



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Matt Cano
Jon Cicirelli
Margaret McCahan

SUBJECT: SEE BELOW

DATE: April 9, 2019

Approved

D. D. SyL

Date

4/10/19

COUNCIL DISTRICT: 8

SUBJECT: ACTIONS RELATED TO THE 7620-ARCADIA SOFTBALL FACILITY PROJECT

RECOMMENDATION

- (a) Approve an increase in the project construction contingency from 5 percent of the construction contract amount to 10 percent, resulting in a new contingency of \$1,680,000.
- (b) Adopt a resolution authorizing the Director of Public Works to negotiate and execute any single and/or multiple change orders for the Project in excess of \$100,000 up to the new contingency amount of \$1,680,000.
- (c) Adopt the following Appropriation Ordinance amendments in the Construction and Conveyance Tax Fund: City-wide Parks Purposes:
 - (1) Increase the appropriation to the Parks, Recreation and Neighborhood Services Department for the Arcadia Softball Facility project by \$91,000; and
 - (2) Decrease the Ending Fund Balance by \$91,000.
- (d) Adopt the following Appropriation Ordinance amendments in the Construction Tax and Property Conveyance Tax Fund: Parks Maintenance Yards Purposes:
 - (1) Increase the appropriation to the Parks, Recreation and Neighborhood Services Department for the Arcadia Softball Facility Maintenance Yard project by \$50,000; and
 - (2) Decrease the Ending Fund Balance by \$50,000.
- (e) Adopt the following Appropriation Ordinance amendments in the Parks and Recreation Bond Projects Fund:
 - (1) Increase the appropriation to the Parks, Recreation and Neighborhood Services Department for the Arcadia Softball Facility project by \$759,000; and
 - (2) Decrease the Parks and Recreation Bond Projects Contingency Reserve by \$759,000.

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OUTCOME

Adoption of the appropriation ordinance amendments will provide additional funding needed to complete the construction of the project, which will accommodate adult and youth softball fields, and the youth baseball field, fulfilling the demand for these activities throughout the City. Authorizing the Director of Public works to negotiate and execute change orders over \$100,000 will facilitate efficient and timely completion of the Arcadia Softball Facility.

BACKGROUND

The Arcadia Softball Facility consists of four natural turf fields that can be used for all ages for softball as well as youth baseball. The fields include netting backstops, bullpens, night use field lighting, chair-back seating and bleachers; a 234 - car parking lot; a 2,539 - square foot concession building with a full kitchen and small office space, restroom, and storage; a 1,160 - square foot maintenance building with a breakroom, maintenance equipment and field storage rooms, and staff parking; a playground with shade canopy; picnic areas; irrigation and planting; perimeter fencing and gates; utility connections; and other park amenities.

On September 12, 2017, the City Council awarded the construction contract to Goodland Construction, Inc., in the amount of \$16,791,161 including the City standard contingency of five percent for parks projects in the amount of \$840,000. Construction began in November 2017 with an anticipated completion in April 2019 and the facility open for full time use in June 2019.

In June 2018 the contractor encountered human remains during construction activities. Required by State law, County ordinance, and the project specifications, all grading work halted until a representative of the Native American Heritage commission could be present to observe the excavation of the remains. In the period from June 2018 to October 2018, twelve remains were discovered, causing significant slowing of the construction activities and resulting in the City extending project completion by forty-five days via various change orders.

In accordance to the Federal Regulations, the human remains will be analyzed and prepared for reburial at the project site. The Nototomne Cultural Preservation Council will perform the reburial with a Sacred Ceremony at a location within the project site and date to be determined later.

To complete grading operations in accordance with the "human-remains" discovery requirements, the City and the contractor agreed that an additional forty-five days is needed for project completion. Currently the project is scheduled to be completed in August 2019. This new completion date includes the time extensions for the remains discoveries as well as weather impact days.

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ANALYSIS

To ensure the project's completion, additional funding of approximately \$900,000 is required to provide additional contingency of \$840,000 and allow for higher project delivery costs of \$60,000.

The project construction is approximately 80 percent complete with an expected completion in August 2019. To date, the City has expended 78.5 percent (\$659,176) of the original \$840,000 construction contingency. Of this amount, \$264,414 is due to the remains discoveries. Other reasons attributing to the current contingency balance is the discovery of multiple buried objects, which caused additional debris off-hauling and the need to import new dirt for infill. These site conditions were not known or identified in the topographical/survey plans completed prior to the project being bid.

Taking into account the above noted conditions and change orders issued to date, increasing the project contingency by \$840,000 (from \$840,000 to \$1,680,000) will provide additional funding to cover any additional funding to address further unforeseen conditions. Authorizing the Director of Public Works to negotiate and execute any single and/or multiple change orders for the Project in excess of \$100,000 up to the new contingency amount of \$1,680,000 will expedite the change order approval process and help minimize further delay to the project construction schedule. To account for the delay encountered thus far, an additional \$60,000 in project delivery costs are expected.

Project Labor Agreement Applicability

Project labor agreement (PLA) is not applicable to this project as the project was bid in 2017 at which time the PLA was not in effect.

EVALUATION AND FOLLOW-UP

No follow up action with City Council is expected at this time.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the April 23, 2019, City Council meeting agenda.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office.

COMMISSION RECOMMENDATION/INPUT

This item does not have input from a board or commission.

FISCAL/POLICY ALIGNMENT

This project aligns with the adoption of the Greenprint 2009 Update by City Council, the City's Envision 2040 General Plan, and the Measure P Bond program.

COST SUMMARY/IMPLICATIONS

1. AMOUNT OF RECOMMENDATION/COST OF PROJECT

| | |
|---|---------------------|
| Project Delivery * (includes \$60k increase due to project extension) | \$2,316,000 |
| Construction Contract | \$16,791,161 |
| Contingency (includes contingency increase of \$840,000) | \$1,680,000 |
| HCP and Traffic Impact Fees | \$1,070,000 |
| Title Insurance | \$80,000 |
| Fixtures, Furniture, & Equipment (FF&E) | \$680,000 |
| TOTAL PROJECT COST | \$22,617,161 |
| Prior Year Expenditures/Encumbrances through June 30, 2018 | (\$19,939,232) |
| REMAINING PROJECT COST | \$2,677,929 |
| | |
| Total Available Funding | \$1,794,000 |
| | |
| ADDITIONAL FUNDING REQUIRED | \$883,929 |

*Project Delivery includes design and bid/award, project management, inspection, construction management, and consultant fees.

2. SOURCE OF FUNDING FOR TOTAL PROJECT COST:

- 375 – Subdivision Park Trust Fund
- 391 – Parks City-Wide Construction and Conveyance Tax Fund
- 398 – Park Yards Construction and Conveyance Tax Fund
- 471 – Parks and Recreation Bond Projects Fund

3. FISCAL IMPACT: Operating costs for the Arcadia Softball Facility were previously included into the operating budget for the Parks, Recreation and Neighborhood Services Department. As described in the 2018-2019 Adopted Operating Budget, annual operating costs of \$1,182,000 are anticipated in 2019-2020 to be partially offset with revenues of \$505,000 for a net cost of \$677,000.

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BUDGET REFERENCE

The table below identifies the fund and appropriations proposed to fund the remaining project costs.

| Fund # | Appn. # | Appn. Name | Total Appn. | Rec. Budget Action | 2018-2019 Adopted Capital Budget Page | Last Budget Action (Date, Ord. No.) |
|--------|---------|---|-------------|--------------------|---------------------------------------|-------------------------------------|
| 391 | 7774 | Arcadia Softball Facility | \$904,000 | \$91,000 | V-452 | 09/11/2018, 30151 |
| 391 | 401K | Arcadia Softball Facility Fixtures, Furnishings and Equipment | \$680,000 | N/A | V-453 | 10/16/2018, 30172 |
| 391 | 8999 | Ending Fund Balance | \$1,187,069 | (\$91,000) | V-455 | 12/04/2018, 30192 |
| 398 | 400C | Arcadia Softball Facility Maintenance Yard | \$188,000 | \$50,000 | V-510 | 09/11/2018, 30150 |
| 398 | 8999 | Ending Fund Balance | \$591,113 | (\$50,000) | V-510 | 10/16/2018, 30172 |
| 471 | 7774 | Arcadia Softball Facility | \$22,000 | \$759,000 | V-620 | 09/11/2018, 30149 |
| 471 | 8190 | Parks and Recreation Bond Projects Contingency Reserve | \$785,357 | (\$759,000) | V-620 | 10/16/2018, 30172 |

CEQA

Addendum to the Evergreen East Hills Vision Strategy Environmental Impact Report and Supplemental Environmental Impact Report (Resolution No. 74742), File No, PP14-088.

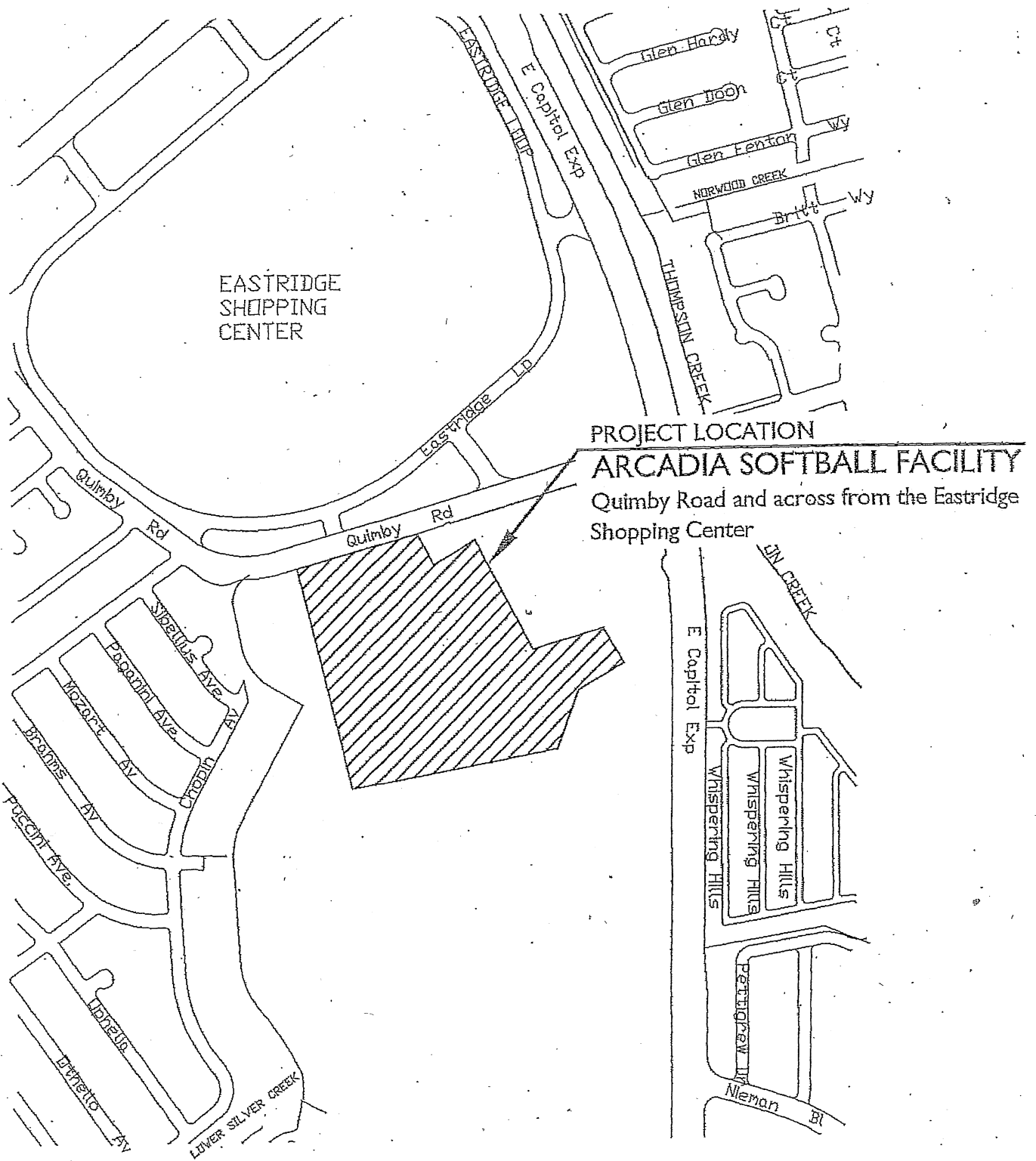
/s/
 MATT CANO
 Director of Public Works

/s/
 JON CICIRELLI
 Acting Director of Parks, Recreation
 and Neighborhood Services


 MARGARET MCCAHAN
 Budget Director

Attachment: Location Map

For questions please contact Michael O'Connell, Deputy Director, Public Works Department at (408) 535-8300.



7620-ARCADIA SOFTBALL FACILITY

LOCATION MAP
 NOT TO SCALE

