

TOWN
Of
PARADISE VALLEY



STAFF REPORT

TO: Mayor Stanton and Town Council Members

FROM: Andrew Ching, Town Manager
Chad Weaver, Community Development Director
Shar Johnson, Town Engineer
Sam Kayat, CIP Manager

DATE: March 26, 2026

DEPARTMENT: Community Development
Chad Weaver, 480-348-3522

AGENDA TITLE:
Mockingbird Lane (56th Street to Invergordon Road) – Construction Phase Agreements.

SUMMARY STATEMENT:

Town staff is requesting Council approval of three agreements related to the construction of the Mockingbird Lane Improvements Project. The three agreements are:

1. Guaranteed Maximum Price (GMP) Amendment to the CMAR agreement with Achen-Gardner Construction, LLC, in the amount of \$17,523,846.14, for project construction.
2. Construction Administration Agreement with Tristar Engineering and Management, Inc., in an amount not to exceed \$480,184.72. Tristar will provide construction management and inspection services during the project.
3. Material Testing Services Agreement with Quality Testing, LLC, in an amount not to exceed \$99,770.00. Quality Testing will perform all construction material testing required as part of the project's quality assurance program.

RECOMMENDATION:

- Authorize the Town Manager to execute Amendment No. 1 to CMAR Agreement No. CON-25-001-ENG with Achen-Gardner Construction, LLC, in an amount not to exceed \$17,523,846.14, establishing the Guaranteed Maximum Price (GMP) for construction of the Mockingbird Lane (56th Street to Invergordon Road) Improvement Project.

- Authorize the Town Manager to execute Task Order No. 1 CON-26-020-ENG with Tristar Engineering and Management, Inc., in an amount not to exceed \$480,184.72, for construction administration services for the Mockingbird Lane (56th Street to Invergordon Road) Improvement Project.
- Authorize the Town Manager to execute Task Order No. 4 CON-26-011-ENG with Quality Testing, LLC, in an amount not to exceed \$99,770.00, for material testing services for the Mockingbird Lane (56th Street to Invergordon Road) Improvement Project.

BACKGROUND:

Mockingbird Lane between 56th Street and Invergordon Road is an east–west collector in the Town of Paradise Valley. It is currently striped as a two-lane roadway with bike lanes on each side and a sidewalk on the north side. The posted speed limit is 35 mph.

The project was first identified in the Town’s Capital Improvement Program (CIP) in 2013, with funding allocated for the project in FY2018.

The project scope includes roadway and storm drainage improvements. The proposed improvements consist of installation of a storm drainage system, roadway resurfacing, addition of traffic calming features, and pavement markings for two travel lanes with bike lanes on each side. A brief history of the project’s development is summarized below:

- Project Assessment (PA) was developed in March 2021 by the design consultant Kimley-Horn. This document presented three roadway improvement alternatives:

Alternative 1 – Meander	(2-lane + median, 45’ wide)
Alternative 2 – No Meander	(2-lane + median, 45’ wide)
Alternative 3 – Mill/Overlay	(2-lane, 33’ wide, match existing footprint)

- **In May 2021**, staff directed the design consultant to proceed with Alternative 3 – Mill/Overlay with sidewalk on the south side and to investigate potential traffic calming measures.
- Traffic calming measures were developed (including the use of chicanes) and presented to Council on November 10, 2022. The Council directed staff to start public outreach efforts.
- A public meeting was held on November 30, 2022, at Town Hall where residents commented on removing the proposed sidewalk on the south side of Mockingbird Lane.
- 60% engineering design plans encompassing the use of chicanes without new sidewalks on the south side of the road were developed and submitted for staff’s review in June 2023.
- **On November 9, 2023**, staff presented the 60% engineering plans to the Town Council, to seek further direction and comments on the proposed roadway improvements. The Council directed staff to re-evaluate meandering roadway as an alternative for this section of Mockingbird.
- **On February 8th, 2024**, staff presented available options for roadway improvements along with a cost estimate for each:

- 1) Roadway with chicanes.
- 2) Meandering Roadway with Medians.
- 3) Mill & Overlay - No Traffic Calming Features.

Council requested staff to provide renderings showing proposed improvements and incorporate landscaping in the concept. Staff indicated the possibility of incorporating median in the chicane option at 56th Street & Mockingbird and at the Invergordon Road & Mockingbird intersections to add visual enhancements to the project.

- **On May 23, 2024**, staff presented a hybrid traffic calming alternative to Council that included both medians and chicanes for the roadway improvements along with the cost estimates. Council decided on the hybrid alternative with additional directions outlined in the Council session summary.
- **On June 13, 2024**, Council study session, staff presented additional rendering and roll plots to address Council comments from May 23, 2024 meeting.
- **On June 27, 2024**, Council study session, staff presented modified chicanes locations to address Council comments during the June 13, 2024 meeting.
- **On September 23, 2024**, project open house which was held in Town Hall.
- **In August 2024**, Achen-Gardner was selected as the CMAR for this project through a qualification based competitive process.
- **In October 2024**, the Town engaged the services of Infrastructure Mavens, LLC, an independent cost estimator, to provide support in the anticipated negotiations with the CMAR.
- **On November 14, 2024**, staff:
 1. Provided an update related to project open house to Council.
 2. Recommended the approval of preconstruction services agreement with Achen-Gardner.

Achen-Gardner Construction LLC was awarded the preconstruction services contract to perform utility potholing, constructability review, preparation of construction cost model and other services typically required in a Construction Manager at Risk (CMAR) contract.
- **In January 2025**, the design consultant updated the estimated construction cost for from \$12,308,000 based on the 60% plans to \$14,100,000 based on the 90% plans. This revision reflects refinements in design, materials, and scope as the project nears its final stages.
- **In March 2025**, the CMAR submitted their cost model (construction cost) for the project. The estimate came in at \$20,600,000, higher than project estimate. Since this project is being delivered through the CMAR method, the quoted estimate serves as an initial benchmark rather than a fixed cost.
- **In April 2025**, the Town commenced negotiations with the CMAR with the objective of lowering the quoted construction costs. The Town, alongside

Infrastructure Mavens, LLC—an independent cost estimator—initiated negotiations with the contractor to lower the quoted construction costs.

- **On May 8, 2025**, Community Development Director Chad Weaver provided the following update on the Mockingbird Lane Improvement Project: Invergordon Rd to 56th St:
 1. Project construction plans are at the 90% design stage and there are no changes from the Council-approved concept for the roadway, medians, and chicane layout.
 2. Utility coordination is in process, potential conflicts have been identified, and relocation options are being evaluated.
 3. The engineer's estimate was revised from \$12,308,000 based on the 60% plans to \$14,100,000 based on the 90% plans.

Town Attorney Andrew McGuire explained the two-step process for Construction Manager at Risk (CMAR) and Guaranteed Maximum Price project procurement process set forth in Tile 34 of state statute. The first step is selection of a contractor based on qualifications. Once selection is made, two separate contracts are then pursued and negotiated with the CMAR:

1. Preconstruction services contract
 - a. The contractor start first by preparing initial price. This price is a starting point.
 - b. The owner and the contractor will negotiate to reach a final price, once an agreement is reached this price will be called Guaranteed Maximum Price (GMP).
2. Construction contract with GMP. a. The contractor will perform the work at this price.

Mr. Weaver reported that the preconstruction services contract was awarded to Achen-Gardner Construction, LLC on November 14, 2024 and they have been performing utility potholing, constructability review, and preparation of cost modeling. Their initial construction cost estimate was \$20,600,000. The next step is for staff and a third-party consultant to review the cost estimate and negotiate a guaranteed maximum price. A CMAR GMP contract would be presented to Council for consideration in January 2026.

The Council discussed in detail the construction cost estimate and options to negotiate the price or abandon and restart the procurement process. There was also interest in thoughtfully expediting the construction contract review process and reporting back to Council as soon as possible so the Council could provide direction on next steps.

- **On February 26, 2026**, staff provided a project update to Council during a study session. Capital Projects Manager Sam Kayat presented an update on the Mockingbird Lane Improvement Project between Invergordon Road and 56th Street. He summarized the two-step Construction Manager at Risk (CMAR) procurement process used to select a contractor and negotiate the Guaranteed Maximum Price (GMP). He also provided an update on utility coordination and relocations and discussed the contractor's project costs and funding. The update included the following items that have occurred since the last Council update on May 8, 2025:

1. In June 2025, the project consultant submitted the 100% design plans, specifications, and engineer's estimate. The estimate was refined to \$14,778,000.
2. Utility coordination is ongoing. All utility providers are finalizing their relocation plans.
3. The City of Phoenix has asserted prior rights to existing waterlines within the project limits. Any required relocation of these waterlines due to conflicts with the proposed drainage improvements will be the responsibility of the Town.
4. In October 2025, Achen-Gardner Construction, LLC submitted a draft Guaranteed Maximum Price (GMP) in the amount of \$20,432,835. Town staff reviewed the draft GMP and initiated negotiations with the contractor, providing detailed comments and proposing revisions to the contractor's cost structure.
5. In January 2026, the contractor submitted a revised final GMP of \$17,490,768.
6. The Flood Control District of Maricopa County (FCDMC) modified its project funding participation formula, resulting in a reduction of its contribution from approximately \$9 million to approximately \$8 million.

The Council discussed the project and provided direction to proceed to the construction phase.

General Plan:

The project supports several General Plan goals, including the following:

- Environmental Planning and Water resources – EPW 7.1, 7.7
The project's proposed design seeks to improve the stormwater quality and quantity of the existing drainage system and to reduce damage due to stormwater flows, while integrating into road improvement.
- Mobility – M1.1, 1.14, 2.1, 2.3 and 2.4
The current project design accounts for vehicle, bicycle, and pedestrian traffic, which accommodates all users in the area for both mobility and recreation. In addition, the design includes horizontal traffic control measures to reduce vehicle speeds, provide traffic calming, and improve efficiency through the project limits.

BUDGETARY IMPACT:

The project is scheduled for construction in FY26 and FY27. The Flood Control District of Maricopa County (FCD) is participating in the cost of design and construction of the drainage component of the project. The roadway portion will be funded entirely by the Town.

The tables below summarize the cost of the three agreements associated with this project.

Construction GMP			
Item	Combined Cost	Town Cost	FCD Cost
Roadway Improvements	\$3,728,318	\$3,728,318	0
Drainage Improvements	\$13,795,528	\$5,847,764	\$7,947,764
Total	\$17,523,846	\$9,576,082	\$7,947,764

Construction Administration			
Item	Combined Cost	Town Cost	FCD Cost
Roadway Improvements	\$100,839	\$100,839	\$0
Drainage Improvements	\$379,346	\$132,771	\$246,575
Total	\$480,185	\$233,610	\$246,575

Material Testing			
Item	Combined Cost	Town Cost	FCD Cost
Roadway Improvements	\$20,952	\$20,952	\$0
Drainage Improvements	\$78,818	\$27,586	\$51,232
Total	\$99,770	\$48,538	\$51,232

Total			
Item	Combined Cost	Town Cost	FCD Cost
Roadway Improvements	\$3,850,109	\$3,850,109	\$0
Drainage Improvements	\$14,253,692	\$6,008,121	\$8,245,571

Total	\$18,103,801	\$9,858,230	\$8,245,571
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The Town CIP budget for FY26 and FY27 for roadway and drainage improvements is shown below.

Project CIP Budget			
Item	FY26 (Adopted)	FY27 (Anticipated)	FY26 + FY27 (Combined)
Roadway Improvements	\$1,000,000	\$ 3,500,000	\$ 4,500,000
Drainage Improvements	\$ 5,000,000	\$ 9,500,000	\$ 14,500,000
Total	\$ 6,000,000	\$ 13,000,000	\$ 19,000,000

ATTACHMENT(S):

- A. Staff Report.
- B. Presentation.
- C. GMP Amendment to CMAR Achen-Gardner.
- D. Construction Administration Agreement with Tristar.
- E. Material Testing Agreement with Quality Testing.