



**Buncombe County Board of  
Commissioners Request for Board Action  
Meeting Date: 2/6/2024**

**Consent Agenda**

**Department:** General Services

**Presenter(s):** Robert M. Brown

**Contact(s):** Robert M. Brown

**Subject:** Architectural and Engineering Additional Services Contract Amendment for ADW Architects for a new EMS East Base on County Owned Property

**Brief Summary:** The FY 23 EMS Base project is contracted with ADW Architects for the design of a new EMS East Base on County owned property next to Owen pool in Swannanoa. When initially contracted, as a cost control measure, the project was reduced 21% below the Base Scope requirements indicated in the EMS Baseline Analysis Report. The building size was considered below 10,000 SqFt thus it was not contracted to be designed to meet the LEED Resolution requirements either. Also, the site and its full design and permitting requirements were not known at the time the designer contract was executed. Currently, to ensure full area serviceability and prevent the need for more expensive future additions, the project is being designed to fully meet the requirements prescribed in the EMS Baseline Analysis Report. Also, all current LEED Resolution requirements such as Fully Electric Facility, EV Chargers, Roof Solar Panels, and LEED Gold level certification points efforts are being added to the project. The following design services have been added:

- Design larger building size to meet full base scope as indicated in the EMS Baseline Analysis report.
- Design the building to meet all the LEED Resolution requirements.
- Add LEED consultant to maximize LEED gold check list opportunities.
- Design the building to be all electric per resolution.
- Design Owen Pool supplemental parking including all required stormwater measures to replace a portion of the spaces being removed for the project.
- Add services allowance for Corp of Engineers wetlands Investigation and permitting.
- Add services allowance for NCDEQ stormwater design requirements and permitting.

As a result of the additional services required for the reason's aforementioned, ADW Architects have requested \$190,000 of fees and \$14,000 of allowance to fulfill their additional project responsibilities.

No new County funds are required for this adjustment to the design contract.

**Recommended Motion & Requested Action:** Recommend executing the Design Contract Amendment with ADW Architects.

**County Manager's comments and Recommendation:** Recommends approval.

WITNESSETH:

This Modification of Agreement is made and entered into effective as September 8, 2023, by and between Buncombe County, a political subdivision of the State of North Carolina (hereinafter sometimes "County") and ADW Architects PA, (hereinafter referred to as the "Design Consultant"), County and Design Consultant are sometimes hereinafter collectively referred to as the "Parties."

Whereas, on or about the 6<sup>th</sup> day of June 2023, the Parties did enter into and execute an agreement for design consultant services New Base EMS Station located at Stone Drive, Swannanoa, NC 28778; and

Whereas, said agreement is attached hereto as "Exhibit A" and referred to herein as the "Agreement;" and

Whereas, the Parties now desire to enter into this Modification of Agreement to expand the scope of services to include additional square footage from a 9,960 sf building to a 12,596 sf building, additional parking lot off site and required storm water management, Additional PV, In-slab heating system in bays, sustainable design consultant, LEED equivalent requirements at the New Base EMS Station that were inadvertently omitted from the initial Agreement.

**Now Therefore**, the Parties, for valuable consideration each to the other paid, the receipt and sufficiency of which is hereby acknowledged, hereby agree to the following:

1. The scope of services shall be expanded to include additional square footage from a 9,960 sf building to a 12,596 sf building, additional parking lot off site and required storm water management, Additional PV, In-slab heating system in bays, sustainable design consultant, LEED equivalent requirements depicted in Exhibit B attached hereto.
2. That Buncombe County will pay an additional \$204,000.00 to Design Consultant for said scope expansion.

If there is any conflict between this Amendment and the Lease, the provisions of this Amendment shall prevail. All provisions not amended remain in full force and effect.

**In Witness Whereof**, the Parties have caused the due execution of the foregoing instrument as of the date and year first written above:

**County of Buncombe**

By: \_\_\_\_\_  
(Signature)  
  
\_\_\_\_\_  
(Printed Name)  
  
\_\_\_\_\_  
(Title)  
  
\_\_\_\_\_  
(Date)

**ADW Architects**

By: Keith Carlyon  
(Signature)  
  
KEITH CARLYON  
(Printed Name)  
  
MANAGING PRINCIPAL  
(Title)  
  
9/18/23  
(Date)

This Instrument has been pre-audited in the manner required by the Local Government Budget and Fiscal Control Act

By: M More  
County Finance Director

September 6, 2023

Robert M. Brown, Architect  
General Services Department  
Facilities/Project Manager  
Buncombe County  
40 McCormick Pl  
Asheville, NC 28801

Re: Architectural and Engineering Services – Scope Change Additional Services Proposal for a new EMS East Station

Dear Robert;

ADW Architects is pleased to provide you this additional services proposal to provide Architectural and Engineering Services for your new EMS East Station Project. These additional services include the following scope changes from the original project scope:

1. Project size and budget has increased significantly. The original fee was based on a 9,960 sf building and has increased to 12,596 sf. The budget has also increased significantly based on the additional sf.
2. The project has added an additional parking lot off site and required storm water management.
3. The project has gone from minor sustainable design work to a more extensive effort including the following:
  - a. Some PV was already included in the base fee. Additional PV and provisions for more PV and a future battery building (building design not included), however grading and conduit will be added to the project for future installation.
  - b. Going to all electric will likely mean in-slab heating system in the bays. This will add additional work for the design team.
  - c. We will have a sustainable design consultant working with the design team for all phases of the project, this fee was not included previously.
  - d. Additional LEED Equivalent requirements from design team.

**Our Additional Services Lump Sum Fee for this project, including all phases of work and the additional scope items noted above would be \$190,000.**

Additional Design Service Not Included in the Additional Services Fee above:

Furniture selection design services other than showing furniture on the floor plans is not included.

LEED Certification is not included.

Storm water feature/s requiring a 401/404 permit with the Army Corps and NCDEQ Division of water resources bio retention cell or wet pond are not included: We can provide this design service for \$5-10,000.

**With this in mind, we recommend adding a \$10,000 allowance for this item.**

We will be using \$2,235 of the current \$5,000 allowance for SD sustainability consultant. This along with the larger project, we would recommend adding back this amount to the original allowance and perhaps adding some to this.

**We would recommend the addition of \$4,000 to the allowance to address these items.**

**Total additional request:**

**\$190,000 (additional fees)**

**\$10,000 (allowance)**

**\$4,000 (allowance)**

**\$204,000**

Robert, we appreciate the opportunity to provide this additional services proposal. If you have any questions, or if we have misinterpreted any information related to your needed Scope of Services, please do not hesitate to contact us.

We look forward to moving forward this exciting Project!

Sincerely,  
**ADW Architects**



Keith Carlyon, AIA, NCARB, LEED AP  
Director of Public Safety Design/Local Government Design  
Managing Principal  
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Charlotte, NC 28217