

**MINUTES
ST. CLAIR SHORES CITY COUNCIL SPECIAL MEETING
JULY 31, 2023**

City Council Special Meeting was held in the Council Chambers, located at 27600 Jefferson Avenue, St. Clair Shores, Michigan.

Present: Mayor Kip C. Walby, Council Members John Caron, Ron Frederick, Candice Rusie, and Chris Vitale

Absent: Council Members Peter Accica and David Rubello

Also Present: City Manager Dustin Lent, Assistant City Manager Michael Greene, City Clerk Abrial Barrett, Directors Renae Warnke and Henry Bowman, Fire Chief Piper, and City Attorney Robert Ihrle

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Walby called the meeting to order at 7:00 p.m. Ms. Barret, City Clerk, called the roll, and a quorum was present.

Motion by Council Member Frederick, seconded by Council Member Caron to excuse Council Member Accica and Council Member Rubello.

Ayes: All-5
Absent: Accica, Rubello

2. AUDIENCE PARTICIPATION ON AGENDA ITEMS (2 MINUTE TIME LIMIT)

Ms. Linda Bertges, a St. Clair Shores resident spoke on item 3a. She said that she supports the Fire Stations project and would like to continue to see the progress move forward.

3. BIDS/CONTRACTS/PURCHASE ORDERS

a. Architectural Service for Fire Station

Background Brief: In planning for renovations/replacement for the three (3) fire stations, a City subcommittee was established to select an architectural firm to develop a plan to move these projects forward. During the October 3, 2022, City Council meeting, the subcommittee recommended awarding the architectural services contract to A3C Collaborative Architecture. Since that time, the subcommittee and A3C have attempted to progress the project forward in an effort to present the entire Council with the recommended plan for how to proceed with the allocated funding. Unfortunately, A3C's performance has been subpar and has not met expectations, leading to timelines consistently being pushed and concerns over project cost estimates. After meetings with Mayor Pro-Tem Vitale and Councilmember Rubello (subcommittee members) and discussions with staff representatives, it is our recommendation that it is in the best interest of the City and Fire Department to terminate our agreement with A3C and move in a different direction.

The new direction that we have internally discussed and presented to the subcommittee members is to enter into an agreement with Partners in Architecture (PIA) to take over this project. During the original process, PIA submitted a bid for the fire department project. However, the committee decided not to consider/interview the firm as there was concern over workload issues after already being awarded the Police Department and Swimming pool projects. While reviewing the original bid submission, PIA has adequate experience to take on this type of project and their original architectural fee was less than A3C. The staff has also confirmed with PIA that they have the current work capacity to take on this project.

With the Council allocating funding for both the police and fire stations, and the approval to utilize a Construction Manager at Risk for both the Police & Fire Department projects, it is our belief that PIA will be able to deliver a quality product if awarded the Fire Department contract.

Previous Action: October 3, 2022 - Award of Fire Department architectural services to A3C. July 17, 2022 - Authorized ARPA funding for the Police & Fire Department and proceed with Construction Manager.

Economic Impact: Administration recommends to terminate the architectural services contract with A3C for \$668,550 and enter into an architectural services contract with PIA for \$465,000. Current investment with A3C is \$79,193.76 with approximately 40K in outstanding invoices.

Item #3a Continued

Recommendation: It is administration's recommendation to terminate the architectural services contract with A3C and enter into an architectural services contract with PIA for \$465,000.

Mr. Lent provided an overview of the architectural services for the Fire Stations and indicated that the committee went through all of the bids that were originally submitted and felt that A3C was the best choice at that time. After months of working with A3C, the committee feels that they are not progressing as planned and think it is best to make a change. Partners in Architecture have completed projects and are currently working on projects in the City and they have done a great job. He noted that Partners submitted a bid for this project but they did not want to overload them. The bid that Partners submitted was not opened and they were not interviewed at that time. The bid is now opened and is in the packet.

Mayor Walby asked Mr. Ihrie what the requirements are to make the change in architectural services.

Mr. Ihrie said that it reads in the contract that we have the right to terminate this contract for our own convenience and we do not have to show cause. We do have to give seven days written notice. If this is approved, we would send notice to A3C and we would have to pay any outstanding invoices.

Mayor Walby asked about the breakdown of the fee proposals.

Mr. Lent said that the original proposal is broken down by station one and by stations two and three combined. He noted that Partners included a proposal if we choose to allocate the funding for station one only.

Mr. Caron wanted to clarify that the \$465,000 is based on the fee schedule that they gave us in the sealed bid.

Mr. Lent said yes.

Mr. Caron asked how much can be used of the A3C work that was already completed.

Mr. Mike Malone from Partners said that they have not evaluated all of the material that A3C provided. He noted that they discounted the fee percentages slightly due to some of the work already being done. He said that once they go through the material and reverify the information, they want to make sure we are all on the same page.

Mr. David Gassin from Partners said the material provided will be helpful and give them a good jump start.

Ms. Rusie asked why the direction is being recommended to go with Partners and not with the other companies that were already interviewed in the beginning.

Mr. Vitale said that A3C had the experience for fire stations and he noted that the other companies were heavily relying on sub-contractors. He said that A3C had proposed a lot of renovation ideas but then it went away as they discussed the project. He said that he was made aware that Partners was prepared for projects and great to work with and comparing this to A3C they felt that Partners was the better choice.

Mr. Lent agreed with Mr. Vitale, during the process for all three interviews, A3C was the best. He said that after working with Partners, they have shown us their great quality of work and they are prepared. He added that since we have a deadline to meet for the ARPA funding, he thinks that Partners will be beneficial in helping us meet the timeline.

Mr. Vitale said that this is important and we need to move forward which is why we are having this meeting tonight instead of waiting until August.

Ms. Rusie asked if it is still a concern for Partners handling too many projects.

Mr. Lent said no, he has talked with Partners and with the help of the construction manager that will be coming, they will be able to handle this project.

Mayor Walby noted that A3C is a great firm they are just not a good fit for our needs on this project.

Mr. Vitale said on behalf of Mr. Rubello that he agrees and is in favor of this change.

Moved by Council Member Frederick, supported by Council Member Vitale to terminate the architectural services contract with A3C Collaborative Architecture effective immediately and award the architectural services contract for the Fire Station project to Partners in Architecture for the estimated cost of \$465,000.

Item #3a Continued

Ayes: All-5
Absent: Accica, Rubello

4. **AUDIENCE PARTICIPATION** - None

5. **ADJOURNMENT**

Moved by Council Member Caron, supported by Council Member Frederick to adjourn at 7:13 p.m.

Ayes: All-5
Absent: Accica, Rubello

KIP C. WALBY, MAYOR

ABRIAL J. BARRETT, CITY CLERK

(THE PRECEDING MINUTES ARE A SYNOPSIS OF A CITY COUNCIL MEETING AND DO NOT REPRESENT A VERBATIM RECORD).