

April 28, 2022

Michael Kerski
Director of Planning & Development
City of Shakopee
485 Gorman Street
Shakopee, MN 55379
mkerski@shakopeemn.gov

**RE: SandVenture Aquatic Facility Implementation
Professional Services Agreement**

Mr. Kerski,

Confluence is pleased to provide the following Scope of Services and Fee proposal for the design of the City of Shakopee's planned improvements to the SandVenture Aquatic Facility located in Lions Park. The following implementation proposal is based on the approved concept from the previously completed feasibility study. The scope and fee is based on the assumption of working with a Construction Manager at Risk in order to assist the City and team with cost control and constructability streamlining throughout the difficult bidding and construction climate expected throughout 2021. Our Design Team includes the following firms:

Confluence – Design Team Lead / Site Design / Facility Theming / Landscape Architecture
USAquatics – Aquatics Systems Design
MSR Design – Architectural Design
MEP Engineering (Victus Engineering)
Structural Engineering (Mattson MacDonald Young)

Scope of Services

TASK 1 | Design Development

1.1. Design Development Drawings and Budget Confirmation

The plans will be CAD generated drawings at an appropriate scale, using the base maps developed in the previous Feasibility Study and the recently completed topological survey. The drawings will be completed as outlined in the Design Criteria and Plan Requirements of the City of Shakopee. At a minimum, Confluence will provide the following design development plans and support documentation:

- Overall Site Plan showing the planned improvements and their location as well as Sheet Index outlining the coverage of each plan enlargement.

- Demolition, Site Clearing and Grubbing Plan
- Erosion and Sediment Control Plan
- Sidewalk and Trails Plan, Pedestrian Connectivity and Drainage Improvements Plan
- Key Area Enlargements including:
 - Bistro patio area
 - Pool areas and associated amenities
 - Deck areas as necessary to fully communicate design
- Tree Protection Plan
- Site Grading
- Site Furnishings Plan (benches, bike racks, trash receptacles, etc.)
- Electrical / Site Lighting Plans
- Water Service Lines
- Sanitary Sewer Plans
- Preliminary Planting Plan
- Architectural Plans
 - Bath House, Concessions, Office, Community Room, and Lifeguard Space (BIM model illustrating plan and elevations)
 - Interior and exterior materials palette
 - Outline technical specifications
 - MEP engineering associated with architectural elements
 - Security and technology systems infrastructure plan
 - Structural engineering associated with architectural elements
- Updated 3-D model views of the proposed facility layout that can be used for presentations and hosted on the city website a means to inform the public on the status of the project.

1.2. Concept Plan Review

The design drawings will be reviewed by the CMAR to establish the project budget, schedule, and constructability. The drawings will be presented to the city where the design team and CMAR will outline the opportunities and constraints and will establish an Estimation of Probable Construction Costs developed by the CMAR for the planned improvements based on the feasibility study and design drawings. From this discussion a decision will be made on project scope, budget, and schedule for completing final design drawings. Team will work with CMAR to finalize the value of new vs. renovation analysis of building and aquatics facilities. This is a critical step in the process due to the material pricing volatility in the construction market.

1.3. Permitting

Based on the final Design Development Plans the Confluence Team will begin to identify the permits required outside the City of Shakopee requirements. (The final submittals for permits will be addressed in Construction Document Phase).

1.4. Presentation to City Council of Final Design Development Plans

Upon completion of the Design Development Documents and support documentation Confluence will assemble a presentation to the City Council at either a Work Session or a City Council Meeting. Presentation materials will include plan graphics and elevations, perspectives and photo imagery where required to clearly express the design intent and material samples. A finalized scope and budget will be established and presented.

TASK 2 | Construction Documents

2.1. Construction Document Drawings

The plans will be CAD generated drawings at an appropriate scale. The drawings will be completed as outlined in the Design Criteria and Plan Requirements of the City of Shakopee. At a minimum, Confluence will provide the following Construction Document plans and support documentation:

- Overall Site Plan showing the planned improvements and their location as well as Sheet Index outlining the coverage of each plan enlargement.
- Demolition, Site Clearing and Grubbing Plan
- Erosion and Sediment Control Plan, SWPPP & NPDES documentation as necessary
- Storm Water Management Plan as required by the City of Shakopee
- Key Area Enlargements including:
 - Drop-off Entry
 - Pool areas and associated amenities
 - Deck areas as necessary to fully communicate design
- Tree Protection Plan
- Site Grading
- Site Furnishings Plan (benches, bike racks, trash receptacles, etc.)
- Electrical / Site Lighting Plans
- Water Service Lines

- Sanitary Sewer Plans
- Planting Plan and Details
- Theming and Branding Details
- Architectural Plans
 - Bath House, Concessions, Office, Community Room, and Lifeguard Space (BIM model illustrating plan and elevations)
 - MEP design for new construction and addition for construction
 - Structural engineering associated with architectural elements
 - Foodservice design for concessions at 50% DD level to provide foodservice schematic plan, preliminary equipment list and cost estimate, MEP spot connection plans
- A. Aquatics Plans: Prepare drawings and specifications for bidding and provide electronic copies, for aquatic portion of project:
 - Demolition plans/sections as needed per chosen option.
 - Pool plans, sections and details.
 - Review power requirements, filter discharge rates, water requirements and other information needed by other disciplines.
 - Supply and return piping.
 - Pool mechanical systems design.
 - Piping systems design.
 - Provide electrical/mechanical requirements related to the pool.
- Final 3-D model views of the proposed facility layout that can be used for presentations and hosted on the city website a means to inform the public on the status of the project.

2.2. Technical Specifications

The Confluence Team will assemble technical specifications as required for the work included in the construction documents. The specifications will be incorporated into the project manual provided to bidding contractors.

2.3. 50% Construction Document Plan / Cost Estimate Review

Confluence will assemble a 50% complete review set for the City of Shakopee to review and comment on. In addition, an updated estimation of Probable Construction Costs developed by the CMAR will be reviewed based on the 50% complete documents.

2.4. Final Permits

Based on the Final Plans the Confluence Team will assist CMAR in completing the applications for the various permits required for the project including the City of Shakopee for Building Permit (the actual permit will be the responsibility of the Contractor).

Meetings: We anticipate that 3-4 in person client/team meetings during the Construction Documents Phase.

TASK 3 | Bidding

3.1 Confluence will attend all pre-bid conferences scheduled by the CMAR

The Confluence Team will attend all pre-bid conferences scheduled by the CMAR to provide a description of the work to be completed and answer any questions that may arise. In addition, the Confluence Team will respond to questions submitted by bidders during the bid period and provide clarification and direction as required.

3.2 Bid Review and Recommendation

Confluence will review the list of subcontractors and their bids and identify any concerns to the CMAR. A coordinated effort between the City, Consultant and CMAR will produce the best qualified subcontractors for the work to be executed. The CMAR will provide the City and Confluence the list of subcontractors contacted to show that the CMAR has solicited a minimum of three bidders for each of the construction aspects of the project.

Confluence team will advise the city as to the rejection of any bidder they believe is of a concern to complete the work in a reasonable manner.

TASK 4 | Construction Administration

4.1 Construction Kick-Off Meeting

The Confluence Team will attend a Construction Kick-off Meeting with the Design Team, City Representatives, and the awarded Contractors. Confluence team will attend the anticipated bi-weekly construction progress meetings and observe construction operations as necessary.

4.2 Construction Administration/Observation

- Team will Provide Construction Administration including:
- Log, review and approve/reject submittals and shop drawings.
- Prepare / respond to Requests for Additional Information (RFI), Architects Supplemental Instructions (ASI), Requests for Proposal (RFP) and other project correspondence as required
- Review Construction Materials Testing reports.
- Review and approve applications for payment.
- Coordinate with the City of Shakopee on all Requests for Change Proposals, Change Orders, etc. including maintaining a log of all such documents
- Provide direction for questions and concerns from the contractor and City of Shakopee Staff in resolution of project concerns or changes.

4.3 Construction Completion Inspections

Team will conduct Substantial Completion Inspection, create punch list, substantiate that items noted are completed, and issue Substantial Completion Certificate.

4.4 Project Close Out

Team will obtain and review close out submittal from the contractor for completeness before transmitting to the city. Documents will include but not be limited to:

- Contractor's red lines and as-built notes
- Warranty information
- Material Safety Data Sheet (MSDS)
- Operating Manuals
- Start up, commissioning, and testing reports of pool systems
- Review of As-Built Drawings completed by the Contractor to verify all field changes have been adequately documented.
- Confluence will issue Final-Completion and Acceptance letter to the City of Shakopee
- Recommending acceptance of the final completed project.

Schedule:

Construction start assumed to begin September 6, 2022.

Proposed Fee

Based on an overall Construction Budget estimate as follows:

- Building: \$2,000,000-2,500,000
- Aquatics Improvements: \$1,250,000 - \$1,500,000
- Park, Site, and Drainage Improvements: \$200,000 - \$300,000

If construction costs above these amounts are determined the design team proposes a fee based on percentage of construction cost as follows:

- Building Architecture: 10% maximum
- Site and Aquatics: 7% maximum

We propose the following fees for Design Development, Construction Documents, Bidding and Construction Administration.

Team Design Professional Fee: \$421,000.00

Project Expenses: \$4,750.00 (Maximum - invoiced at cost)

Total Project Fee: \$425,750.00

Confluence appreciates the confidence you have expressed in our project team and look forward to working with you to develop an exciting and memorable SandVenture Aquatics Facility for the citizens of Shakopee.

Sincerely,

Confluence

A handwritten signature in blue ink, appearing to read 'Brad Aldrich', with a stylized, flowing script.

Brad Aldrich, PLA, ASLA, Associate Principal
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Minneapolis, MN 55401
612-237-5046

CC: Matthew S. Krontorad, AIA LEED AP, Principal
Richard T. Schaffer, Owner USAquatics