

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY  
COMMISSION AGENDA ITEM**

**SUBJECT:** TSPLOST 2018 Project 05 North Oconee River Greenway Network, Sub-Project #2,  
Guaranteed Maximum Price (GMP) Revision

**DATE:** June 30, 2021

**BUDGET INFORMATION:**

**REVENUES:**

\$ 9,650,745	TSPLOST 2018 Project 05 (All Tiers)
\$ 6,323,000	SPLOST 2011 Project 09 (All Tiers)
\$ 440,000	Federal Transportation (TE) Funds (Sub-Project #1)
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\$ 16,413,745	Total Revenue (Both Programs)

**EXPENSES:**

**CAPITAL:**

\$ 8,386,881	Expensed & Encumbered (Both Programs)
\$ 67,796	Designated Public Art (Both Programs)
\$ 441,668	Designated Design, Permitting, & Misc. (Both Programs)
\$ 428,372	Designated Capital Equip., Testing & PM (Both Programs)
\$ 1,856,555	Designated Construction Sub-Project #4 (TSPLOST 2018)
\$ 630,000	Designated Construction Sub-Project #6 (TSPLOST 2018)
\$ 1,000,000	Designated Construction Sub-Project #7 (TSPLOST 2018)
\$ 414,573	Designated Contingency & Future Sub-Projects
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\$ 3,187,900	Available for Sub-Project #2 Construction

**ANNUAL:** \$ 362,000 (Both Programs)

**FUNDING SOURCE:**

**CAPITAL:** TSPLOST 2018 & SPLOST 2011 Program Revenues  
**ANNUAL:** General Fund

**COMMISSION ACTION REQUESTED ON:** August 3, 2021

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**PURPOSE:**

To request that the Mayor and Commission:

- a. Authorize staff to negotiate a revised final Guaranteed Maximum Price (GMP) agreement for construction (Phase II) for the TSPLOST 2018 Project 05 & SPLOST 2011 Project 09 - Oconee Rivers Greenway Project – Sub-Project #2 with Astra Group, LLC not to exceed

the available construction project budget of \$3,187,900 to include the General Conditions and a Construction Services Fees; and,

- b. Authorize the Mayor and appropriate staff to execute all related documents.

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**HISTORY:**

1. On November 2, 2010, residents of Athens-Clarke County approved the SPLOST 2011 Referendum. That referendum included Project 09, Oconee Rivers Greenway Network Connectors, to implement greenway corridor improvements and connectors along the North Oconee River following the ACCGov Greenway Network Plan.
2. On October 4, 2011, the Mayor and Commission (M&C) approved Sub-Project #1 (Sub-Project Map – Attachment #1) Project Concept for the East Campus Connector Project of the Oconee Rivers Greenway Network Connectors (SPLOST 2011 Project 09).
3. On November 1, 2011, the M&C approved the Master Implementation Plan and Funding Schedule for the SPLOST 2011 Program. The SPLOST 2011 Project 09, Oconee Rivers Greenway Network Connectors, included funding programmed for Tier #01 through Tier #08. The majority of funding for construction of the Greenway Sub-Projects became available in FY17 and FY18.
4. On May 26, 2015, the Oconee Hill Cemetery (OHC) Board submitted a letter to ACCGov noting an interest to participate in discussions regarding the greenway network expansion that would traverse the cemetery property.
5. On August 4, 2015, the M&C approved a Commission Defined Option (CDO) approving Project Concepts for Sub-Project #2, Sub-Project #3, and Sub-Project #4 and authorizing staff to advance those Sub-Projects #2, #3, and #4 to the Preliminary Plan Phase (Sub-Project Map – Attachment #1) .
6. On August 30, 2016, the OHC Board hosted a public open house for community discussion and input regarding greenway trail network expansion through the cemetery property.
7. On September 6, 2016, the M&C approved the Preliminary Plans for Sub-Project #2, Sub-Project #3 and Sub-Project #4 of the Oconee Rivers Greenway Network Connectors (SPLOST 2011 Project 09), authorized staff to acquire all necessary rights of ways and easements necessary to construct these Sub-projects, and authorized staff to advance Sub-Project #2 and Sub-project #3 in the Bid and Award phase (Sub-Project Map – Attachment #1) .
8. On June 30, 2017, Manager Williams contacted the OHC Board of Trustees regarding recent work efforts with staff, recent meetings, plan development of the trail section through the cemetery, and future efforts to bring the trail to fruition connecting existing sections of trail.
9. On December 7, 2017, M&C approved an ordinance establishing TSPLOST 2018 Capital

Project Budgets, which included the Project 05 - Oconee Rivers Greenway Project; which includes the provision that funding be first used to complete the approved Sub-Projects of the SPLOST 2011 Project 09 - Oconee Rivers Greenway Network Program Sub-Projects.

10. On February 6, 2018, the Athens Cultural Affairs Commission (ACAC) offered a recommendation in accordance with Athens-Clarke County Code Ordinance, Section 1, Title I, Chapter 1-25-6, Additional Funding for Public Art, to the M&C related to the use of public art for TSPLOST 2018 Project 05 Oconee Rivers Greenway Project. Based on the nature of TSPLOST 2018 Project 05 Oconee Rivers Greenway Project the ACAC recommended that TSPLOST 2018 Project 05 Oconee Rivers Greenway Project be designated as appropriate for public art at the rate of 1% of the construction budget. The User Group and Staff concurs with this recommendation.
11. On February 26, 2018, the TSPLOST Citizens Oversight Committee (COC) confirmed that the Project Concepts for Sub-Projects #7, 8, 9, 10 & 11 (Sub-Project Map – Attachment #1) on the Oconee Rivers Greenway Project were consistent with the Initial Project Statement of TSPLOST 2018, Project 05. At the same time, the COC confirmed that first completing the SPLOST 2011 Project 09 - Oconee Rivers Greenway Network Program Sub-Projects was consistent with the Initial Project Statement.
12. On March 6, 2018, M&C approved the Oconee River Greenway (TSPLOST 2018 Project 05) Project Concepts for Sub-Projects #7, 8, 9, 10, & 11 (Sub-Project Map – Attachment #1). The approval action further refined the following priorities:
  - o Completion of the SPLOST 2011 current trail work, Sub-Projects #1, 3, 4.1 & 5 have been completed
  - o Sub-Project #2- OHC segment – can be completed with finalization of land acquisition
  - o Sub-Projects #4.2 & 6 - Carr's Creek segment; can now be completed with the recent finalization of land acquisition
  - o Sub-Project #7 - Oak/Oconee Bridge Underpass – awaiting GDOT Bridge Project
  - o Sub-Project #8 – MLK Parkway from College Ave to North Ave – has been completed
  - o Sub-Project 09 - Riverside/MLK Parkway from North Ave. to E. Broad Street – status depends on remaining funds after completion of Sub-Projects #2, 4.2, 6, & 7
13. On May 31, 2018, Manager Williams and staff met with OHC Board of Trustee members to review the proposed plans and review status to determine final needs regarding the trail expansion efforts through the cemetery property.
14. On June 13, 2018, staff notified the OHC Board of Trustees, after numerous years of joint site evaluations and negotiations that developing a plan to separate the proposed greenway trail that traverses the cemetery property from cemetery operational areas would mutually benefit both parties and addressed the main security concerns of the Board of Trustees. Both parties were in general agreement with the proposed preliminary plans.

15. On October 17, 2018, staff completed geotechnical investigations around the cemetery's existing bridge to facilitate discussions of the proposed greenway preliminary plans under the bridge to create a separated grade crossing to promote cemetery separation from the greenway.
16. On February 5, 2019, M&C approved the revised Preliminary Plans for TSPLOST 2018, Project 05 & SPLOST 2011 Project 09 Oconee Rivers Greenway project Sub-Project #2; which creates a separate trail section from the cemetery.
17. On September 5, 2019, Sub-Project #1, the East Campus Connector Bridge was dedicated and opened for use.
18. On October 10, 2019, Sub-Project #8, MLK greenway from College Avenue to North Avenue was dedicated and open for use.
19. In August 2020, staff and OHC Board's counsel met and reviewed easement documents to finalize outstanding issues.
20. On October 7, 2020, staff issued a Request for Proposal (RFP) for a Construction Manager at Risk for the construction of the greenway trail section the Oconee Hill Cemetery.
21. On October 31, 2020, staff met on-site with OHC Board of Trustees, at their request, to finalize the locations for trail entrance gates.
22. On November 3, 2020, M&C approved a land use plan for Carr's Creek parcels recently acquired as part of the Public Utilities Department Carr Creek sewer improvement project.
23. On November 10, 2020, staff received four proposals in response to the RFP for a Construction Manager at Risk for the construction of the greenway trail section for the Oconee Hill Cemetery, as detailed later in F&I #3.
24. On November 18, 2020, the OHC Board of Trustees met and approved the easement agreement documents.
25. On December 1, 2020, M&C approved the easement agreement with Oconee Hill Cemetery TSPLOST 2018 Project 05 & SPLOST 2011 Project 09 - Oconee Rivers Greenway Project – Sub-Project #2.
26. On December 6, 2020, the User Group met and determined the short listing of firms for interviews as discussed in F&I #4. The User Group is comprised of Melinda Cochran, Todd Miller, Alex Bond, Lara Mathes, and David Spooner.
27. Between December 14 and 16, 2020, the User Group interviewed the shortlisted firms and revised the scoring of the proposals based on the information from the interviews

and pricing reviews.

28. On December 16, 2020, the User Group finalized the proposal scoring matrix to determine the recommended firm: Astra Group.
29. On January 6, 2021, M&C awarded a Construction Manager at Risk services contract to Astra Group, LLC, and authorized a not to exceed Guaranteed Maximum Price (GMP) of \$2,548,269 for Pre-Construction activities and Construction.
30. Between January and May, 2021, Astra Group with the engineer team and staff completed additional field investigation, geotechnical investigation, constructability reviews, coordination with Oconee Hill Cemetery, and revised structural design components as part of the Pre-Construction services to best address all parties concerns and comments.
31. On June 28, 2021, Astra Group, LLC, completed and submitted their proposed GMP for ACCGov consideration with a GMP value of \$3,187,899.90.

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**FACTS & ISSUES:**

1. The proposed greenway extension for Sub-Project #2 – OHC Segment is generally described by the following:
  - This greenway trail generally traverses the Oconee Hills Cemetery property with the northern and southern termini points connecting the existing greenway.
  - 12' wide concrete trail
  - 3,600 feet in length (alignment generally follows existing sanitary sewer route along the river)
  - Entrance gates/fencing to provide aesthetically pleasing identifiers that greenway patrons have entered Oconee Hills cemetery
  - Appropriate security fencing along the trail to create trail facility that is separated from the cemetery
  - Necessary retaining walls, drainage features, and erosion control measures
  - Hardscape and vertical features to incorporate existing materials and style of Oconee Hills Cemetery to appropriately blend with the cemetery in a respectful manner
  - Engineer's (January 2021) construction estimate for Sub-Project #2 was \$2,548,269
2. The M&C previously approved Astra Group and an associated GMP maximum value (History item #6). Part of Astra's Pre-construction services (History Item #7) with ACCGov's project team led to a final GMP above the previously approved M&C GMP maximum value based on additional analysis and refinement. This requires M&C action to approve an increased GMP maximum value prior to contract execution. If the final GMP value was within the previous M&C authorization, staff would have been allowed to execute the construction contract without additional M&C action. Reasons for the increased GMP value are noted in F&I's #4.

3. Major design components incorporated into the approved plans are centrally located around the existing cemetery bridge. A solution to resolve the Oconee Hill Cemetery Board's concerns of security to the historic cemetery and daily operations between the cemetery and ACCGOV greenway use was to provide separated facilities. To accommodate the separated facilities, the project requires removal and replacement of the east bridge abutment as well as the removal and replacement of the eastern elevated bridge approach span. During the time this work is undertaken the bridge will be out of service.
4. The increase in the Final GMP value over estimated engineer's is generally due to the following items evaluated during the Pre-Construction services by Astra and the ACCGov team:
  - Overall current construction market demand for services by sub-contractors and material availability
  - Increased lead times for materials
  - Elevated cost of steel
    - Rebar
    - Fencing material
    - Hand rails
    - Bridge girders
    - Foundation Pilings
  - Elevated risk work around and on OHC bridge
  - Rock removal
5. Easement agreements with OHC restricts work on the bridge from being out of service between August and December due to OHC's operations during UGA football season thereby reducing the constructability window for the removal and replacement of the bridge span necessary to facilitate the separated trail.
6. Staff is anticipating the following schedule milestones for the remainder of the project:
  - Authorization of GMP by M&C August 2021;
  - Contract Execution August 2021;
  - Construction Notice to Proceed August 2021;
  - Construction Completion August 2022.
7. This recommendation is consistent with the following Mayor and Commission Strategic Commitment:
  - Healthy, Livable, Sustainable Athens-Clarke County

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**OPTIONS:**

1. Mayor and Commission:
  - a. Authorize staff to negotiate a revised final Guaranteed Maximum Price (GMP) agreement for construction (Phase II) for the TSPLOST 2018 Project 05 & SPLOST 2011 Project 09 - Oconee Rivers Greenway Project – Sub-Project #2 with Astra

Group, LLC not to exceed the available construction project budget of \$3,187,900 to include the General Conditions and a Construction Services Fees; and,

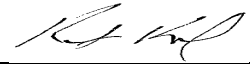
- b. Authorize the Mayor and appropriate staff to execute all related documents.
- 2. Mayor and Commission deny approval of the contract award.
- 3. Mayor and Commission defined option.

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**DEPARTMENT RECOMMENDED ACTION:** Option #1 a & b

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**DEPARTMENT:** Leisure Services



Kent Kilpatrick, Director

7/8/2021

Date:



Keith D. Sanders, TSPLOST  
Program Administrator

7/8/2021

Date:

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**ADMINISTRATIVE COMMENTS:**

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**ADMINISTRATIVE RECOMMENDATION:** Options #1 a & b



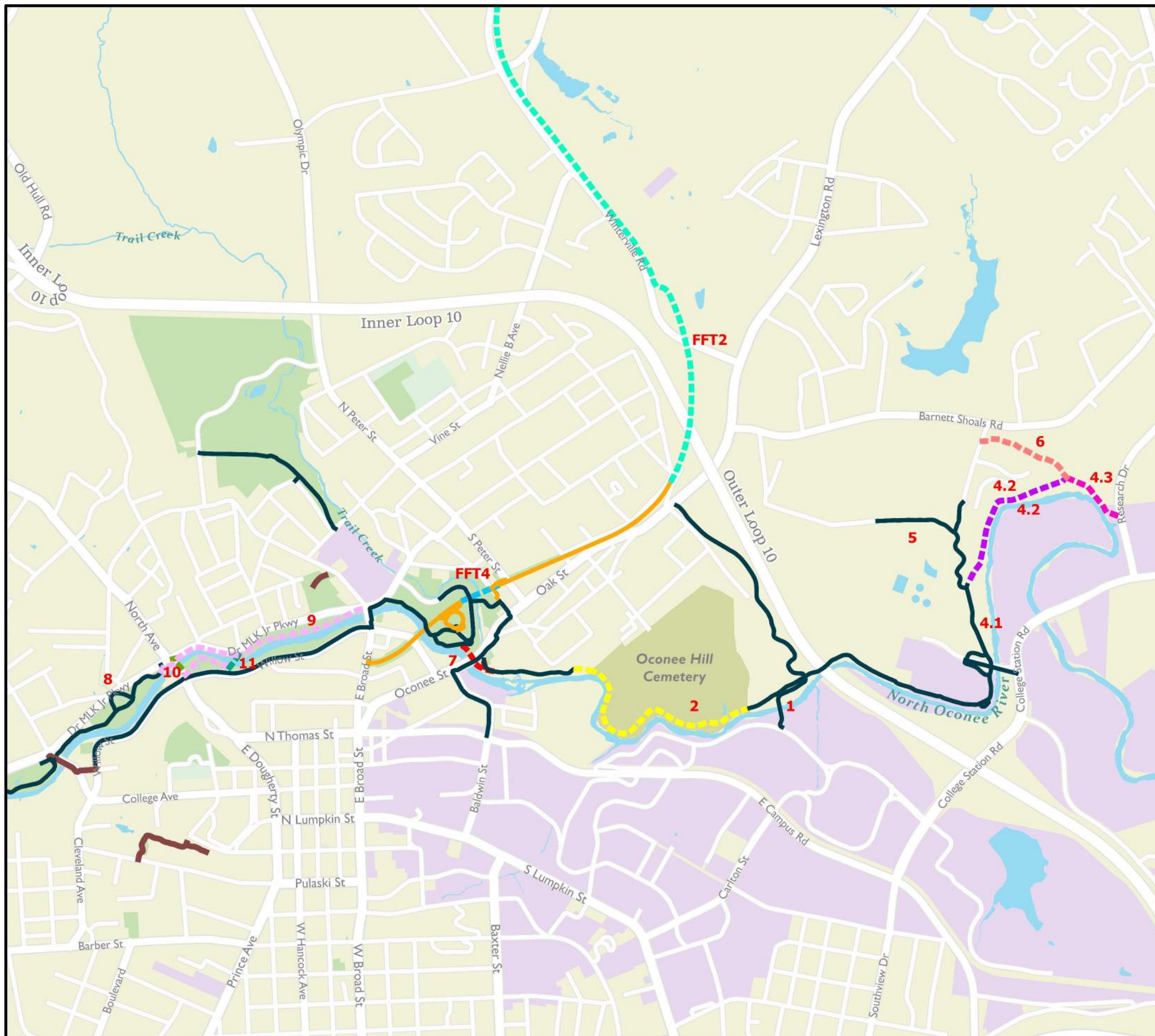
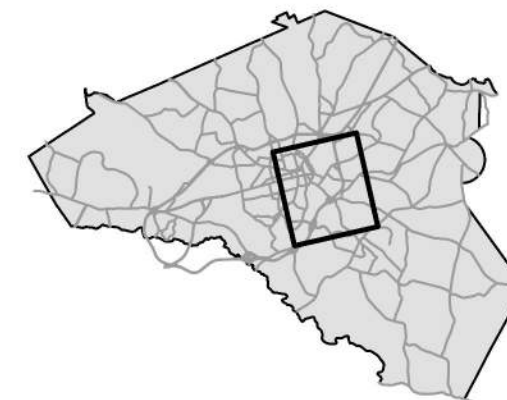
Manager

July 13, 2021

Date:

**ATTACHMENTS:**

Greenway Sub-Project Map – Attachment #1



- Multi-Use (Existing)
- North Oconee River Greenway (Existing)
- Sub-Project 2: Oconee Hill Cemetery
- Sub-Project 4.2: Research Drive
- Sub-Project 4.3: Research Drive
- - - Sub-Project 6: Carr's Creek/ Barnett Shoals Road
- - - Sub-Project 7: Oak/Oconee Bridge Underpass
- Sub-Project 9: North Oconee River Park Trail
- Sub-Project 10
- Sub-Project 11
- Firefly Trail (Existing)
- Sub-Project 2: Old Winterville Rd to Hancock Rd
- Sub-Project 3: Hancock Road to Athens-Clarke County/Oglethorpe County Line
- Sub-Project 4: Firefly Trail - Trail Creek Crossing

0 500 1,000 Feet



# TRAIL PROJECT OVERVIEW

## Sub-Projects Update

Athens, Georgia  
 Friday, July 9, 2021 Sheet 1 of 1