

ITEM #: 39  
DATE: 03-10-26  
DEPT: P&R

## COUNCIL ACTION FORM

**SUBJECT: FITCH FAMILY INDOOR AQUATIC CENTER BID PACKAGE 22-1 - CHANGE ORDER #8**

### **BACKGROUND:**

On January 23, 2024, the City Council approved the award of contracts for construction of the Fitch Family Indoor Aquatic Center. Since the City elected to use a Construction Manager (CM) approach for this project, 14 different bid packages were issued for prospective bidders. As a reminder, this approach is different from bidding under the General Contractor (GC) method, where one bid package would have been distributed, and each bidder would be responsible for the various subcontractors. Thus, with 14 bid packages, the City entered into a contract with each of the 14 successful bidders which are referred to as Prime Contractors.

This change order is related to the Fitch Family Indoor Aquatic Center - Building Support Area (BSA), which includes general storage, a receiving area, and maintenance office/work room. **When designing the building, staff informed the Architect, RDG Planning and Design (Architect), that this area was to be an open space. Items to be stored in the area include, but are not limited to, a desk, chair, filing cabinets, shelving to store cleaning supplies, chemicals and items for the building, a floor scrubber, riding snow tractor and shovels, and open area for receiving items for the building.**

During a building walk-through in October 2025, staff noticed housekeeping pads were poured in the BSA and asked what the pads were for. Staff was told they were for water heaters (2), water softeners (2), water expansion tank (1), and a heat exchanger. **These items would occupy most of the wall space where staff was planning to put shelving to store the items listed above. Additionally, staff was also told that some of the control panels to be installed in the Electrical Room would need to be installed in the BSA, which would take up any remaining wall space.**

**The Architect was told by staff that the addition of this equipment in the BSA would fundamentally change the operations of the building as items planned to be stored in this space would now need to be stored elsewhere.**

On November 4, 2025, staff sent an email to the Architect reiterating the intent was to use this space for a desk and chair, tool chest, workbench, floor scrubber, snowblower, power washer, shelving, pool chemicals, cleaning supplies, facility maintenance items (parts & supplies), tables and chairs (when not in use) for the multipurpose rooms, minimum of three 96 gallon containers (2 for trash, 1 for recyclables), space to unload deliveries, and areas to accommodate future needs. The Architect then asked for dimensions of each of these items. Staff did not respond as the remaining space with the poured pads in the BSA was not big enough to utilize it as intended.

**Staff directed the Architect and Construction Manager to come up with options to keep the space open as intended. Three options were suggested to staff:**

1. Relocate the water softeners from the east wall of the BSA to the south wall of the BSA.
2. Relocate the heat exchanger from the west wall of the BSA to the Aquatic Mechanical Room.
3. Relocate the water expansion tank from the west wall of the BSA and hang it from the ceiling in the southeast corner of the BSA.

**The cost of these recommendations total \$59,102 and is split across five contractors:**

1. All Star Concrete (Bid Package 03-1) - \$7,855
2. Sande Construction & Supply (Bid Package 13-1) - No cost change
3. Midwest Automatic Sprinkler (Bid Package 21-1) - No cost change
4. Brockway Mechanical & Roofing (Bid Package 22-1) - \$44,749
5. Van Maanen Electric Inc. (Bid Package 26-1) - \$6,498

Only the Brockway Mechanical & Roofing change order requires Council approval. The others were approved administratively.

**Although the relocation of the equipment above did not free up the entire space in the BSA, it is better than what it was.** Some items (tables and chairs) will still need to be stored in other areas of the building.

A Construction Change Directive (CCD) was issued on November 24, 2025 so the contractors could begin the work so as to not delay the overall project. **Staff does not believe the cost of these changes are the responsibility of the City due to the aforementioned information. The Architect believes they are not responsible for the cost of the changes as the equipment was shown on the Construction Drawings and approved by the City.** Staff will continue to work with the Architect to reach a resolution on who is responsible and who should cover the cost of the change order.

#### **BID PACKAGE 22-1 CHANGE ORDERS:**

Bid Package 22-1 (Plumbing and HVAC Work) was awarded to Brockway Mechanical & Roofing Co., Inc., Des Moines, Iowa. The award included the Base Bid plus Alternate #1 to add two multipurpose rooms, a walking area, and two gender neutral restrooms, in the amount of \$4,184,363. Thus far, seven change orders have been approved for this bid package:

Change Order #1 was approved by staff for updating the hydronic pumps flow in the deduct amount of \$2,320.

Change Order #2 was approved by the City Manager for Iowa Department of Public Health (IDPH) permit related items, relocation of storm drain during excavation, modifications made to the mechanical louvers and changes to glycol feed dual pump in the amount of \$38,702.

Change Order #3 was approved by the City Council for approval. This change order, for changes to the CO2 tanks and Authority Having Jurisdiction (AHJ) modifications required as it relates to the use of bulk CO2 tanks in the amount of \$12,033.

Change Order #4 was approved by staff to add a float switch alarm to the pool trench drain pit in the amount of \$2,318.

Change Order #5 was approved by staff to change the configuration of changing 108F to a roll-in shower enclosure in the amount of \$7,180.

Change Order #6 was approved by staff for changes, including adding fans, to the Aquatic Storerooms HVAC system in the amount of \$6,626.

Change Order #7 was approved by staff to add piping insulation to the interior storm piping run in Aquatic Storeroom 113D to prevent condensation in the amount of \$1,141.

**Change Order #8 has been prepared and is now presented to the City Council for approval. This change order, in the amount of \$44,749, includes changes to relocate numerous mechanical equipment as described above to gain storage space in BSA, Room 110.**

The City's purchasing policy allows staff to approve change orders up to a cumulative total of \$50,000. Since the absolute value of the three change orders is over \$50,000, Change Order #8 needs Council approval. A summary of the costs for Bid Package 22-1 is shown below:

Summary of Bid Package 22-1, Plumbing & HVAC Work

<b>Original Contract Amount</b>		<b>\$ 4,184,363</b>
Change Order #1	Hydronic Pump Flow Changes	(2,320)
Change Order #2	IDPH Permit Review Updates, Storm Drain Relocation, Mechanical Louver Modification, & Glycol Feed Dual Pump	38,702
Change Order #3	Pool CO2 & AHJ Modifications	12,033
Change Order #4	Pool Trench Drain Float Alarm	2,318
Change Order #5	Changing 108F Shower Mods	7,180
Change Order #6	Aquatic Storerooms HVAC	6,626
Change Order #7	Aquatic Storeroom 113D Piping Insulation	1,141
Change Order #8	Mechanical Equipment Relocates	44,749
<b>New Contract Value</b>		<b>\$ 4,294,792</b>

**ALTERNATIVES:**

1. Approve Fitch Family Indoor Aquatic Center Bid Package 22-1 Change Order #8 to Brockway Mechanical and Roofing in the amount of \$44,749.
2. Do not approve Fitch Family Indoor Aquatic Center Bid Package 22-1 Change Order #8 to Brockway Mechanical and Roofing.
3. Refer back to staff.

**CITY MANAGER'S RECOMMENDED ACTION:**

**Change order #8 for Bid Package 22-1 (Plumbing & HVAC Work) is being presented to City Council for approval even though a resolution as to whom is responsible for payment has not been reached.** The Construction Change Directive was issued on November 24, 2025 and Brockway Mechanical has completed the work. The City has an obligation to pay Brockway Mechanical per the contract and there is no reason to withhold payment.

**The ongoing issue relates to who is responsible for covering the cost of the \$59,102 CCD change orders.** Neither party - City staff or the Architect - believes it is their responsibility to cover the cost of the work. Negotiations are ongoing between the two parties. In the meantime, it is the recommendation of the City Manager to approve Alternative #1 as stated above.

**ATTACHMENT(S):**

[Fitch Family Aquatic Center CCD November 2025.pdf](#)