporates air flow control devices within the ductwork system to distribute and control the air flow to deliver it to only the areas where it is required.

Fresh air is delivered to the facility utilizing Carbon Dioxide (CO₂) control at single location, but with an economizer override. This allows the system to deliver precisely only the amount of fresh air required to satisfy the occupants when the outside conditions are excessively hot, cold, or humid, but to use free cooling and/or heating when the outside conditions are appropriate.

Chiller

The new chiller will be configured as Heat Recovery Heat Pump. This configuration utilizes the heat rejected as a function of creating chilled water for cooling in the heating loop, and can also generate heated water simultaneously with chilled water. This allows the system to provide simultaneous heating and cooling with only the additional energy required to circulate the heating water to where it is needed or with a high energy efficiency ratio. This is especially effective in a facility such as this one, where there may be a need for heating in an exterior zone such as the Lobby at the same time that cooling is needed for a full performance in the basement performance area.

As a water-cooled heat pump, this new chiller has a refrigerant cycle that is uniquely suitable for conversion to service utilizing Ground Source Wells instead of a cooling tower. The utilization of Ground Source Wells is often referred to as 'Geothermal' and has been used by the City of Dallas on other properties as part of a comprehensive program to achieve LEED accreditation – up to and including LEED Gold. Given the proximity to Turtle Creek and the quantity of parking lot and park area, this property is a candidate for conversion in the future as funds permit. This conversion has been discussed as part of other master planning for the site utilization by the City.

Boiler

A new supplementary boiler will be provided for the limited occasions where the ability to reject the cooling generated by the heat pumps to the cooling tower is unavailable. If the system is ever converted to Ground Source/Geothermal, the need for this boiler will be eliminated.

Controls

The existing controls system has never been upgraded from the original 1958 pneumatic controls. Most of the controls are not functional, and the system has been operated manually for all of recent memory.

An entirely new Building Energy Management and Control System which conforms to the City of Dallas standards will be provided for this facility. It will be fully electronic, Direct Digital Control (DDC), and provided with the ability to be expandable as other areas of the facility. It will have the ability to communicate with the City of Dallas Central Energy Management system.

Date June 12, 2015
Subject June 17, 2015 Public Works Upcoming Agenda Item: Kalita Humphreys Theatre HVAC improvements construction services contract with DMI Corp. dba Decker Mechanical

Please contact Zaida Basora, FAIA at 214-948-5360 if you have additional questions.



Jill A. Jordan, P.E.
Assistant City Manager

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 17, 2015
COUNCIL DISTRICT(S): 14
DEPARTMENT: Public Works Department
Office of Cultural Affairs
CMO: Jill A. Jordan, P.E., 670-5299
Joey Zapata, 670-1204
MAPSCO: 35X

SUBJECT

Authorize **(1)** a construction services contract with DMI Corp. dba Decker Mechanical, best value proposer of two, for heating, ventilation and air conditioning upgrades for the Kalita Humphreys Theater located at 3636 Turtle Creek Boulevard in the amount of \$1,438,043; and **(2)** an increase in appropriations in the amount of \$160,000 in the Cultural Arts Facilities Fund - Total not to exceed \$1,438,043 - Financing: 2006 Bond Funds (\$928,958), Private Funds (\$239,808), Majestic/Music Hall Major Maintenance Funds (\$37,679), Capital Construction Funds (\$75,000), 2003 Bonds Funds (\$122,608) and 1998 Bond Funds (\$33,990)

BACKGROUND

The historic Kalita Humphreys Theater, located at 3636 Turtle Creek Blvd., Dallas, TX 75219, is the only existing freestanding theater designed by world renowned Architect Frank Lloyd Wright. Over the years the building has had two additions and the HVAC system renovated in response to various needs. The existing mechanical system and various added systems fail to adequately control the interior environment, are not responsive enough to adjust to the changing needs of the theater, and induce noticeable vibrations, drafts and noise when in operation.

The 2006 Bond Program included funds for HVAC improvements to the Kalita Humphreys Theater to provide significantly greater environmental control of the interior spaces while removing exposed and unsightly mechanical equipment. Improvements are restricted to the original 1959 Theater area and are not to extend into the two later additions.

BACKGROUND (Continued)

On Wednesday, March 4, 2015, the Kalita Humphreys Theater - HVAC Upgrades was advertised for Competitive Sealed Proposals. On March 26, 2015, two Competitive Sealed proposals were received. The Proposal Evaluation Committee evaluated and ranked all proposals according to grading criteria provided in the project specifications. DMI Corp. dba Decker Mechanical was chosen as the most qualified firm of the two proposers and it is recommended that the City of Dallas enter into a construction contract with DMI Corp. dba Decker Mechanical for the scope of work detailed in the project Manual and Construction Documents.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2014
Complete Design	February 2015
Begin Construction	October 2015
Complete Construction	January 2016

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a consulting services contract with G and S Consulting Engineers, LLC for the Kalita Humphreys Theater - HVAC Upgrades on April 9, 2014, by Resolution No. 14-0596.

FISCAL INFORMATION

- 2006 Bond Funds - \$928,957.57
- 2003 Bond Funds - \$122,608.00
- 1998 Bond Funds - \$33,990.00
- Majestic/Music Hall Major Maintenance Funds - \$37,679.25
- Private Funds - \$239,808.49
- Capital Construction Funds - \$75,000.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

DMI Corp. dba Decker Mechanical

Hispanic Female	0	Hispanic Male	23
African-American Female	0	African-American Male	3
Other Female	0	Other Male	1
White Female	6	White Male	76

PROPOSAL INFORMATION

Two competitive sealed proposals were received and opened on March 26, 2015. The selection committee ranked the proposers as follows:

*Denotes the best value proposer

<u>Bidder</u>	<u>Base</u>	<u>Alt. No. 1</u>	<u>Total</u>
*DMI Corp. dba Decker Mechanical 1002 KCK Way Cedar Hill, TX 75104	\$1,400,070	\$37,973	\$1,438,043
Native Solutions, Inc.	\$1,974,063	\$22,924	\$1,996,987

Alternate No. 1 - Stage Smoke Vent

OWNER

DMI Corp. dba Decker Mechanical

Wade Decker, President

MAP

Attached.

Memorandum



CITY OF DALLAS

DATE June 12, 2015

TO Honorable Members of the Arts, Culture & Libraries Committee: Philip T. Kingston (Chair), Monica R. Alonzo (Vice Chair), Vonciel Jones Hill, Jerry R. Allen, Carolyn R. Davis, Jennifer Staubach Gates

SUBJECT June 17, 2015 Dallas Public Library Upcoming Agenda Item: Acceptance of 2015 Health Information Literacy award and acceptance of a 2015 Express Outreach award

On the June 17, 2015 Council Agenda, there will be an item for Council consideration that will accept two awards from the National Network of Libraries of Medicine South Central Region through its agent, the Houston Academy of Medicine-Texas Medical Center:

(1) A 2015 Health Information Literacy Award in an amount not to exceed \$5,000 from to provide funding costs associated with the 2015 Men's Health Conference; and

(2) A 2015 Express Outreach Award in an amount not to exceed \$4,980 to provide funding costs associated with the purchase of tablets for library staff training, and the launch of an outreach program that will explore the delivery of interactive health and wellness programs through low-cost, cloud-centric teleconferencing.

In addition to the acceptance of the grants, the execution of the award agreements with the Houston Academy of Medicine-Texas Medical Center will also be carried out with this action for a total combined acceptance not to exceed \$9,980.

Each year, the National Network of Libraries of Medicine (NN/LM) South Central Region funds subcontracts and awards to support network members and encourage outreach activities aligned with the NN/LM mission. The purpose of the Health Information Literacy Award is to support network member projects, particularly those from community-based organizations (CBOs), faith-based organizations (FBOs) and other organizations that serve minority populations, to develop innovative and creative ways to promote health literacy to these target populations. The purpose of the Express Outreach Award is to support a wide range of outreach projects aimed at improving access to and use of the National Library of Medicine's databases to improve access to health information.

Please contact me if you have any questions.

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

AGENDA ITEM # 30

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: June 17, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Library

CMO: Joey Zapata, 670-1204

MAPSCO: N/A

SUBJECT

Authorize **(1)** the acceptance of a 2015 Health Information Literacy Award in an amount not to exceed \$5,000 for the period May 1, 2015 through April 30, 2016 from the National Network of Libraries of Medicine South Central Region through its agent, the Houston Academy of Medicine-Texas Medical Center, to provide funding costs associated with the 2015 Men's Health Conference; **(2)** the acceptance of a 2015 Express Outreach Award in an amount not to exceed \$4,980 for the period of May 1, 2015 through April 30, 2016 from the National Network of Libraries of Medicine South Central Region through its agent, the Houston Academy of Medicine-Texas Medical Center, to provide funding costs associated with the purchase of tablets for library staff training, and the launch of an outreach program that will explore the delivery of interactive health and wellness programs through low-cost, cloud-centric teleconferencing; and **(3)** execution of the award agreements with the Houston Academy of Medicine-Texas Medical Center (the region administrative agency) - Total not to exceed \$9,980 - Financing: National Network of Libraries of Medicine South Central Region

BACKGROUND

Each year, the National Network of Libraries of Medicine (NN/LM) South Central Region funds subcontracts and awards to support network members and encourage outreach activities aligned with the NN/LM mission. On May 5, 2015, the Dallas Public Library was awarded \$5,000 under the 2015 Health Information Literacy Award program, and on May 11, 2015, the Dallas Public Library was awarded \$4,980 under the 2015 Express Outreach Award program. Both funds are being awarded from the National Network of Libraries of Medicine South Central Region through its agent, the Houston Academy of Medicine-Texas Medical Center.

BACKGROUND (Continued)

The purpose of the Health Information Literacy Award is to support network member projects, particularly those from community-based organizations (CBOs), faith-based organizations (FBOs) and other organizations that serve minority populations, to develop innovative and creative ways to promote health literacy to these target populations. The purpose of the Express Outreach Award is to support a wide range of outreach projects aimed at improving access to and use of the National Library of Medicine's databases to improve access to health information.

Funding from the Health Information Literacy Award will cover costs associated with securing a knowledgeable health and wellness keynote speaker for the Library's 2015 Men's Health Conference, and the production of English and Spanish language MedLine Plus brochures to be distributed to conference attendees.

Funding from the Express Outreach Award will go toward purchasing two tablets that the Consumer Health Information Librarian will use to download the NN/LM's gallery of health information apps and sites. The tablets will then be used as mobile outreach devices to train branch librarians so that they can provide better health resource information within the communities that they serve. The Library also will use a portion of the funds to launch a pilot outreach program that will explore the delivery of interactive health and wellness programs with presenters and multiple library sites through low-cost, cloud-centric teleconferencing.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$9,980- National Network of Libraries of Medicine South Central Region

Memorandum



CITY OF DALLAS

DATE June 12, 2015

TO Honorable Members of the Arts, Culture & Libraries Committee: Philip T. Kingston (Chair), Monica R. Alonzo (Vice Chair), Vonciel Jones Hill, Jerry R. Allen, Carolyn R. Davis, Jennifer Staubach Gates

SUBJECT June 17, 2015 Dallas Public Library Upcoming Agenda Item: Service contract for the purchase and installation of library furniture and shelving for Fretz Park Branch Library

On the June 17, 2015 Council Agenda, there will be an item for Council consideration that will authorize a service contract for the purchase and installation of library furniture and shelving for Fretz Park Branch Library. A service contract with Krueger International dba KI in an amount of \$164,065 and Library Interiors of Texas, LLC in an amount of \$118,503 will be authorized, with combined total not to exceed \$282,568.

The furniture and shelving to be acquired will be for the public areas including the structural additions that will increase the facility square footage from 14,707 square feet to 19,500 square feet.

The library is currently under construction and scheduled to re-open in fall 2015.

Please contact me if you have any questions.

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager
Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

AGENDA ITEM # 5

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: June 17, 2015

COUNCIL DISTRICT(S): 11

DEPARTMENT: Business Development & Procurement Services
Public Works Department
Library

CMO: Jeanne Chipperfield, 670-7804
Jill A. Jordan, P.E., 670-5299
Joey Zapata, 670-3009

MAPSCO: 15H

SUBJECT

Authorize a service contract for the purchase and installation of library furniture and shelving for Fretz Park Branch Library - Krueger International dba KI through the Texas Multiple Award Schedule in the amount of \$164,065 and Library Interiors of Texas, LLC through the Texas Association of School Boards (BuyBoard) in the amount of \$118,503 - Total not to exceed \$282,568 - Financing: 2006 Bond Funds

BACKGROUND

This service contract will provide for the purchase and installation of library furniture and shelving for the Fretz Park Branch Library renovation and addition. The expanded 19,500 square foot facility is under construction and scheduled to re-open in Fall 2015. This service contract will provide the library with new furniture for the public areas to replace original furniture dating from 1974.

- Auditorium
- Manager's office
- Reading areas for children, teens and adults
- Check out and reserve
- Classrooms
- Storage

The Texas Multiple Award Schedule (TXMAS) and the Texas Association of School Boards (Buyboard) conforms to the requirements of Texas statutes that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, TXMAS and Buyboard receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$282,567.28 - 2006 Bond Funds

ETHNIC COMPOSITION

Krueger International dba KI

White Male	1,132	White Female	832
Black Male	27	Black Female	14
Hispanic Male	76	Hispanic Female	19
Other Male	81	Other Female	40

Library Interiors of Texas, LLC

White Male	3	White Female	2
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

OWNERS

Krueger International dba KI

Brian Krenke, President
Robert Charles, Secretary
Kelly Andersen, Treasurer

Library Interiors of Texas, LLC

Moira Taylor, President
Trevor Taylor, Vice President

Memorandum



CITY OF DALLAS

DATE June 12, 2015

TO Honorable Members of the Arts, Culture & Libraries Committee: Philip T. Kingston (Chair), Monica R. Alonzo (Vice Chair), Vonciel Jones Hill, Jerry R. Allen, Carolyn R. Davis, Jennifer Staubach Gates

SUBJECT June 17, 2015 Dallas Public Library Upcoming Agenda Item: Two-year service contract for grounds maintenance services for library facilities with JBa Land Management, LLC

On the June 17, 2015 Council Agenda, there will be an item for Council consideration that will authorize a two-year service contract for grounds maintenance services for library facilities with JBa Land Management, LLC in an amount not to exceed \$524,260.

This service contract will allow for ground maintenance services for library facilities on a predetermined maintenance schedule as well as a provision for service calls on an as needed basis. This service contract will be used to provide mowing, trimming, weeding, fertilization, pest control, leaf and litter removal at 25 branch libraries and the Central Library. Mowing cycles range from 14 days to 30 days year round, with leaf and litter removal conducted on a weekly basis

Please contact me if you have any questions.

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

KEY FOCUS AREA: Clean, Healthy Environment

AGENDA DATE: June 17, 2015

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Library

CMO: Jeanne Chipperfield, 670-7804
Joey Zapata, 670-1204

MAPSCO: N/A

SUBJECT

Authorize a two-year service contract for grounds maintenance services for library facilities – JBa Land Management, LLC, lowest responsible bidder of three - Not to exceed \$524,260 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract will allow for ground maintenance services for library facilities on a predetermined maintenance schedule as well as a provision for service calls on an as needed basis. This service contract will be used to provide mowing, trimming, weeding, fertilization, pest control, leaf and litter removal at 25 branch libraries and the Central Library. Mowing cycles range from 14 days to 30 days year round, with leaf and litter removal conducted on a weekly basis.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 371 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 9, 2010, City Council authorized a three-year service contract for grounds maintenance services at floodway levees and library properties by Resolution No. 10-1464.

On March 26, 2014, City Council authorized a three-year service contract for grounds maintenance services for Library facilities by Resolution No. 14-0496.

FISCAL INFORMATION

\$524,260.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

- 52 - Vendors contacted
- 50 - No response
- 2 - Response (Bid)
- 0 - Response (No bid)
- 1 - Successful

371 M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

ETHNIC COMPOSITION

JBa Land Management, LLC

White Male	8	White Female	0
Black Male	9	Black Female	0
Hispanic Male	19	Hispanic Female	1
Other Male	0	Other Female	0

BID INFORMATION

The following bids were received from solicitation number BF1515 and were opened on May 14, 2015. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

BID INFORMATION (Continued)

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*JBa Land Management, LLC	10875 Jupiter Rd. Dallas, TX 75218	\$524,260.00
V. L. & I., Inc. dba Urban Landscaping & Irrigation	700 S. Dallas Ave. Lancaster, TX 75146	\$525,596.00
Good Earth Corporation	8020 Heinen Dr. Dallas, TX 75227	\$563,740.00

OWNER

JBa Land Management, LLC

John Battle, President

Memorandum



CITY OF DALLAS

Date: June 12, 2015

To: Honorable Members of the Arts, Culture and Libraries Committee:
Philip T. Kingston (Chair), Monica R. Alonzo (Vice Chair), Vonciel Jones Hill,
Jerry R. Allen, Jennifer S. Gates, Carolyn R. Davis

Subject: June 17, 2015 Park and Recreation Upcoming Agenda Item: Amendment to the Memorandum of Agreement between the Park and Recreation Board and the City Manager's Office to transfer the management and operation of Science Place I to the Park and Recreation Board

On April 12, 1989, the Dallas City Council passed Resolution No. 89-1157 which clarified the intent of Ordinance No. 20266 stating that the Park and Recreation Board should enter into written agreements to transfer the management of certain arts and cultural programs, activities and facilities located on park property to the Office of Cultural Affairs. This included the Science Place I and II buildings at Fair Park.

In December 1991, a facility agreement was awarded for the management and operation of the buildings to the Southwest Museum of Science and Technology which later became known as the Perot Museum of Nature and Science. The agreement was for a term of 350 months.

On December 1, 2012, the Perot Museum of Nature and Science opened its new world-class facility downtown. Subsequently, on July 31, 2014, the First Amendment was authorized, through Administrative Action No. 146535, to mutually terminate the agreement between the City of Dallas and the Perot Museum of Nature and Science for their use of Science Place I and Science Place II.

In an effort to activate Fair Park, the Park and Recreation Board approved seeking authorization to amend the Memorandum of Agreement between the Park Board and the City Manager's Office to transfer the management and operation of the Science Place I Building from the Office of Cultural Affairs to the Park and Recreation Department. The Office of Cultural Affairs will continue to operate and manage the Science Place II Building.

If you have questions, please contact me at 214-670-4071.

A handwritten signature in black ink that reads "Willis C. Winters".

Willis C. Winters, FAIA, FAAPRA, Director
Park and Recreation Department

c: Honorable Mayor and Members of City Council

A. C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A Rios, City Secretary
Judge Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Eric D. Campbell, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Forest E. Turner, Chief Wellness Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager

KEY FOCUS AREA: Culture, Arts, Recreation, & Education
AGENDA DATE: June 17, 2015
COUNCIL DISTRICT(S): 7
DEPARTMENT: Park & Recreation
CMO: Willis Winters, 670-4071
MAPSCO: N/A

SUBJECT

Authorize a Second Amendment to the lease and use agreement ("Agreement") between Live Nation Worldwide, Inc. hereinafter referred to as "Live Nation" (formerly known as MCA/PACE Amphitheatres Group, L.P. and Pace Amphitheatres Inc.) and the City of Dallas, in accordance with the following terms: **(1)** to the extent Live Nation elects to undertake the improvements up to \$8,000,000 as described in the Second Amendment, and in consideration of Live Nation's design, construction, and performance of the Improvements and securing financing, the City hereby agrees to reduce the total annual rent due and payable to City under the Agreement for the amount equal to or the lesser of (i) the actual costs of the Improvements ("Project Costs") or (ii) ~~\$7,000,000~~ \$6,500,000 (such reduction to the rents due is the "Rent Credit"), upon recovery of all of the Rent Credit, Live Nation shall resume all of the rental obligations under the Agreement; the Rent Credit will be taken in annual installments of \$500,000 annually (subject to only adjustment for any carry forward deficiencies resulting from the lack of total rent payable or available) credited by City against the rents payable by Live Nation until the full amount of the Rent Credit is realized; **(2)** increase the current "Additional Rental", as defined in the agreement, from \$.15 per sold admission ticket to \$.20; ~~and~~ **(3)** exercise their second ten-year option, extending the agreement through December 31, 2028; **(4)** guaranteed annual rent to increase on January 1, 2017 to \$500,000 per year and to increase on January 1, 2023 to \$550,000 per year; and **(5)** all categories and tranches of percentage rent to increase on January 1, 2017 by .5 percent – Estimated Revenue: ~~\$9,658,970~~ \$11,716,918

BACKGROUND

The Amphitheatre Tract known as Gexa Energy Pavilion is a City owned facility at Fair Park managed and operated by Live Nation. The Agreement between the City of Dallas and Pace Entertainment Group, Inc. was entered into on December 9, 1987. An amendment to the Agreement was entered into on June 14, 1989. The term of the Agreement was twenty years, with two ten-year renewal options. The initial term was set to expire on December 31, 2008. However, on September 26, 2007 Live Nation served notice exercising the first ten-year option extending the Agreement to December 31, 2018.

Live Nation is responsible for operating and managing the Gexa Energy Pavilion as a concert facility and hosted 31 shows during the ~~2013~~ 2014 season (~~April~~ May-October) of which ~~20 were Live Nation tours and 11 were locally booked concerts.~~ The venue had a draw of ~~360,793~~ 382,127 concert goers and was the third highest attendance generator attraction at Fair Park in FY ~~12-13~~ 13-14. Live Nation has ~~34~~ 37 concerts in ~~2014~~ 2015 with a projected attendance of ~~382,000~~ 380,000. Live Nation has brought over ~~4.4~~ 1.7 million concert goers to Fair Park over the past years. In addition, City receives rent in accordance with the terms of the Agreement. For example, the rent provided to the City in FY ~~12-13~~ 13-14 was ~~\$965,897~~ \$1,075,577 (this amount is comprised of Annual Minimum Guaranteed Rental and the Percentage Rental, as those terms are defined in the Agreement).

The Gexa Energy Pavilion was constructed over 25 years ago and is in need of immediate improvements and major renovations estimated at ~~\$7,000,000~~ \$8,000,000. The improvements and renovations are needed in order to remain competitive in the market, to continue to host major national and international touring artists, and to provide concert goers a safe and enjoyable venue to see their favorite artists.

In that the next bond program is likely in 2017 or beyond, Live Nation is willing to exercise their second ten-year option extending through December 31, 2028 and proposing to perform capital improvements and revenue enhancing projects up to ~~\$7,000,000~~ \$8,000,000 in exchange for the City granting Live Nation a credit against rents due under the Agreement in an amount equal to the lesser of the actual costs of the approved completed projects or ~~\$7,000,000~~ \$6,500,000 (rent credit). Live Nation will submit plans and scope of projects for review and approval to the Director of the Park and Recreation Department or his designee. Live Nation has agreed to absorb the first \$1.5 million of the project costs, leaving only \$6.5 million of the project costs being subject to the credit.

Live Nation agrees and acknowledges that the rent credit shall not reduce the amount of the Minimum Guaranteed Rental payable to the City which is currently \$350,000.

Additionally, Live Nation will agree to increase the current Additional Rental payment of \$.15 cents per paid admission tickets sold in accordance with the terms of the Agreement (Section 3.04) to \$.20 cents.

BACKGROUND (Continued)

Furthermore, the City shall have the right to assign this Agreement, as amended, to another entity.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized award of the Second Amendment on October 2, 2014.

This item was deferred at the December 10, 2014 Council meeting.

FISCAL INFORMATION

Estimated Revenue - ~~\$9,658,970~~ \$11,716,918

OWNER

Live Nation Worldwide, Inc.

Danny Eaton, Chief Operating Officer

Memorandum



CITY OF DALLAS

DATE June 12, 2015

TO Honorable Members of the Arts, Culture & Libraries Committee: Philip T. Kingston (Chair), Mónica R. Alonzo (Vice Chair), Vonciel Jones Hill, Jerry R. Allen, Carolyn R. Davis, Jennifer Staubach Gates

SUBJECT **June 17, 2015 Public Works Upcoming Agenda Item: Emergency repair of roof, exterior wall and landscaping at the Dallas Museum of Art**

In February 2015, the Dallas Museum of Art (DMA) contracted with Mike Sandone Productions, Inc. for the assembly and removal of a temporary 22,000 sqft tent on the south plaza of the DMA for a special event at the museum. On April 3, 2015, at approximately 9:30am a crane owned and operated by a private operator under contract to Mike Sandone Productions, Inc. was parked on the south plaza of the DMA preparing to assemble the tent. While lifting a section of the pre-assembled structural steel framework for the tent, the crane became unbalanced and fell, striking the parapet of the south elevation of the museum. Several limestone veneer wall panels and parapet capping stones sustained various degrees of damage. The roof at the parapet also sustained damage due to falling pieces of stone and displaced panels.

In the past, tents installed at the DMA were erected by assembling numerous structural steel members on-site and setting up the framework using a forklift which always left ruts in the lawn requiring dirt work and re-sodding of the lawn. This time the tent contractor utilized a crane because with the boom fully extended, the crane could remain on the paved plaza and not get onto the lawn. Unfortunately, the operator/supervisor neglected to provide adequate counterweight which caused the crane to become unbalanced and fall when the boom was fully extended to lift and set the first piece of the tent framework in place. The large hook on the end of the cable from the boom also came loose and hit the south elevation of the wall midway between the ground and parapet damaging a few panels. Pieces of the cap stones fell to the ground and fortunately caused no additional building damage or personal injuries. The falling boom narrowly missed the huge outdoor orange sculpture on the museum plaza and falling stones missed a sculpture that was on the second floor outdoor plaza.

DMA administrative personnel immediately called Dee Brown, Inc. to survey the damage, remove dangerously loose pieces of stone and temporarily cover the exterior damage in order to prevent further loss. Dee Brown, Inc. was the contractor that supplied and installed the exterior and interior limestone panels when the DMA was constructed in 1984 and has provided numerous repairs over the years as necessary at the request of the DMA.

Later that afternoon, a structural engineer with the City of Dallas, visually inspected the damage caused by the crane and noted no apparent damage to the building structure, only damage to the limestone veneer panels.

Since the incident, the City of Dallas Risk Management Department has been working on this claim with the third party administrator for the carrier, TRISTAR Risk Management. The carrier is CoVerica.

On May 4, 2015, Dee Brown, Inc. provided a final revised proposal for all necessary building repairs to the roof, exterior wall and landscaping related to this incident as requested by the City. The scope of the project includes removing existing limestone panels from the wall of the DMA Sculpture Garden which are scheduled to be removed in a future project and reinstalling them on the south elevation in place of the damaged panels. The existing limestone panels exhibit 31 years of patina and installing newly cut limestone panels on the south elevation would never match the adjacent existing panels and would always appear as a noticeable repair. Construction is scheduled to take three weeks and when completed the south elevation should be restored to its condition prior to the incident.

Date June 12, 2015
Subject June 17, 2015 Public Works Upcoming Agenda Item: Emergency repair of roof, exterior wall and landscaping at the Dallas Museum of Art

Since the incident, Dee Brown has made several more trips to the DMA to repair and re-secure the temporary cover at the parapet and wall damage. At this time, there has not been any reported interior damage due to the numerous recent rain events.

The upcoming agenda item will authorize the emergency procurement for the repair by Dee Brown, Inc. to the roof, exterior wall and landscaping damaged by the crane at the Dallas Museum of Art located at 1717 Harwood Street.

Please contact Zaida Basora, FAIA at 214-948-5360 if you have additional questions.



Jill A. Jordan, P.E.
Assistant City Manager

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 17, 2015
COUNCIL DISTRICT(S): 14
DEPARTMENT: Public Works Department
Office of Risk Management
CMO: Jill A. Jordan, P.E., 670-5299
Jeanne Chipperfield, 670-7804
MAPSCO: 45K

SUBJECT

Ratify the emergency repair of damage to the roof, exterior wall and landscaping at the Dallas Museum of Art, located at 1717 North Harwood Street with Dee Brown, Inc. - Not to exceed \$215,003 - Financing: Current Funds (to be reimbursed by property insurance)

BACKGROUND

This item has been included as an addendum to the June 17, 2015 Council agenda in order to expedite the emergency repairs to a damaged City of Dallas building. In February 2015, the Dallas Museum of Art (DMA) contracted with Mike Sandone Productions, Inc. for the assembly and removal of a temporary 22,000 sq. ft. tent on the south plaza of the DMA for a special event at the museum. On April 3, 2015, at approximately 9:30 a. m., a crane owned and operated by a private operator under contract to Mike Sandone Productions, Inc. was parked on the south plaza of the DMA, preparing to assemble the tent. While lifting a section of the pre-assembled structural steel framework for the tent, the crane became unbalanced and fell, striking the parapet of the south elevation of the museum. Several limestone veneer wall panels and parapet capping stones sustained various degrees of damage. The roof at the parapet also sustained damage due to falling pieces of stone and displaced panels.

DMA administrative personnel immediately called Dee Brown, Inc. to survey the damage, remove dangerously loose pieces of stone and temporarily cover the exterior damage in order to prevent further loss. Dee Brown, Inc. was the contractor that supplied and installed the exterior and interior limestone panels when the DMA was constructed in 1984, and has provided numerous repairs over the years as necessary at the request of the DMA.

OWNER

Dee Brown, Inc.

Robert V. Barnes, III, President, Chief Executive Officer

MAP

Attached.