



Agenda Item No. 16g.

Staff Report

Date: September 12, 2019

To: Mayor Brekhus and Council Members

From: Richard Simonitch, Public Works Director/Town Engineer

Subject: Council authorization of contract change orders to John Pope Construction related to the installation of site accessibility features and unforeseen changes in site conditions for the Natalie Coffin-Greene Park rehabilitation project.

Recommendation:

Town Council authorize the Town Manager to execute contract change orders (CCO) in the amount of \$183,549.40 to John Pope Construction related to site accessibility and unforeseen changes in site conditions for the Natalie Coffin Greene Park rehabilitation project (the project).

Background and discussion:

The CCO's address the additional costs associated with the following items:

1. The discovery of extensive interior damage to several of the existing Three Bear Hut wood members, and the failure of one beam during construction, all of which required the complete replacement and milling of several new, identical redwood members: \$22,503
2. Construction services for site clearing and grading including import of gravel fill materials: \$55,734
3. Construction services for recycled rubber-permeable accessible pathway and platform, site retaining wall, fences and handrail: \$105,312

The total budget for the Natalie Coffin Greene Park project is \$405,000 for FY 2018-19 and FY 2019-20. The total spending against the budget will be approximately \$388,000. The John Pope Construction (JPC) contract total with the change orders is \$362,050. In addition, there is \$26,000 in costs over the past year for the preparation of bid documents, bid support, site inspections, new picnic tables, memorial plaque, and miscellaneous construction supplies.

The Town awarded the construction contract for the Three Bear Hut structure to John Pope Construction (JPC), the sole bidder, at the November 8, 2018 Council meeting in the amount \$178,500. A 10% contingency was provided for contract change orders (CCO) related to the structure. The contract award addressed only the rehabilitation of the structure itself, with no scope provided for the development of the surrounding picnic area, including accessibility compliance or demolition. At the July 13, 2017 Council meeting, the project conceptual drawings for both the structure and the site improvements were presented. At that time, staff suggested that because of the diverse labor trades and specialty contractors

needed for the project, the Three Bear Hut structure work would likely be bid separate from any construction site work, even though this would extend the project timeline by several months since only one general contractor should be allowed to occupy the confined site area at the same time. The JPC contract documents, however, contains provisions to expand the scope of work and provide compensation by CCO if needed.

Because JPC had a "Class A" General Engineering contractor's license and trained crew on-site for the structure rehabilitation, the Town Engineer believed that the most cost effective and timely approach would be for JPC to also perform, on a "time and materials" (T&M) basis, the construction site work, based on the conceptual site plan. To mitigate increase runoff near the Ross Creek, staff made the decision to change the pathway material from impervious AC to a permeable, recycled rubber material. The recycled rubber material provides a similar lifespan of asphalt concrete, is permeable, softer (i.e. safer for young children), and will be easier to patch and repair by DPW maintenance staff. Staff also saw this as a prime opportunity for a pilot project to use this type of product.

Several challenges were encountered during the construction of an ADA compliant access to the structure, beginning with the discovery of a 6" welded steel pipe belonging to MMWD located near a rock outcropping just below the surface across the proposed pathway location. MMWD was consulted and it was determined that the pipe would have to be lowered, or the pathway would have to be raised 6 to 8 inches in this location to go over the pipe. Lowering the welded steel pipe into a trench near a creek bank which would likely require excavating through solid rock was considered by staff to be financially and environmentally prohibitive. After further discussions and a site visit with MMWD, JPC was instructed by the Town Engineer to continue the pathway construction over the pipe.

After crossing the MMWD pipe, the project pathway remained 6-8 inches above existing grade for almost the entire length. This required additional base material to build up the pathway, and ultimately a concrete curb to be built along the high side (per ADA standards), which in turn required the construction of an ADA approved handrail and additional site grading to move dirt and imported gravel material to build up locations along the low side of the curb between the pedestrian bridge and the Structure, as well around the seating area and the front of the Structure. In addition, The rear of the structure required significant excavation to accommodate the accessible path of travel.

Between June and July 2019, site construction under the time and materials provisions of the JPC contract consisted of installation of the pathway and extensive regrading using onsite material to provide a level surface for the group seating and picnic benches. At a site visit near the end of July, staff determined the need to import additional material to fill in low areas around the site and along the pathway curb to reduce tripping hazards, and construct a split rail fence as an extension to the ADA handrail.

The Natalie Coffin Green Park project was completed as of August 31, 2019 with the exception of the installation of a historical plaque that is currently on order.

Fiscal, resource and timeline impacts:

The total budget for the Natalie Coffin Greene Park project is \$405,000 for FY 2018-19 and FY 2019-20. The total spending against the budget will be approximately \$388,000. The John Pope Construction (JPC) contract total including the change orders is \$362,050. In addition, there are \$26,000 in costs over the past year for the preparation of bid documents, bid support, site inspections, new picnic tables, memorial plaque, and miscellaneous construction supplies. The parking lot sealing and restriping is being deferred until FYE 2022 because the pavement condition is considered satisfactory, and it has been determined

that storm water management measures will not be required by the regulatory agencies, and re-striping the parking lot will not yield additional parking spaces.

Environmental review (if applicable)

N/A

Attachments

None