Board of Supervisors Memorandum

February 19, 2019

Project Status Update Regarding the Historic Pima County Courthouse and Final Project Contracts

Background

A number of activities are concluding with the Historic Pima County Courthouse renovation. It is appropriate to update the Board of Supervisors regarding the status of the overall project. As has been previously stated, the project is being completed in a number of phases.

Initially, the first phase dealt with simply removing and demolishing decades of building modifications that have occurred at the Historic Courthouse since its construction in 1929. Efforts included identifying and painting all exterior surfaces in the original 1929 colors, entire roof replacement, structural upgrades, dome tile repairs and replacement and full window replacement. Efforts in the courtyard included new turf installation and fountain renovation.

Infrastructure improvements included new hydronic piping from the Pima County Central Plant for heating and cooling conservation improvements. All primary system equipment and interconnects were replaced for the electrical, plumbing and HVAC distribution systems. This was followed by structural repairs and renovations to the structure to ensure its long term integrity and repairs to the historic dome.

The most recent phase included a contract to finish appropriate tenant improvements for the first occupant of the Historic Courthouse, Visit Tucson, and continuing planning regarding architectural design elements associated with the visitors center and University of Arizona Mineral Museum on the First Floor.

The Historic Courthouse has been Reoccupied

On January 14, 2019, Visit Tucson moved into their leased facilities within the Historic Courthouse. They now occupy 13,950 square feet of the renovated Historic Courthouse on the Second and Third Floors. We have received positive feedback regarding their use of the facility as well as associating the regional tourism agency with the iconic Historic Pima County Courthouse.

January 8th Memorial Archeological

In preparation for the construction of the January 8th Memorial project, the area west of the Historic County Courthouse is currently undergoing archeological excavations to document, map, photograph and record the features from multiple time periods of Tucson's history that

were expected to be present. Because in-place preservation of our heritage resources is always preferred, this effort is only confined to the horizontal and vertical extents of the excavations scalable to the level of ground disturbing impacts required for construction of the January 8th Memorial. In addition, geotechnical investigations identified unstable soils up to 8-feet deep, which must be remedied before construction can begin, hence the depth of excavation.

Historical Background: (Excerpted in part from *Archaeology in Tucson Newsletter Vol. 7, No. 3)*

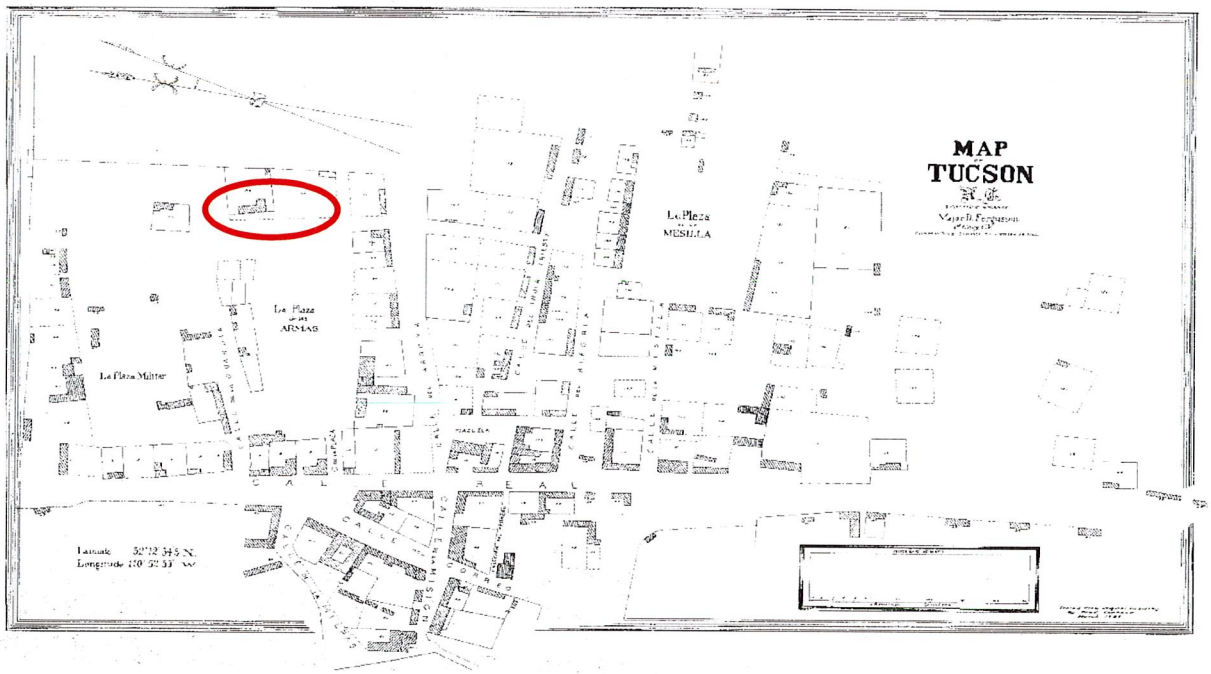
Tucson has one of the richest and longest documented settlement histories in the United States – the first Native American peoples from ca. 10,000 BCE, later Hohokam farmers, the Tohono O'odham of today, 17th and 18th century Spanish missionaries and soldiers, Mexican families and settlers, and American pioneers and entrepreneurs. The very center of this multi-storied history is the high ground area where the Tucson Presidio was founded in 1775.

Archaeological excavations over the last 60 years in the Tucson area have revealed ancient settlements where Hohokam farming families lived along the banks of the Santa Cruz River, building their communities and tending fields. A substantial Hohokam village once stood in the area near Church and Alameda streets between A.D. 450 and 1250, and archaeological excavations at the corner of Washington and Church in 1954 and at the northeast corner of Church and Alameda in 1989 through 1990 had located pithouses built by these early people. In 1992, excavations in the courtyard of the old Pima County Courthouse revealed Hohokam occupation layers beneath Spanish Colonial, Mexican, and Anglo-American materials.

Historical documents show that the Tucson Presidio walls were built of adobe bricks set on stone foundations. Its dimensions are 750 feet to a side, enclosing an area of 13 acres, and extends from today's Washington Street on the north, south along Church Street to Pennington, and west to Main. Houses were constructed against the inside of the wall so that their roofs could be utilized as platforms during battles. Inside the fortress were soldier barracks, a commandant house, other buildings, and stables arranged around two plazas. Along the eastern wall was a church that had a *campo santo,* or churchyard cemetery, to its north and south. Numerous Presidio era burials have been found over the years beneath Alameda Street and under the Transamerica Building, as well as under the north wing of the 1929 County courthouse that support these historical records and maps.

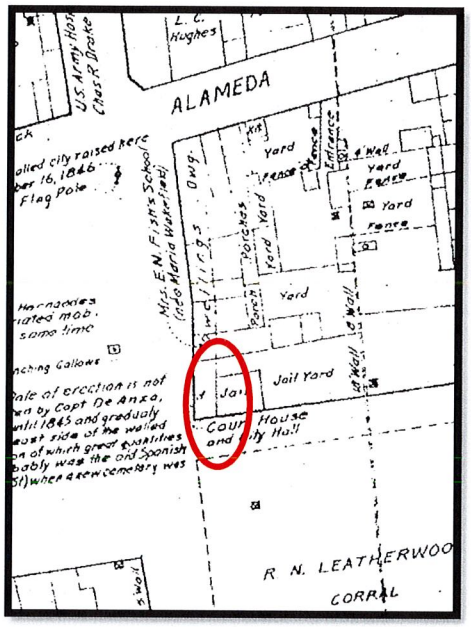
Results of the Archaeological Excavations for the January 8th Memorial

Shown below is the earliest known map of the Tucson Presidio, drawn in 1862 by US Army Major David Ferguson that depicts the structures inside the Presidio and the expanding community to the right.

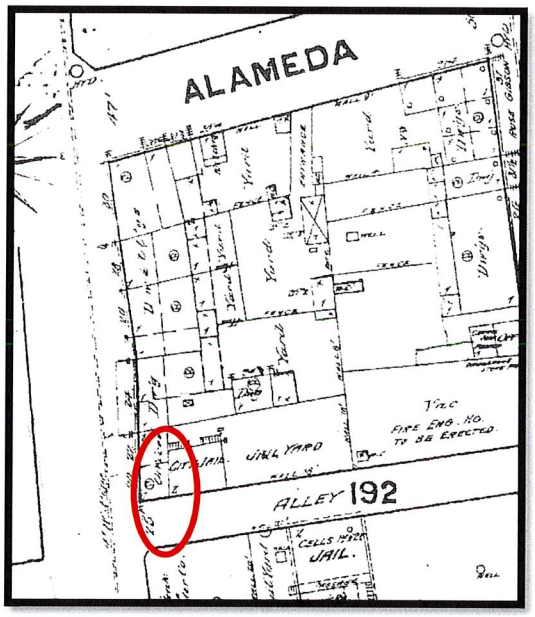


The red oval highlights the area inside the Tucson Presidio where the January 8th Memorial is to be constructed and where the current excavations are underway. Thus far, the archaeological investigations have confirmed the expectations of uncovering numerous archeological features and building foundations dating from the 18th and 19th centuries that chronicle Tucson's story. Later maps show the development of the same area through time.

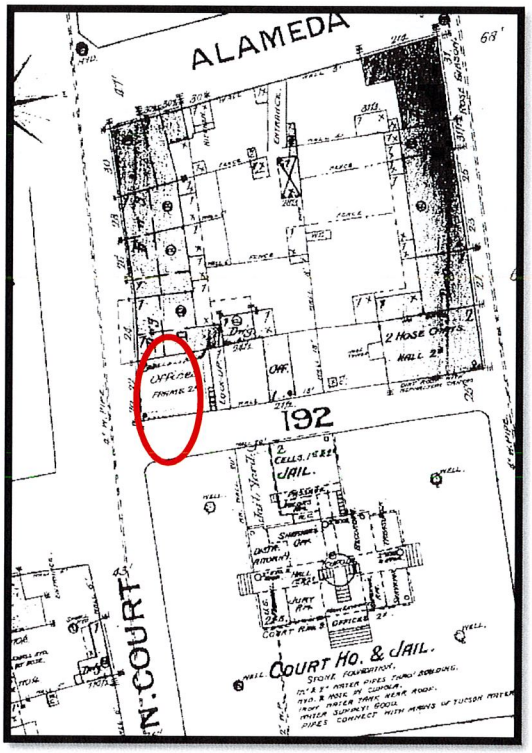
1862 Ferguson Map



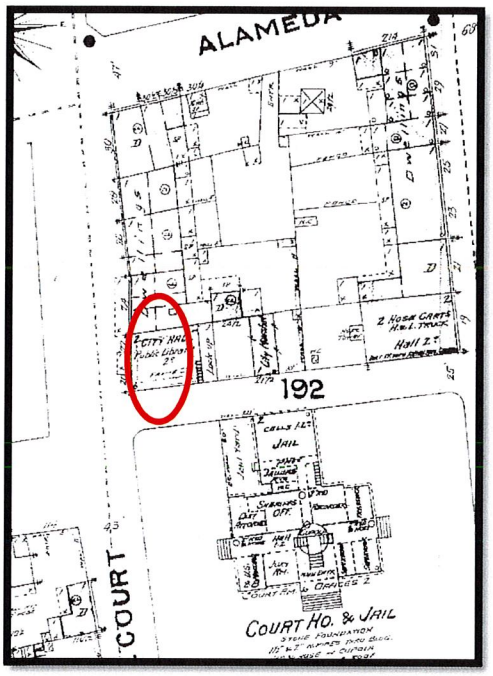
1870 Hand Map



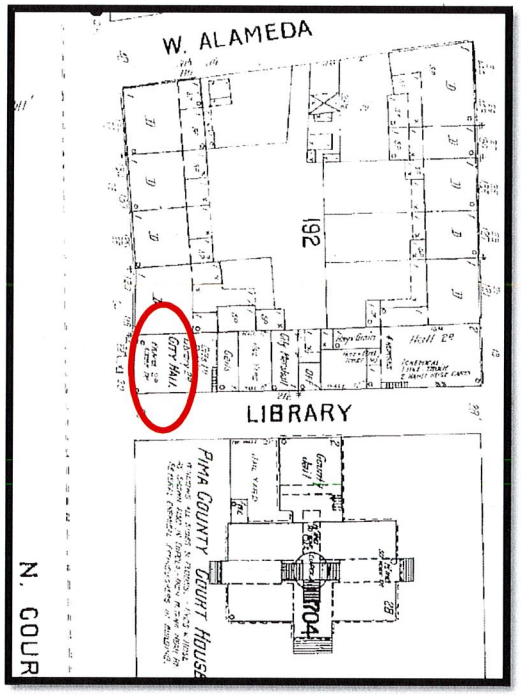
1883 Sanborn Map



1886 Sanborn Map



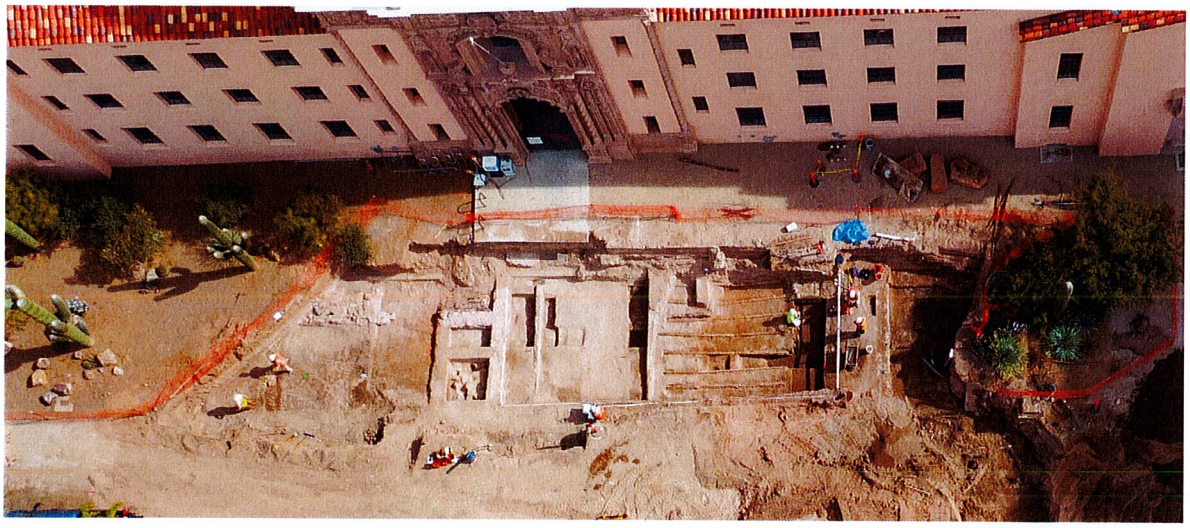
1895 Sanborn Map



1901 Sanborn Map

The sequence of maps shows the 1868 County courthouse and City jail to the north in each map as well as the 1881 courthouse at Pennington and Church that replaced it. It is interesting to note that the 1868 Courthouse and row of buildings south of Alameda St. did not change substantially through time.

The aerial photo below shows the extent of the excavations and some of the features north and south of the alley in the center of the photo that later becomes Library St. To the left (North) of this alley are the foundations of the 1868 County Courthouse where the Camp Grant Massacre vigilante group was tried and acquitted and the City jail. To the right (South) are railroad rails that once covered the cesspool for the 1881 Courthouse and farther south is the foundation for the Leatherwood corral. Beneath these features are Presidio era walls, trash deposits, and a domed bread oven.



Discoveries to date:

- Mixed period artifacts from top left to right – French pipe stem, flints and musket ball, ornate brass item from Presidio context, shell used as jewelry, Majolica ceramics from Presidio and Mexican periods, O'odham plainware pottery and Hohokam pottery sherd.

- Presidio era (1775-1850s) trash deposits, a wall, and a bread oven

- The foundations of the 1868 Pima County Courthouse, where the Camp Grant Massacre vigilante group was tried (see 1871 photo below).

Camp Grant Massacre Trial Location 1871

- The foundations of the Leatherwood corral built in the 1860s or 1870s, and later demolished when the 1881 Courthouse was constructed.

- A portion of the 1880s City Jail. Note planking and steel spikes beneath the floor to prevent prisoners from escaping by digging through the floor.

- The cesspool for the 1881 County Courthouse, built in 1889 and filled in in 1911. Railroad rails covered with wood planks were used to cover the cesspool that kept collapsing.

It is anticipated that all archaeological excavations will be concluded February 20, 2019 when we hope to offer tours to the public. The end-of-fieldwork report will be submitted by March 1 and the archaeological clearance for construction issuance is expected by Friday, March 8, 2019.

January 8th Memorial and Construction

The January 8th Memorial project construction contract is out for solicitation in a limited competition bid due to the uniqueness of the project. Five local general contractors with expertise in this construction type are on the bid list and have been invited to bid. This project will be built utilizing the design, bid, build construction process and the bids were due on February 8, 2019. Four bids were received. The lowest bid was from the Chasse Building Team at $2,428,378 and approximately $115,000 for the alternates. The construction contract award will be on the March 5, 2019 Board of Supervisor's meeting agenda. The estimated project cost was $1.8 million for the base bid with an estimated $300,000 bid alternate for garden elements for a total of $2.1 million.

The January 8th Memorial Foundation Board will need to determine how best to proceed given the lowest bid exceeded the project estimate.

The funding for the Memorial Project comes entirely from the January 8th Foundation fund raising efforts and some elements of the Memorial design incorporate donor recognition per Pima County Administrative Procedure 3-24 and Board of Supervisors Policy C.3.19.

The Memorial construction start date is set for April 1, 2019 and is expected to be completed on or about January 1, 2020 in time for the January 8, 2020 Memorial dedication.

Final Tenant Improvements for the University of Arizona (UA) Mineral Museum and Visitors Center

Extensive program review and consultations have occurred with the various interested parties associated with both the UA Mineral Museum as well as the visitors center. Final construction plans are nearing completion and a final contract for completion will be requested for a limited competition construction contract at the February 19, 2019 Board of Supervisors Meeting.

University of Arizona Gem and Mineral Museum
Pima County is working in conjunction with University of Arizona Gem and Mineral geoscience experts to develop the world class Alfie Norville Gem and Mineral Museum. This museum will include the finest gem, mineral and meteorite collections in the world displayed in state-of-the-art exhibition galleries. The museum is slated to open in early 2020. The construction and display facilities will be included in the final construction project.

Southern Arizona Heritage and Visitor Center ongoing design efforts
Joining the Gem and Mineral Museum on the building's first floor, the Visitor Center will feature information about places to go, regional history, recreational amenities, food and culture and more. Visitors will be given information resources to plan their visits and future adventures. Public amenities will include various sized meeting spaces, a small theater and gallery/gift shop. This will be part of the final construction project and is slated to open January, 2020.

Pima County Attractions and Tourism Department
The Pima County Attractions and Tourism Department will relocate to the building's second floor, next to the restored historic Courtroom Number 1 where Dillinger was arraigned after his gang's capture. The management of operations within the building and public uses will be coordinated by this department whose mission closely aligns with Visit Tucson.

Final Construction Project
The final construction project phase will further the interior tenant improvements which include the complete buildout of the Gem and Mineral Museum, Visitor Center and lower level offices and storage. It will also include the historic courtroom restoration and Pima

County office areas. The finish work impacts all areas of the building not occupied by Visit Tucson.

Final Phase for Completion of Improvements

This has been a complex project, with multiple moving parts and complicated scheduling and phasing issues. Despite best efforts by County Facilities Management, some delays have occurred that, if not addressed, will delay project delivery, jeopardizing our ability to meet deadlines for other tenants, open the Visitor Center in a timely manner, and keep the overall project within budget. The construction is further challenged by:

- Restricted site access due in part to the concurrent construction of the adjacent January 8th Memorial;
- The need to accommodate current occupancy by Visit Tucson while construction is on-going;
- Historic preservation sensitivity, which is of significant concern;
- Coordination with exhibit fabricators for both the Visitor Center and Mineral Museum;
- Required dust free space for exhibit installation as a schedule milestone;
- Construction activity in all unoccupied areas of the building by multiple teams and multiple trades;
- A complex subcontractor coordination schedule with specific milestone dates.

The next phase of improvements include renovation of the historic Dillinger Courtroom, which requires a contractor with experience in historic preservation construction. In addition, exhibits in both the University of Arizona Mineral Museum and Pima County Visitor Center, are being delivered by a specialty exhibit fabricator. Coordination between the exhibit fabricators and the General Contractor will need to be seamless in order to deliver the exhibits within the project schedule and budget, and with the high level of quality required for high public profile elements.

For all these reasons—the access challenges, historic preservation needs, the need to manage multiple teams of contractors working at the same time throughout the building, and still meet a tight construction schedule—it is imperative to the success of the project to hire the most qualified and experienced contractor, and to do so on an expedited basis.

Recommendation

Kittle Design and Construction, the present contractor, has expressed a desire to end his contract and have the balance of the contract completed with the final phase of construction to facilitate timely completion of the project. To expedite the procurement and construction process, staff recommends that the County terminate, as agreed to by Kittle Design, the

existing contract with Kittle Design and Construction, include the work remaining under that contract with the next phase, and use a qualification-based selection process for a Construction-Manager-at-Risk, as allowed by Arizona Revised Statues Title 34. Because a protracted procurement process will, given the current conditions and the progress of work to date, put the project behind schedule, staff recommends that the County use a limited procurement process as allowed by Arizona Revised Statutes § 34-606. The proposal is to issue a Solicitation for Qualifications document to a pool of known qualified contractors that are believed to be the best candidates for this project and have worked with our project architect, Poster Frost Mirto Inc. The standard evaluation process can then be used to evaluate the proposals, and recommend a contractor for this final phase of improvements.

I recommend the Board of Supervisors take the following actions:

1. Make a finding that, because of the unavoidable and unexpected delays, and the necessity of completing the project in order to meet County contractual obligations, the competitive process proposed by staff is what is practicable under the circumstances. Using any alternative process would delay the project by 30 to 180 days. Since such a delay is not desirable, it is impractical, unnecessary and contrary to the public interest to comply with normal Title 34 procurement procedures. If required to comply, the County expects responses from the same contractors we are contemplating using in the abbreviated process.

2. Authorize the Procurement Director to proceed with a limited competition Solicitation for Qualifications procurement process to select a Construction- Manager-at-Risk contractor to complete this final phase of construction.

3. Authorize the Procurement Director to execute the resulting Construction-Manager-at-Risk contract and all modifications, including Guaranteed Maximum Price packages, provided that the not-to-exceed amount of the contract does not exceed $5.9 million and that the contract expiration date does not exceed May 31, 2020, which allows for all contract close-out activities and final submittals.

4. Authorize the Procurement Director to execute an amendment to the Kittle contract, decreasing the scope of work, and terminating the contract, with payment only for work already done which will result in a deductive change order of approximately $1.1 million.

Sincerely,

C.H. Huckelberry
County Administrator

CHH/anc – February 11, 2019

c: Jan Lesher, Chief Deputy County Administrator
Tom Burke, Deputy County Administrator for Administration
Lisa Josker, Director, Facilities Management
Diane Frisch, Director, Attractions and Tourism
Linda Mayro, Director, Office of Sustainability and Conservation