



DATE: December 19, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **AWARD A CONTRACT FOR THE ALEX ROAD SKATEPARK PROJECT; AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH GRINDLINE SKATEPARKS INC., FOR CONSTRUCTION SUPPORT SERVICES; AND APPROVAL OF A BUDGET APPROPRIATION FOR THE ALEX ROAD SKATEPARK PROJECT**

SYNOPSIS

Staff recommends that the City Council award a contract in the amount of \$946,350 to California Skateparks, of Upland, for the Alex Road Skatepark project, and authorize the City Manager to execute the agreement upon receipt of all supporting documents; approve an amendment to a professional services agreement with Grindline Skateparks Inc., of Seattle, Washington, for construction support, construction survey work, special testing services, and additional design work related to storm water permit changes for the project in the amount of \$53,285, and authorize the City Manager to execute the amendment; and approve a budget appropriation in the amount of \$632,635 from the Park Development fund to the Alex Road Skatepark Project account.

BACKGROUND

During the summer of 2006, staff, in conjunction with the Youth Commission and Parks and Recreation Commission's Skatepark Ad Hoc Committee, hosted community outreach meetings soliciting input on proposed skatepark sites. Based on community input, staff, with support of the Skatepark Ad Hoc Committee, made the recommendation to develop smaller skateparks at Melba Bishop Park (Bishop Park), Martin Luther King Jr. Park (MLK Park) and the Alex and Foussat Road site (Alex Road), with the future goal to renovate Landes and Libby Lake Skateparks, find a coastal skatepark location, and provide a comprehensive skatepark as part of the El Corazon development.

On November 15, 2006, City Council approved the site selection for the development of neighborhood-based skateparks at Bishop, MLK, and the Alex Road site.

On April 4, 2007, City Council approved a professional services agreement with Grindline Skateparks, Inc., for design of Bishop Park, MLK Park, and the Alex Road site.

In January 2009, both MLK and Bishop Skateparks were open to the public. The Alex Road Skatepark plans were completed to solicit grant opportunities.

On October 20, 2010, the City Council authorized staff to apply to the Land and Water Conservation Fund grant (LWCF) program for the Alex Road Skatepark project in the amount of \$400,000. In March 2012, the City received a contract award for the LWCF grant program in the amount of \$428,000.

On August 1, 2012, the City Council accepted funds in the amount of \$428,000 from the LWCF grant program for the development of Alex Road Skatepark, approved plans and specifications, and authorized the City Engineer to call for bids. During the bid period a pre-qualification process was conducted to qualify contractors. Three contractors were determined qualified to bid on the project. On October 25, 2012, the bids were publicly opened. Three bids were received and are summarized in Attachment A. The lowest responsible bidder is California Skateparks of Upland, with a base bid of \$886,350. The successful bidder's credentials have been researched and found to meet City requirements. The contract documents are on file in the Capital Improvements Section of the Development Services Department.

ANALYSIS

One major outcome of the skatepark community process was the understanding of the large skateboarding population within Oceanside. The Skatepark Committee made recommendations to the City Council based on the population size and the community's need; hence, the design and development of three new skateparks within Oceanside.

The development of the Alex Road Skatepark is anticipated to reduce the significant user levels at the MLK and Bishop Parks. Alex Road will provide a complete skateboarding venue for all residents and complete a major milestone in the planned skatepark system.

Alex Road Skatepark is located on the northwest corner of Alex Road and Foussat. The 22,700-square-foot concrete skatepark has been designed to include transition features such as "bowls, snake runs", and a "street" area featuring banks, rails and ledges. The design also includes viewing areas to accommodate spectators, fencing treatments, and a biological buffer area between the skatepark and the San Luis Rey River Trail.

Staff recommends inclusion of Additive Alternate Item 1A for Bowl 4 in the amount of \$60,000 which would provide the community with the complete skatepark. The base bid for the project is \$886,350 plus \$60,000 (Additive Alternate Item 1A), for the total contract amount of \$946,350. The project is anticipated to start construction in January 2013 with completion in late summer 2013.

FISCAL IMPACT

The construction contract of \$946,350 with California Skateparks, plus contingency, construction support, construction surveying, testing services, City inspection and Administrative Allocation will result in a total construction project cost of \$1,057,635. The LWCF Grant funding was accepted on August 1, 2012, in the amount of \$428,000, which will be appropriated to the LWCF Alex Road Skatepark grant account (836127100272.4368). Of that \$428,000 in LWCF grant funds, \$400,000 can only be spent on construction (836127100272.5703), and the remaining \$28,000 is a State administrative surcharge. In addition a Tony Hawk Foundation grant (917644500276.5325.10600) was awarded to the project in the amount of \$25,000 for a total of \$425,000 in grant funds available for construction. The City contribution to the project will require an appropriation from the unassigned Park Development Fees fund 598.3020 in the amount of \$632,635 to the Alex Road Skatepark Project account (906127100598.5305.10400). There is a total of \$1,960,534 available in the unassigned Park Development Fees fund.

The project costs are estimated as follows:

Alex Road Skatepark

Construction	\$946,350
Construction Contingency	\$50,000
Construction Support, Survey and Testing	\$53,285
City Inspection	\$3,000
Administrative Allocation	\$5,000
<hr/>	
Total	\$1,057,635

COMMISSION OR COMMITTEE REPORT

As indicated above, the proposed project is consistent with recommendations of the Parks and Recreation Commission and its Skatepark Ad Hoc Committee.

INSURANCE REQUIREMENTS

The City's standard insurance requirements will be met.

CITY ATTORNEY'S ANALYSIS

The bid documents were previously reviewed by the City Attorney and approved as to form. The contract must be awarded to the lowest responsible bidder. The Public Contract Code defines "responsible bidder" as a bidder who has demonstrated the attributes of trustworthiness as well as quality, fitness, capacity and experience to satisfactorily perform a public works contract. The City Council also has the discretion to reject all bids and re-advertise. The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

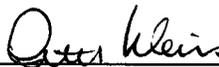
Staff recommends that the City Council award a contract in the amount of \$946,350 to California Skateparks, of Upland, for the Alex Road Skatepark project, and authorize the City Manager to execute the agreement upon receipt of all supporting documents; approve an amendment to a professional services agreement with Grindline Skateparks Inc., of Seattle, Washington, for construction support, construction survey work, special testing services, and additional design work related to storm water permit changes for the project in the amount of \$53,285, and authorize the City Manager to execute the amendment; and approve a budget appropriation in the amount of \$632,635 from the Park Development fund to the Alex Road Skatepark Project account.

PREPARED BY:



Nathan R Mertz
CIP Manager II

SUBMITTED BY:



Peter A. Weiss
City Manager

REVIEWED BY:

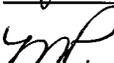
Michelle Skaggs Lawrence, Deputy City Manager



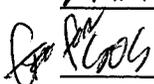
George Buell, Development Services Director



Margery Pierce, Neighborhood Services Director



Scott O. Smith, City Engineer



Teri Ferro, Financial Services Director



Attachment A – Project Base Bid Results
Attachment B – Contract Amendment Grindline Skateparks

Attachment A

Base Bid Results

1)	California Skateparks	Upland, CA	\$886,350.00
2)	Grindline Skateparks, Inc.	Seattle, Washington	\$912,878.00
3)	Spohn Ranch, Inc.	Los Angeles, CA	\$938,787.10

ATTACHMENT B

**CITY OF OCEANSIDE
AMENDMENT 2 TO
PROFESSIONAL SERVICES AGREEMENT**

PROJECT: Oceanside Skatepark Project – Alex Road

THIS AMENDMENT 2 TO PROFESSIONAL SERVICES AGREEMENT (hereinafter "Amendment") is made and entered into this 19 day of December, 2012, by and between the CITY OF OCEANSIDE, a municipal corporation, hereinafter designated as "CITY", and GRINDLINE SKATEPARKS, INC., hereinafter designated as "CONSULTANT."

RECITALS

WHEREAS, CITY and CONSULTANT are the parties to that certain Professional Services Agreement dated April 4, 2007, hereinafter referred to as the "Agreement", wherein Consultant agreed to provide certain services to the City as set forth therein;

WHEREAS, the Agreement provided for CONSULTANT to provide final skatepark design with respect to the Melba Bishop and Martin Luther King, Jr. Skatepark Project and conceptual and development level skatepark design for the Alex and Foussat Road Skatepark;

WHEREAS, the parties now wish to provide revisions to Storm Water Management Plan and grading plans due to storm water permit changes and provide construction administration, surveying, inspection and testing services; and

WHEREAS, the parties desire to amend the Agreement to provide for changes and/or modifications to Section 1.0, Scope of Work, and Section 13.0. Compensation.

AMENDMENT

NOW, THEREFORE, as set forth herein, the parties hereto do mutually agree that the Agreement shall be amended as follows:

1. Section 1.0, **Scope of Work**, is hereby amended to add the following: "The project is expanded to include revision to the storm water mitigation plan and grading plan and provide construction administration, surveying, inspection and testing services at Alex Road Skatepark, as described in more detail in Exhibit A (Grindline Skateparks, Inc. letter dated October 31, 2012), attached hereto."

Oceanside Skatepark Project – Alex Road (598) 845650

2. Section 13.0 **COMPENSATION**, is hereby amended to add the following language to subsection 13.1: CONSULTANT's compensation for additional work performed in accordance with this Amendment, shall not exceed \$53,285.00. Said additional compensation shall be for performing additional professional services as described in Exhibit A, attached.
3. Except as expressly set forth in this Amendment, the Agreement shall remain in full force and effect and is hereby ratified and reaffirmed.

SIGNATURES. The individuals executing this Amendment represent and warrant that they have the right, power, legal capacity and authority to enter into and to execute this Amendment on behalf of the respective legal entities of the CONSULTANT and the CITY.

IN WITNESS WHEREOF the parties hereto being duly authorized on behalf of their respective entities to execute this Amendment, do hereby agree to the covenants contained in the Agreement, including this Amendment and have caused this Amendment to be executed by setting hereunto their signatures this 19 day of December, 2012.

GRINDLINE SKATEPARKS, INC.

By: _____

Matt Fluegge, Vice President

By: _____

Emily Giaquinta, Secretary

753041527

Employer ID No.

CITY OF OCEANSIDE

By: _____

Peter A. Weiss, City Manager

APPROVED AS TO FORM:

Assistant City Attorney

City Attorney

NOTARY ACKNOWLEDGMENTS OF CONSULTANT MUST BE ATTACHED.

ACKNOWLEDGEMENT OF CORPORATION

STATE OF WASHINGTON }
COUNTY OF KING } ss.

On this 12 day of NOVEMBER, 2012, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **Matt Fluegge & Emily Giaquinta**, to me known to be the Vice President & Secretary, of **Grindline Skateparks, Inc**, the corporation that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act of and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he/she/they are authorized to execute the said instrument and that the seal affixed is the corporate seal of said corporation.

Witness my hand and seal the day and year first above written.

Donald E. Patterson II
Notary Public Printed Name: DONALD E. PATTERSON II
My Commission Expires: 06-11-13



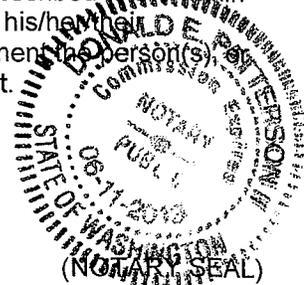
ALL PURPOSE ACKNOWLEDGMENT

STATE OF WASHINGTON }
COUNTY OF KING } ss.

On this 12 day of NOVEMBER, 2012, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared **Matt Fluegge, Emily Giaquinta**, personally known to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s), the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Donald E. Patterson II



ATTENTION NOTARY: Although the information requested below is OPTIONAL, it could prevent fraudulent attachment of this certificate to another document.

THIS CERTIFICATE **MUST** BE ATTACHED TO THE DOCUMENT DESCRIBED AT RIGHT

Title of Document Type Amendment 12-19-12
Number of Pages 2
Date of Document 11/12/12



ALEX ROAD CONSTRUCTION ADMINISTRATION AMENDMENT

Date: 10/31/12
Submitted To:
Nathan Mertz
Parks Development Manager
City of Oceanside
300 North Coast Hwy
Oceanside, CA 92054
P: (760) 435-5619
F: (760) 435-6172
nmertz@ci.oceanside.ca.us

Project:
Alex Road Skatepark
City of Oceanside

The design team proposes the following scope for the Alex Road Skatepark Construction Administration:

CIVIL ENGINEERING SERVICES (BUCCOLA)

Design team will update the SWMP and Precise Grading Plan per the City of Oceanside's requested revisions.

PRE-CONSTRUCTION MEETING (GRINDLINE, BUCCOLA)

The skatepark designers will attend pre-con conference call and civil engineers will attend the pre-con meeting.

STAKING (BUCCOLA)

Included with each activity is one (1) set of stakes unless otherwise noted, grade sheets, and all calculations needed to complete the work. Special exhibits will be included as needed to clarify and explain stake locations .

Rough Grade Stakes

1. Provide a construction benchmark for the grading contractor.
2. Slope or grade stakes around the perimeter of the project not to exceed 25;foot intervals.
3. Slope or grade stakes around the two interior slopes not to exceed 25;foot intervals.
4. Correction slope stakes at the top of perimeter slopes not to exceed 25;foot intervals.
5. Correction slope stakes at the top of perimeter slope for the bowl not to exceed 25;foot intervals.

Two (2) sets of cut sheets will be supplied to the job superintendent for distribution to the Contractor.

Rough Grade Certification

Acquire a minimum of thirty (30) elevations on the finished pad to determine compliance with the Grading Plan; normal grading tolerance is plus or minus 0.1 foot. Buccola Engineering, Inc. will provide one (1) grade certification letter to the City of Oceanside.

NOTE: The grade certification performed by Buccola Engineering, Inc. is intended only to verify whether there is substantial conformance to the grading plans in order to provide the necessary certifications to the City of Oceanside. It is not a guarantee in any respect that all grading is in complete conformance with such grading plans, nor does it release the grading contractor from his responsibility of conforming to the grading plans. Any staking or rechecking of corrective grading

will be regarded as extra work and billed at the hourly rate basis.

Storm Drain Stakes

Buccola Engineering, Inc. will install one (1) set of line and grade stakes for the drainage system on 25-foot stations and at angle points, beginning and end of curves, junctions, manhole inlets and outlets .

One (1) set of stakes for each catch basin or inlet structure will consist of two (2) offset stakes per structure and will be marked with a cut or fill to the top of curb or finished surface grade as appropriate.

The stakes will be set on appropriate offsets agreed upon by Buccola Engineering, Inc. and the Contractor and will be marked with cut to the flow line grade.

Two (2) sets of cut sheets for the storm drain grade will be supplied to Client for distribution to the Contractor. All staking requests for storm drain staking shall be for complete systems when feasible .

Concrete Layout Stakes

Buccola Engineering, Inc. will provide one (1) set of line and grade stakes for concrete surfaces and the skate bowl at all grade breaks, BC' s and EC' s and at a minimum 10 foot intervals on tangents.

The stakes will be set with appropriate offsets to the edge of concrete as agreed upon by the Contractor and Buccola Engineering, Inc. All stakes will be marked to the finish surface grade.

Two (2) sets of cut sheets for will be supplied to the job superintendent for distribution to the Contractor.

TESTING (GEOPACIFICA)

Provide inspections, testing, and required laboratory analysis for approximately 10 compaction test, and 30 concrete tests. Each concrete test will include a set of 4 cylinders.

CONSTRUCTION OBSERVATION (GRINDLINE, BUCCOLA)

Open the owners approval, the skatepark designers will schedule up to seven (7) trips to the project site for the following critical project milestones:

- Installation of storm drainage (Buccola)
- Day before, and day of 1st shotcrete pour (Grindline)
- Day before, and day of 1st street course pour (Grindline)
- Punch list walk through (Buccola, Grindline)
- Final walk through (Buccola, Grindline)
- Response to RFI'S and Submittals as needed

AS BUILT (GRINDLINE, BUCCOLA)

Prepare As-Builts for the project construction documents. Submission in Autocad format for changed document pages only.

Based on "red-lined" plans provided by the general contractor.

City of Oceanside
Construction Administration: Alex Road Skatepark

<i>Item Labor</i>	<i>Quantity</i>	<i>Unit</i>	<i>Rate</i>	<i>Cost</i>	<i>Totals</i>
Section 1.00 CONSTRUCTION ADMINISTRATION					
<i>Note: Prices are based on an estimated time and materials basis and will be invoiced on a monthly basis for work performed</i>					
Grindline Skateparks					\$18,610.00
Site Meetings & Inspections/Reporting/respond to RFI's and submittals	98 hrs		\$125.00	\$12,250.00	
As Built Drawings	12 hrs		\$75.00	\$900.00	
Expenses	7 ls		\$780.00	\$5,460.00	
Buccola Engineering					\$28,240.00
Revise SWMP	47 hrs		\$110.00	\$5,170.00	
Revise Precise Grading Plan	21 hrs		\$110.00	\$2,310.00	
Bid Assistance/Site Meetings	20 hrs		\$110.00	\$2,200.00	
Construction Staking	1 ls		\$17,480.00	\$17,480.00	
As Built Drawings	8 hrs		\$110.00	\$880.00	
Expenses	1 ls		\$200.00	\$200.00	
Geo Pacifica					\$5,810.00
Compaction Testing/Observation					
Soils Technician	50 hrs		\$75.00	\$3,750.00	
Laboratory Testing (30 concrete tests)	1 ls		\$1,500.00	\$1,500.00	
Nuclear Density Gauge	10 hrs		\$12.00	\$120.00	
Supervision	4 hrs		\$110.00	\$440.00	
Verdis					\$625.00
Construction Admin	5 hrs		\$125.00	\$625.00	
* On Site Meetings are not included in Verdis Scope					
Construction Administration Total (NTE)					\$53,285.00

- Payments are due 30 days after the invoice date unless otherwise agreed upon by Grindline Skateparks, Inc. Finance charges will begin to accrue on any open balances over 60 days old at a rate of 1% per month interest (12% APR)
- Our hourly rates are as follows

Grindline Skateparks, Inc.

Project Director, Principal	\$125.00 per hour
Project Manager, Associate	\$75.00 per hour
Lead Designer, Principal	\$125.00 per hour
Design Associate	\$85.00 per hour
CAD Technician	\$55.00 per hour
Clerical/Administration	\$55.00 per hour

Buccola Engineering, Inc.

Office Personnel	\$100/hour
Field (2,man crew)	\$185/hour

Verdis

Principal	\$110/hour
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Thank you for the opportunity to provide you with a proposal. We look forward to working with you. If we can be of any further assistance, please feel free to call our office at 206-932-6414.

Sincerely,

Matt Fluegge
Grindline Skateparks

