

**PHILADELPHIA REDEVELOPMENT AUTHORITY**

**1234 MARKET STREET, 16TH FLOOR  
PHILADELPHIA, PA 19107**

**BOARD MEETING  
WEDNESDAY, MARCH 10, 2021**

**Executive Session – 3:30 P.M.  
Open Session – 4:00 P.M.**

**ADD-ON AGENDA**

<b>IV. <u>ADD ON ITEM</u></b>	<b><u>PAGE</u></b>
<b>East Poplar Playground Renovation Project Rescission of Resolution No. 2020-40, adopted by the Authority Board on July 8, 2020, and Resolution No. 2020-52, adopted by the Authority Board on September 9, 2020, Termination of Construction Contract with Kevin Moore d/b/a Kevin Moore Construction and Approval of Construction Contract with D'Angelo Bros., Inc.</b>	<b>(1)</b>

**BOARD FACTSHEET**

Meeting of March 10, 2021

Rescission of Resolution No. 2020-40, adopted by the Authority Board on July 8, 2020, and Resolution No. 2020-52, adopted by the Authority Board on September 9, 2020, Termination of Construction Contract with Kevin Moore d/b/a Kevin Moore Construction and Approval of Construction Contract with D'Angelo Bros., Inc.  
East Poplar Playground Renovation Project

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**BACKGROUND:**

On April 17, 2020, the Philadelphia Redevelopment Authority ("Authority"), as agent for the City of Philadelphia (the "City"), advertised a Request for Proposals ("RFP") for the East Poplar Playground renovation ("Project"), located at 820 N. 8<sup>th</sup> Street ("Property"). The Project is part of the City's Rebuilding Community Infrastructure Program ("Rebuild") and includes the removal of existing paving, play equipment, safety surfacing, fencing and landscaping, and the construction of a new play area and seating area, including play equipment, safety-surface, paving, plumbing, furnishings, landscaping and fencing.

The Authority received six (6) proposals from qualified contractors. The Project review team recommended the selection of the joint proposal submitted by Kevin Moore d/b/a Kevin Moore Construction ("KMC") and Brewerytown Construction, LLC ("BCL").

Pursuant to Resolution No. 2020-40, adopted by the Authority Board on July 8, 2020, the Authority Board approved the selection of KMC and BCL. Pursuant to Resolution No. 2020-52, adopted by the Authority Board on September 9, 2020, the Authority Board approved an amendment to Resolution No. 2020-40 to remove BCL as co-contractor, such that the construction contract would be entered into between the Authority, as agent for the City, and with KMC as the sole contractor. The construction contract between the Authority, as agent for the City, and KMC was executed on October 20, 2020.

To date, the Project has not commenced and KMC has informed the Authority that it is not able to move forward with the Construction Contract and the Project due to health condition of the principal of KMC. The City has consented to the termination of the Construction Contract with KMC. Accordingly, the Board is asked to authorize the mutual termination of the Construction Contract with KMC and to rescind Resolution No. 2020-40, adopted by the Authority Board on July 8, 2020, and Resolution No. 2020-52, adopted by the Authority Board on September 9, 2020.

The Project review team has again reviewed the proposals submitted in the response to the RFP and has made a recommendation to Authority staff. Authority

staff now seeks authorization to select D'Angelo Bros., Inc. ("D'Angelo") to undertake the Project, whose original proposal had the second highest score along with the lowest bid price.

**SELECTION PROCESS:**

The approval of a Construction Contract between the Authority and D'Angelo for the Project:

**D'Angelo Bros., Inc.**

3700 S. 26<sup>th</sup> Street

Philadelphia, PA 19145

Total Base Bid, plus Alternate No. 2: \$1,267,000

EOP: 30.3% MBE; 17.6% WBE

**FINANCING:**

The Project will be funded with City Capital funds as outlined in the Subgrant Agreement between the Authority and the Philadelphia Authority for Industrial Development ("PAID"). The Subgrant Agreement allows for funds to be transferred to the Authority for Rebuild projects.

Proposed Resolution and supporting project information are attached (site map and photographs).

Prepared by: Robert LaBrum

Reviewed by: Ryan Harmon

**RESOLUTION NO.**

**RESOLUTION AUTHORIZING THE PHILADELPHIA REDEVELOPMENT AUTHORITY, AS AGENT FOR THE CITY, TO (i) RESCIND RESOLUTION NO. 2020-40, ADOPTED BY THE AUTHORITY BOARD ON JULY 8, 2020, AND RESOLUTION NO. 2020-52, ADOPTED BY THE AUTHORITY BOARD ON SEPTEMBER 9, 2020, (ii) TERMINATE THE CURRENT CONSTRUCTION CONTRACT WITH KEVIN MOORE D/B/A KEVIN MOORE CONSTRUCTION, AND (iii) APPROVE A CONSTRUCTION CONTRACT WITH D'ANGELO BROS., INC. FOR THE EAST POPLAR PLAYGROUND RENOVATION PROJECT AT 820 NORTH 8<sup>TH</sup> STREET**

**WHEREAS**, on April 17, 2020, the Philadelphia Redevelopment Authority ("Authority"), as agent for the City of Philadelphia (the "City"), advertised a Request for Proposals ("RFP") for the East Poplar Playground renovation ("Project"), located at 820 N. 8th Street ("Property").

**WHEREAS**, the Project is part of the City's Rebuilding Community Infrastructure Program ("Rebuild") and includes the removal of existing paving, play equipment, safety surfacing, fencing and landscaping, and the construction of a new play area and seating area, including play equipment, safety-surface, paving, plumbing, furnishings, landscaping and fencing.

**WHEREAS**, pursuant to Resolution No. 2020-40, adopted by the Authority Board on July 8, 2020, the Authority Board approved the selection of Kevin Moore d/b/a Kevin Moore Construction ("KMC") and Brewerytown Construction, LLC ("BCL") as co-contractors.

**WHEREAS**, pursuant to Resolution No. 2020-52, adopted by the Authority Board on September 9, 2020, the Authority Board approved an amendment to Resolution No. 2020-40 to remove BCL as co-contractor, such that the Construction Contract would be entered into between the Authority, as agent for the City, and with KMC as the sole contractor.

**WHEREAS**, the Construction Contract between the Authority, as agent for the City, and KMC was executed on October 20, 2020.

**WHEREAS**, to date, the Project has not commenced and KMC has informed the Authority that it is not able to move forward with the Construction Contract and the Project due to health condition of the principal of KMC.

**WHEREAS**, the City has consented to the termination of the Construction Contract with KMC.

**WHEREAS**, the Board is asked to authorize the mutual termination of the Construction Contract with KMC and to rescind Resolution No. 2020-40, adopted by the Authority Board on July 8, 2020, and Resolution No. 2020-52, adopted by the Authority Board on September 9, 2020.

**WHEREAS**, the Project review team has also again reviewed the proposals submitted in the response to the RFP and has made a recommendation to Authority staff to select D'Angelo Bros., Inc.

("D'Angelo") to undertake the Project, whose original proposal had the second highest score along with the lowest bid price.

**NOW THEREFORE, BE IT RESOLVED**, by the Philadelphia Redevelopment Authority ("Authority"), that the following actions are hereby authorized:

1. Resolution No. 2020-40, adopted by the Authority Board on July 8, 2020, is rescinded.
2. Resolution No. 2020-52, adopted by the Authority Board on September 9, 2020, is rescinded.
3. The Authority, as agent for the City, may terminate the Construction Contract with Kevin Moore d/b/a Kevin Moore Construction and enter into any documentation necessary to carry out the foregoing.
4. The Authority, as agent for the City, may enter into a Construction Contract with D'Angelo Bros., Inc., for the Project, with a maximum compensation not to exceed One Million Three Hundred Ninety-Three Thousand Seven Hundred Dollars (\$1,393,700) (total Base Bid plus 10% Contingency).

**FURTHER RESOLVING**, the preparation, execution, and delivery of all documentation necessary to carry out the foregoing in form and substance acceptable to the Executive Director and General Counsel.

**FURTHER RESOLVING**, that the Executive Director, with the advice of General Counsel, may allow modifications to the Resolution and Construction Services Contract necessary or desirable to carry out its purposes and intents.

**820 N. 8<sup>th</sup> Street**

