



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4342
August 4, 2008
Consent Calendar**

**LUTHER BURBANK PARK SHORELINE
RESTORATION AND OFF-LEASH AREA
RENOVATION CONTRACT CLARIFICATION**

Proposed Council Action:

Clarify correct amount of the contract awarded to Pacific Earthworks, Inc.

DEPARTMENT OF

Parks and Recreation (Mike Elde, Parks Superintendent)

COUNCIL LIAISON

El Jahncke Dan Grausz Bruce Bassett

EXHIBITS

1. AB 4331: Luther Burbank Park Shoreline Restoration and Off Leash Area Renovation Bid Awards (7/21/08)

APPROVED BY CITY MANAGER

Rich Council 7-30-08

AMOUNT OF EXPENDITURE	\$	n/a
AMOUNT BUDGETED	\$	n/a
APPROPRIATION REQUIRED	\$	n/a

SUMMARY

Background

On July 21, 2008 the City Council awarded the Shoreline Restoration and Off Leash Area Renovation contract to Pacific Earthworks, Inc in the amount of \$981,090.40. Council also set the total project budget at \$1,340,700 and directed staff to administer the construction contract.

Contract Clarification

Additive Alternate 1 (DA1) called for unit pricing on sand surfacing material which was provided in the bids. Contractors were asked to bid on one unit which equals 250 cubic yards of sand. Estimates provided by the design team estimated that 250 cubic yards would provide 2 inches of coverage over the entire surface area of the off leash area. Staff's intention was to provide 750 cubic yards which would net 6 inches of surface material throughout the off leash area pending bid results. A favorable bid price enabled the acquisition of three units of sand (750 CY). The budget price incorporated the amount of three units of sand at a total cost of \$64,609 (see Exhibit 1, Page 4, Table 2: DA1 – Sand Surfacing). The contract awarded by the City Council on July, 21st only incorporated the amount for one unit of sand.

This clarifies that the full budget amount for the project remains \$1,340,700. The actual contract to be awarded to Pacific Earthworks, Inc. totals \$1,024,164 to reflect the three units of sand. No project budget adjustments are necessary.

RECOMMENDATION

Parks Superintendent

MOVE TO: Clarify the contract with Pacific Earthworks, Inc. to be awarded at \$1,024,164 which reflects three units (750 CY) of sand.

Page intentionally left blank.




**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4331
July 21, 2008
Regular Business**

**LUTHER BURBANK PARK SHORELINE
RESTORATION AND OFF LEASH AREA
RENOVATION BID AWARDS**

Proposed Council Action:
Award the projects and set the projects budgets

DEPARTMENT OF	Parks and Recreation (Mike Elde) and Maintenance (Anne Tonella-Howe)
COUNCIL LIAISON	El Jahncke Dan Grausz Bruce Bassett
EXHIBITS	1. Site Plan with Bid Schedules A, B and D (limits of work))
APPROVED BY CITY MANAGER	

AMOUNT OF EXPENDITURE	\$ 1,340,700
AMOUNT BUDGETED	\$ 1,345,000
APPROPRIATION REQUIRED	\$ 0

SUMMARY

Project Descriptions

Included in the 2007-2008 Capital Improvement Program (CIP) are a shoreline restoration project and a renovation of the off leash dog park at Luther Burbank Park. The projects objectives are to stabilize the eroding shoreline banks between the boiler building and the off leash area and to create a better draining and more functional off leash dog area. The intent of bidding these two projects together is to reduce total cost and to improve efficiency. Staff anticipates that the net effect will be a seamless transition from one project to the other and will provide the least amount of impact on park users.

Shoreline Restoration

Currently the shoreline has deteriorated as a result of waves from both wind and power boats as well as uncontrolled public access. Eroding shoreline banks and invasive non-native plants are dominating the riparian area. The project scope will restore approximately 1500 lineal feet of shoreline and includes: adding woody debris and spawning gravel along the shoreline for bank stabilization, removing non-native plants, planting native trees, shrubs and groundcovers, installation of a split rail fence (between the protected shore and the trail), building rock steps that direct park patrons to small recreation beaches and homeowner's demonstration area, protecting and enhancing the existing wetland and construction of a new accessible gravel pathway along the shoreline. These improvements will begin on the north side of the Boiler Building and continue south through the existing off leash area (see Exhibit 1, Schedule A and B).

Selected Shoreline

Throughout the Luther Burbank Park public involvement and park master planning process, shoreline restoration was identified as a priority and was subsequently included in the Parks Six Year CIP to address an initial 900 linear feet of shoreline work. Planning participants favored a "natural" restoration while providing a variety of shoreline treatments (e.g. not a constant gravel beach along the entire shoreline),

minimizing the number of public beaches while offering different points of access to vary the experience. In addition, a shoreline habitat inventory was conducted as part of the park planning process that identified shore condition and habitat (juvenile and adult salmon bald eagles, birds and amphibians) and restoration opportunities. Shoreline access and restoration prototypes were subsequently developed and prioritized based upon two primary factors:

- ◆ Capability- whether the habitat would be likely to be able to sustain the restored or conserved state without continued active management;
- ◆ Feasibility – whether the existing habitat quality is high enough to consider conserving this habitat rather than restoring it;

This stretch of shoreline ranked highest for capability and feasibility- providing for additional habitat opportunities, controlling erosion through new beach nourishment and vegetation techniques while enhancing recreational access opportunities.

This project was also a successful candidate in competing for and receiving Aquatic Lands Enhancement Account (ALEA) grant funding from the State of Washington. The grant is provided for the improvement or protection of aquatic lands for public purposes, and for providing and improving access to such lands. It is guided by concepts including re-establishment of naturally self-sustaining ecological functions related to aquatic lands, providing or restoring public access to the water, and increasing public awareness of aquatic lands as a finite natural resource and irreplaceable public heritage.

In addition, this particular shoreline restoration project was very appealing to the many permit agencies reviewing the City's proposed Sewer Lake Line project (see page 4 for more information). The ability to mitigate impacts from the City's future in-water work was most feasible with the proposed shoreline improvement project. This project has received all necessary local, State and Federal permits.

As a result, staff attempted to balance the community priority of shoreline restoration noted in the park master planning process, the technical inventory conducted identifying the best areas to conserve and restore habitat, a State grant that places heavy emphasis on public access to shoreline and a mitigation opportunity for a future in-water public works project.

Off Leash Area Renovation

The off leash area (see Exhibit 1, Schedule D) is regularly wet two thirds of the year. The surface area has no drainage and poor surface material (mud and wood chips). Access to the shoreline is not controlled and dogs run freely through a delineated wetland. Again, as part of the public involvement process with the Luther Burbank Park Master Plan, off-leash area issues (inadequate fencing, poor drainage and surface quality, lack of park furnishings, inadequate lake access, insufficient vegetation/buffers, etc.) were of significant concern and discussion. As a result of the planning process, Council approved staff's recommendation to fund necessary off-leash area surface, drainage, vegetation, water access and access control improvements in the 2007-08 CIP. City Parks staff collaborated with off-leash area users (MI-Dog/People for Off-Leash Recreation) throughout initial and final design of the off-leash area improvements, as well as two contracted landscape architect's to develop specifications, design the project and solicit bids.

The project scope includes: non-native plant and vegetation removal, surface grading, installation of under drainage, adding sand surfacing material, minor landscaping improvements, construction of gravel and asphalt paths, installation of split rail fencing with mesh on all perimeters, installation of chain link gates at all entrances and exits for controlled access and relocation of the kiosk, benches and garbage cans. The Mercer Island Parks maintenance crew will assist with this project.

Staff's goal is to complete the majority of the work on the shoreline before work starts in the upland (off leash area) and to complete both projects before the end of fall. The existing off leash area will remain operational until the first week of September when school starts. Luther Burbank Park is heavily used year

around. Efforts will be made to minimize the impact to park users during construction. A temporary area will be erected at another location in the park to serve as the off leash area during construction.

The project is on a rapid schedule due to permitted restrictions for in water work that must be completed during the "fish window" (July 2- October 14, 2008) and has been a priority for staff to have the majority of work completed during the upcoming dry summer months. Staff expects that the total project can be completed and park area returned for public use before winter of 2008. The project consists of three bidding schedules.

- **Schedule 'A' is defined as "South Area" (Boiler Building to off leash area) shoreline restoration.** The contractor is responsible for mobilization; protecting the site from damage including temporary erosion and sedimentation control; installation of temporary fencing; earthwork, demolition, drainage, and soil preparation for installation of granite steps, gravel pathways, split rail fencing, and new trees and native plants; installing a temporary irrigation system for plant establishment; and installation of logs, boulders and spawning gravel for erosion control.
- **Schedule 'B' is defined as "North Area" (off leash area) shoreline restoration.** Contractor has same responsibilities as in Schedule "A".
- **Schedule 'D' is defined as off leash dog area renovation.** The contractor is responsible for mobilization, protecting the site from damage, earthwork, installing drainage, sand surfacing material, paths (gravel and asphalt), fencing and gates. The contractor supplies, installs and warrants the project to the City's specifications.

Alternate 'DA1' is defined as unit price for sand in off leash area. The contractor is responsible for the installation of a minimum of 250 cubic yards of sand on sides of all pathways and in the primary open space area of the off leash area.

Alternate 'DA2' is defined as preparing for future planting area outside of off leash area. The contractor is responsible for clearing and grubbing for future planted area, plus installation of irrigation valves, laterals and heads in the area between the new perimeter fence and the existing asphalt pathway that leads to Caulkin's Point as shown on drawings.

Alternate 'DA3' is defined as planting in area outside of off leash area. The contractor is responsible for installing all planting, topsoil and mulch in the area between the new perimeter fence and the existing asphalt pathway that leads to Caulkin's Point as shown on drawings.

Bid Results

The project was advertised on June 25th and a pre-bid conference/walk-through of the area was conducted on July 2nd and bids were opened on July 9th. Four interested parties attended the pre-conference meeting and three bids were received. The low bid was received from Pacific Earthworks, Inc. with a total bid amount of \$1,050,835.13. Bid results were so favorable, that 600 additional linear feet (900 if initially planned) of shoreline fronting the off-leash area can be restored (Schedule B). Bid results are presented below.

Table 1 – Bid Results

BID RESULTS				
	Engineer's Estimate	Pacific Earthworks, Inc.	Jansen, Inc.	ACI
Schedule A - S. Area Shoreline Restoration	\$500,000.00	\$488,668.57	\$595,715.52	\$905,619.42
Schedule B - N. Area (OLA) Shoreline Restoration	350,000.00	322,291.06	324,820.00	532,241.50
Schedule D - Off Leash Area Renovation	150,000.00	129,169.73	130,582.00	208,184.55
Alternate DA1 - Sand surfacing	41,000.00	21,536.47	14,824.00	22,589.36
Alternate DA2 - Clearing, grubbing, and irrigation	34,000.00	19,424.60	24,721.20	20,900.75
Alternate DA3 - Landscaping	53,000.00	69,744.70	63,876.18	18,475.50
Total Bid Amount	\$1,128,000.00	\$1,050,835.13	\$1,154,538.90	\$1,708,011.08

This will be Mercer Island's second contract with Pacific Earthworks, Inc. They completed work for the City in 2005 on the Basin 26 Watercourse Stabilization Project. Staff recommends that the bid be awarded to Pacific Earthworks, Inc.

Project Budget

The 2008-2009 Biennial Budget allocated \$1,130,000 for Shoreline Restoration and \$215,000 for the Off Leash Area. Combined, these projects have a total budget of \$1,345,000.

In order to keep the project within budget, staff recommends awarding Schedule 'A' (shoreline work between boiler building and off leash area), Schedule 'B' (shoreline within off leash area), Schedule 'D' (off leash area renovation), along with Alternate DA1 (sand surfacing) and Alternate DA2 (clearing and irrigation). This excludes the landscaping which was included in the bid as Alternate DA3. Staff would install landscaping at a later date based on funding availability or alternatively, Council may wish to award all three Alternates to Schedule D, providing for installed landscape following construction of other elements of the project. This would add an additional \$76,720 to the project cost, bringing the total project budget to \$1,417,420 and would require an appropriation of \$72,420 from the Capital Improvement Fund.

Adding amounts for construction contingency, project design, project management, inspection services and contract administration, additional construction activities performed by the parks maintenance crew, and 1% for the Arts (to the staff recommended bid award) brings the total project costs as proposed to \$1,340,697 (just under the available budget of \$1,345,000).

The project costs associated with the staff recommended bid award, as well as the optional bid award are outlined in Table 2.

Table 2 – Project Budget

Description	Engineer's Estimate	Staff Recommended Bid Award	Optional Bid Award (with Alternate 3)
SCHEDULES A, B, D			
Design		72,710	72,710
Construction:		-	-
Sched A - S. Area Shoreline Restoration	500,000	488,669	488,669
Sched B - N. Area (OLA) Shoreline Restoration	350,000	322,291	322,291
Sched D - Off Leash Area Renovation	150,000	129,170	129,170
Construction Contingency (15%)		141,019	141,019
Construction Administration / Inspection Services		35,000	35,000
Project Management		50,000	50,000
1% for Arts		9,400	9,400
TOTAL		1,248,259	1,248,259
SCHEDULE D (Off Leash Area) ALTERNATES:			
DA1 - Sand surfacting	123,000	64,609	64,609
DA2 - Clearing for future planted area	34,000	19,425	19,425
DA3 - Plantings, topsoil, & mulch	53,000	-	69,745
Contingency on Alternates (10%)		8,407	15,382
TOTAL		1,340,700	1,417,420
APPROVED BUDGET			
2007-2008 Biennial Budget - Shoreline Restoration		1,130,000	1,130,000
2007-2008 Biennial Budget - Off Leash Area		215,000	215,000
Total Budget		1,345,000	1,345,000
Appropriation Needed		-	72,420

The City was awarded a grant of \$278,326 in 2007 for the Schedule A portion of the shoreline restoration project from the Aquatic Lands Enhancement Account (ALEA). The grant was awarded by the Washington State Recreation and Conservation Funding Board. The grant monies will be used towards shoreline restoration and will include installing native plants and habitat structures along the shoreline and creating a shoreline restoration 'homeowners' demonstration area. The Sewer Fund will be used to match the grant dollars for the shoreline restoration as bid under Schedule A to cover work permitted through the Sewer Lake Line permit process. The \$1,066,674 balance of the project funding will be from the Capital Improvement Fund, as planned in the adopted 2007-2008 Budget. The funding sources are outlined in the table below.

Table 3 – Project Resources

Description	2007-2008 Biennial Budget	Project Budget
Grant (from ALEA)	300,000	278,326
REET (CIP Fund)	1,045,000	1,066,674
TOTAL	1,345,000	1,345,000

Project Schedule

Following bid award by the Council and entering into a contract, the contractors will be issued a notice to proceed (NTP). Schedule 'A' (shoreline work between boiler building and off leash area), Schedule 'B' (shoreline within off leash area) and Schedule 'D' (off leash area renovation) and alternates DA1 and DA2 will be substantially complete within one hundred (100) days of the receipt of the NTP. Final completion of this project is anticipated in mid November.

RECOMMENDATION

Parks Superintendent and Assistant City Engineer

MOVE TO: Award Schedule **A, B and D (base bid and Alternates DA1 and DA2)** to Pacific Earthworks, Inc. in the amount of \$981,090.40 (including sales tax). Set the total project budget at \$1,340,700, and direct staff to administer the construction contract

ALTERNATIVE MOTION: Award Schedule **A, B and D (base bid and Alternates DA1, DA2 and DA3)** to Pacific Earthworks, Inc. in the amount of \$1,050,835.10 (including sales tax). Set the total project budget at \$1,417,420 appropriate \$72,420 from the Capital Improvement Fund and direct staff to administer the construction contract.

