MINUTES
Downtown Development Authority Special Meeting
Monday, January 26, 1998

Place: DDA Office
301 E. Liberty, Suite 690
Ann Arbor, MI 48104

Time: The Chair, Maria Harshe, called the meeting to order at 3:15 p.m.

1. Roll Call

Present: Dave DeVarti, Bob Gates, Leah Gunn, Maria Harshe, Deanna Relyea,
Ed Shaffran, Lorri Sipes,

Absent: Neal Berlin, David Fritz, Bob Gillett, Karl Pohrt, Skip Ungrodt

Staff Present: Susan Pollay, Executive Director

Audience: Roshanak Ameli, South University Area Association
Ray Detter, Citizen's Advisory Council
Bob Frazier, National Garages
Sue Gott, Johnson, Johnson & Roy
Adrian Iraola, City Engineer
Matt Jobin, Rich & Associates
Dick Mitchell, Mitchell & Mouat Architects
Dennis Tice, South University Area Association
Kent Whiteman, South University Area Association

2. New Business

Status of Fourth & Washington Design
Ms. Gott reported that Stakeholder Sessions had been held earlier that day at which
30 people provided input into the design of the new Fourth & Washington parking
structure. She reported that it was anticipated that a site plan would be submitted to
the Planning Department in mid-February in hopes of securing approval by mid-March,
so that the plan could go before City Council in mid-April. Mr. Mitchell displayed a
model, and reported that currently the structure is being designed with seven floors,
although this could be altered in the near future due to budget constraints. A second
hydraulic elevator had been added to comply with ADA requirements. It was
anticipated that facade would feature brick with precast concrete for the cornices and column lines.

David Fritz enters.

Ms. Gunn reported that she had attended one of the morning meetings, and it was her hope that basic elements like working drains would be included in the design. Mr. Fritz asked about the placement of bicycle lockers within the structure. Mr. Mitchell reported that the placement of eight to ten bicycle hoops had been anticipated for the area surrounding the building, but that it still wasn’t clear if there would be a way to place bicycle lockers within the structure and not lose valuable car parking. Mr. Fritz congratulated the design team for including awnings at the street level to shelter patrons and other pedestrians. The design team was thanked for their work on the project.

**Status of Fourth & Washington Demolition**

Mr. Iraola informed everyone that demolition would begin next week. Mr. Shaffran asked if Richter was aware of the State’s frost laws and that they were under a deadline to complete the project, to which Mr. Iraola said yes.

**Selection of Contractor for Ann Ashley and Liberty Square Parking Structures**

Mr. Shaffran put forward the following resolution:

**RESOLUTION TO APPROVE A CONTRACT WITH WESTERN WATERPROOFING/ ORION WATERPROOFING FOR BID PACKAGE “B” WATERPROOFING AND MISCELLANEOUS REPAIRS TO LIBERTY SQUARE, ANN ASHLEY, AND MAYNARD PARKING STRUCTURES**

**Whereas,** City Council resolved on August 4, 1997 to support a multi-year parking structure repair and replacement plan;

**Whereas,** The DDA approved this repair plan, which included application of a sealer with strip deck coating to the Ann Ashley Parking Structure, application of a traffic membrane with deck coating to the Liberty Square Parking Structure, and miscellaneous repairs to the Maynard Street Parking Structure;

**Whereas,** Carl Walker Inc., the DDA consulting engineers prepared bid documents for the aforementioned waterproofing and repairs;
Whereas, Four bids were received by the City and two bidders submitted bid prices with no significant differences;

Whereas, Western Waterproofing Co. of Livonia initially submitted the second lowest bid to perform all work specified in bid Package “B”;

Whereas, Western Waterproofing has a much larger work force and a bigger track record with larger projects than the lowest bidder, and is thus more likely to overcome problems and perform as expected;

Whereas, The DDA must award contracts for work in any matter it deems in the community’s best interest;

RESOLVED, That the DDA is authorized to sign a contract with Western Waterproofing Co. of Livonia MI. For work described as Bid Package “B”, in the Ann Ashley, Liberty Square, and Maynard Parking Structure, in the amount of $1,228,207; and

RESOLVED, That the DDA approves a construction budget including said contract sum plus approximately 15% of said sum, or $184,350 for work contingencies, consulting, engineering and testing.

The resolution was moved by Harshe, and seconded by Gunn. Mr. Shaffran explained that although the resolution suggested giving the work to Western, the initial low bid had been received by Orion. He explained that because the intent of the bid process is to award the bids to the lowest responsible bidder, our consultant at Carl Walker Inc. and Adrian Iraola had met with both contractors separately to discuss their bid proposals. From review of the bids and those fact finding meetings, it was apparent that Western had made two errors in their bid related to the Ann Ashley Structure. Our engineers requested that Western (and Orion) provide written unit prices with the correct interpretation of the bid items in question.

Mr. Shaffran explained that work could be given to Orion, Western, or split between the two. He then responded to a question, answering that Orion has 12 people on staff, whereas Western Waterproofing has 300 people. Mr. Pohrt clarified that the price difference between the two bids was approximately $500, and then remarked that given the great parking demand in the State Street area, completing the work in a timely fashion was critical, and for that reason he would be more inclined to go with Western given their greater resources. There is a small window of opportunity in July/early August when Liberty Square could be closed, and that it was essential that work be completed quickly. Mr. Gates shared this concern, commenting that these
would be our first major repairs and it was important that work was done well and that we met our deadlines. Concern was expressed that given the current labor shortage, that Orion would be able to find enough skilled workers when the time came for the projects. Comment was made that it was scary to give a small company such a large job. Comment was made that should equipment malfunction, that Western might be better prepared to provide alternate equipment.

Mr. Iraola, City Engineer, explained that he had participated in the process of soliciting and reviewing bids with Carl Walker Inc., and that there was no doubt Orion would be capable of completing the work, despite being a relatively new company with less track record with projects of this magnitude. Ms. Gunn commented that Western had done work previously for the DDA, and had done a good job. Ms. Relyea asked if all the work would be done at once, and Mr. Shaffran answered that work would take place in Liberty Square the Saturday after Art Fair, July 25, and would take approximately three weeks. Staging for Ann Ashley would overlap by about a week, and work would begin by the middle of August. Mr. Shaffran reported that he had hired Western to do restoration work at the Kline Building and at the Armory, which they did well. He explained that the company had two major components, restoration and parking structures, and he didn’t want to give any impression of conflict of interest because of his past involvement with their company. He had discussed this with Mr. Berlin, who had assured him there was no conflict. Mr. DeVarti asked if Mr. Shaffran had any economic interest in the company, to which Mr. Shaffran said no, but joked “but I’d like to!”

**A vote on the motion as presented showed:**

**AYES:**  DeVarti, Fritz, Gates, Gunn, Harshe, Relyea, Shaffran, Sipes

**NAYS:**  None

**Absent:**  Berlin, Gillett, Pohrt, Ungrodt

**Recommendation for Selection of Architect for Forest Street Parking Structure**

Mr. Shaffran put forward the following resolution:

**RESOLUTION TO RECOMMEND SELECTION OF LUCKENBACH ZIEGELMAN ARCHITECTS, PLLC, AS PROJECT ARCHITECTS FOR THE FOREST STREET PARKING STRUCTURE**

**Whereas,** It is necessary to retain the services of a professional architectural firm to perform the design phase of the Forest Avenue Parking Structure project;
Whereas, Three firms submitted detailed work plans and fee schedules to design the new parking structure, including preparation of bid documents for demolition of the existing ramp;

Whereas, The selection committee comprised of City and DDA representatives reviewed these proposals and selected Luckenbach Ziegelman Architects, PLLC.; and

Whereas, The professional architectural firm of Luckenbach Ziegelman Architects, PLLC, Birmingham and Ann Arbor, Michigan has submitted to the City a proposal for design services, setting forth the services to be performed by them, and the payments to be made by the City therefore, all of which are agreeable to the Downtown Development Authority (DDA);

RESOLVED, That the DDA recommend to the City that a Professional Services Agreement in the amount of $400,000 be approved with Luckenbach Ziegelman Architects, PLLC;

RESOLVED, That project budget in the amount of $430,000 be adopted and funds appropriated for the life of the project, to be available until expended without regard to fiscal year

The resolution was moved by Mr. Shaffran and seconded by Ms. Gunn. Mr. Shaffran reported that the same three architectural firms that did not secure the Fourth & Washington project were asked to submit bids to design the Forest Street parking structure. The same selection committee that participated in the earlier interviews met to review the proposals from the three remaining companies, and it was the group’s consensus to select Luckenbach Ziegelman Architects (CLA). CLA will subcontract with Carl Walker Inc. to oversee the engineering of the new structure, and with JJR to facilitate community involvement in the design. Mr. Iraola said that thirteen firms had originally been asked to bid, and four had responded, and that the Public Services Director thought it prudent to go to these remaining firms for the Forest project. Mr. Shaffran said that the selection committee was impressed that the Luckenbach proposal brought “more to the table” with a suggestion to hire a consultant to investigate ground floor retail opportunities, which showed a clear understanding of and sensitivity to the community. Mr. DeVarti asked if the design team would be open to using the City-owned lot beside the structure, to which Mr. Shaffran replied that Carl Walker engineers had already come up with several ways to expand options. Ms. Sipes stated that she felt the pairing with Carl Walker Inc. was another strong reason for selecting CLA.

A vote on the motion showed:
AYES: DeVarti, Fritz, Gates, Gunn, Harshe, Relyea, Shaffran, Sipes
NAYS: None
Absent: Berlin, Gillett, Pohrt, Ungrodt

Selection of Johnson Johnson & Roy (JJR) to Conduct Public Meetings in the South University Area
Mr. Shaffran put forward the following resolution:

RESOLUTION TO APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH JOHNSON JOHNSON AND ROY, INC. (JJR) TO COMPLETE PHASE ONE OF THE PUBLIC INVOLVEMENT PROGRAM (PIP) FOR THE DESIGN OF THE FOREST AVENUE PARKING STRUCTURE

Whereas, City Council approved a multi-year parking structure repair and replacement plan, including the replacement of the Forest Avenue Parking Structure, on the same site or another site, in the South University Area, with a minimum of 591 spaces;

Whereas, The Downtown Development Authority has committed itself to inviting broad community input into the design of the parking structure;

Whereas, Johnson, Johnson and Roy, Inc. (JJR) has proven to be valuable in the development of public involvement programs in other DDA and City projects;

Whereas, The DDA expressed support for engaging JJR to oversee a public involvement program in the South University area at its November 13, 1997 meeting;

Whereas, The proposal submitted by the consulting firm Luckenbach Ziegelman Architects PLLC to design the Forest Street parking structure selected JJR to conduct later phases of the PIP as part of the design development of the new structure, but did not include Phase One of the PIP;

Whereas, The DDA Parking Construction Committee requested a proposal from JJR to commence the public involvement process as soon as possible;

Whereas, JJR submitted a proposal to the DDA, in the not to exceed sum of $23,100, to provide Phase One of the PIP for the Forest Street Parking Structure;

RESOLVED, That the DDA is authorized to sign a Professional Services Agreement with JJR, Inc. in an amount not to exceed $23,100, to immediately
undertake Phase One of the Public Involvement Process of the Forest Street Parking Structure; and

RESOLVED. That the DDA confirms its authorization to the DDA Executive Director, to issue a notice to proceed to JJR, Inc. for said services, in advance of execution of the formal Professional Services Agreement.

The resolution was moved by Mr. Shaffran, and seconded by Ms. Gunn. Ms. Pollay explained that the earlier resolution recommending the selection of CLA to design the Forest Street parking structure selected JJR to conduct later phases of the public involvement program as part of the design development of the new structure, but did not include phase one. Further, she reported that JJR had been a great asset in the development of the design of the Fourth & Washington structure. Ms. Gunn added that it would take a great deal of time to identify all the stakeholders in the South University area, including residents, church representatives, UM groups, etc. Mr. Shaffran said Sue Gott’s assistance contributed greatly to what DDA staff and board were already doing. Mr. Iraola said that focussing JJR on the public process would enable CLA and Carl Walker to focus on designing and engineering the new structure. Ms. Harshe said she was excited “to get the ball rolling”, and that JJR would work for DDA and would then fold in their efforts to work with Carl Luckenbach.

A vote on the motion showed:
AYES: DeVarti, Fritz, Gates, Gunn, Harshe, Relyea, Shaffran, Sipes
NAYS: None
Absent: Berlin, Gillett, Pohrt, Ungrodt

Proposal to Study Viability of Adding Retail to the New Forest Structure
Ms. Pollay reported that with Carl Luckenbach’s suggestion to hire Ms. Katherine Beebe’s company to study the viability of adding retail to the ground floor of the Forest Structure, she had discussed this possibility with Ms. Beebe and had received a written proposal this morning (distributed to all present). Ms. Sipes said she would like to speak in favor of the idea, to get an overview of the market and how this might affect this project. Ms. Gunn said she thought the terms were reasonable for what the company proposed to do. Mr. Gates said he thought the study would have merit, but he had another company to suggest we contact to request a proposal. To that end, Mr. Shaffran suggested delaying any decision, as it would be helpful to have something to compare this proposal to. His interests would include knowing who would own the space? Who would be responsible for maintenance and leasing. Mr. DeVarti said that an ugly structure in E. Lansing has a Secretary of State’s office, which is always busy and draws people to downtown, and would not compete with adjacent businesses.
Mr. Pohrt enters.

Ms. Sipes said that she felt it would not be appropriate to open this up to other firms, as Ms. Beebe’s company had been presented as an alternate in CLA’s proposal. The project wasn’t our initiative.

The matter was referred to the next meeting for further discussion.

Selection of Contractor for Shoring Forest Street Parking Structure

Mr. Shaffran put forward the following resolution:

RESOLUTION TO APPROVE A CONTRACT WITH STRUCTURAL PRESERVATION SYSTEMS, INC. TO SHORE THE ROOF LEVEL OF THE FOREST AVENUE PARKING STRUCTURE

Whereas, Recent engineering studies indicate that the Forest Avenue Parking Structure has areas with severe deterioration, such that it has been programmed for future demolition;

Whereas, The DDA recently directed the consulting firm Carl Walker, Inc. of Kalamazoo, MI to further evaluate the condition of the Roof Level of said structure;

Whereas, Carl Walker, Inc. found significant evidence of increased deterioration, requiring installation of shoring at the roof level;

Whereas, Bid documents for shoring were prepared and sent to contractors;

Whereas, Four bids were received on January 22, 1998, by the City, and the lowest bid of $26,620 was submitted by Structural Preservation Systems, Inc.

RESOLVED, That the DDA approves a contract with Structural Preservation Systems, Inc. In the amount of $26,620 to immediately undertake shoring of the Roof Level of the Forest Street Parking Structure; and

RESOLVED, That the DDA confirms its authorization to the DDA Executive Director to issue a notice to proceed to Structural Preservation Systems, Inc. for said work, in advance of execution of the formal contract for the work.

Mr. Shaffran made a motion, and Ms. Gunn seconded, the resolution. Mr. Shaffran reported that he got a voice mail message from Carl Walker Inc. about closing the
Forest Structure, left a message for them, and then the call was returned when Neal Berlin was in the room. Carl Walker engineers confirmed that for safety purposes, the level below the roof should be closed and the next morning remaining cars should be asked to leave. Subsequently they sent us a letter confirming that until shoring was installed, we should not allow vehicle parking. At the last meeting, the DDA approved shoring the roof, and Mr. Iraola and Carl Walker were asked to get a shoring contractor in as swiftly as possible. Four bids were received, and as Carl Walker has much of the engineering done, shoring can begin as soon as possible. Mr. DeVarti asked how many spaces were lost when the level was closed (Mr. Shaffran thought 90 spaces or so), and how many spaces would be returned when shoring was installed (Mr. Shaffran thought we might restore 10 to 20 spaces). Ms. Gunn asked if the DDA could keep the floor closed and take out additional insurance, but Mr. Shaffran said the engineers felt the weight of the roof would affect floors below, and it wasn’t worth the concerns for safety. Ms. Harshe asked what the engineers had seen, to which Mr. Shaffran reported that they noted that the roof was deteriorating, and that in time the structure’s integrity could come into question.

A vote on the motion showed:
AYES: DeVarti, Fritz, Gates, Gunn, Harshe, Pohrt, Relyea, Shaffran, Sipes
NAYS: None
Absent: Berlin, Gillett, Ungrodt

3. Other DDA Business

None.

4. Adjournment

There being no further business, upon motion by Gunn with support by Gates, the meeting was adjourned at 4:25 p.m.

Respectfully submitted by:
Susan Pollay, Recording Secretary