



## Legislation Text

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Resolution to Approve a Conditional Contract Award to Site Development, Incorporated for West Park Improvements, Total Construction Project Budget of \$1,587,300.00 and Appropriate Project Funding of \$1,374,082.00 from the Stormwater Fund **(8 Votes Required)**

Attached for your review and action is a resolution to approve a conditional contract award with Site Development, Incorporated in the amount of \$1,443,000.00, a \$144,300.00 for improvements to West Park, per Bid #4052, a construction contingency and a total construction project budget of \$1,587,300.00 to be funded in part by an appropriation of \$1,374,082.00 from the Stormwater Fund.

The West Park project was initiated to update the master plan for the park, one of the historic jewels of the City, located close to downtown Ann Arbor. Council action on the attached resolution will approve a construction project, and funding, to begin the implementation of the park's master plan.

A series of three public meetings and two presentations before the Park Advisory Commission were held to obtain input and support for this project. This project was identified as part of the Allen Creek project plan, with the Allen Creek Statutory Drain Board approving the project plan and agreeing to implement the recommended alternatives. The input included a strong desire to showcase stormwater improvements, to maintain and enhance recreational amenities and programming, and to provide better access to and through the park.

The project features the implementation of a stormwater master plan as well as pathway enhancements, stair replacement, seating built into the hillside at the historic bandshell, a boardwalk and wetland overlook, reconfigured parking, basketball court and native prairie and wetland plantings. The plan incorporates best management practices including bioswale wetlands and hydrodynamic separators that will reduce sediment and phosphorus inputs to Allen Creek from non-point sources.

These stormwater Best Management Process (BMP) improvements have been approved for funding through a low interest (2.5%) State Revolving Fund (SRF) loan to the Washtenaw County Water Resources Commissioner (Resolution 09-390). The County has also applied for American Recovery and Reinvestment Act (ARRA) funding, which would reduce the loan amount by 40%.

The project is being funded by the Park Maintenance and Capital Projects Millage (\$213,218.00) and the City's Stormwater Fund (\$1,374,082.00), with the City's Stormwater Fund being repaid by the State of Michigan's Stormwater Revolving Fund (SRF) program, through a loan agreement. The loan closing is scheduled for January 2010, and if completed, the award of the contract with Site Development, Inc. will be finalized. Construction is scheduled to begin in the spring of 2010. The Park will be closed to the public during the 2010 summer season, with recreational sports and concerts being relocated to other venues.

Requests for bids were advertised on the City's website and on the MITN site. Twelve companies submitted bids for the project as follows:

Site Development, Inc.	\$1,443,000.00*
Bernco, Inc.	\$1,529,000.00
Anglin Civil Constructors	\$1,547,027.45
D & R Earthmoving	\$1,554,250.00
C & G Myers	\$1,627,416.00
ABC Paving Company	\$1,678,000.00
Fonson, Inc.	\$1,695,000.00
Angelo Lafrate Construction	\$1,824,000.00
Blaze Contracting	\$1,887,000.00
E.T. MacKenzie Company	\$2,086,269.00
Warren Contractors and Dev.	\$2,089,000.00
L.J. Construction, Inc.	\$2,198,000.00

\*Lowest responsible bidder.

Site Development, Inc. received Human Rights Approval on October 21, 2009. The contractor complies with the living and prevailing wage ordinance.

Prepared by: Amy Kuras, Park Planner

Reviewed by: Colin Smith, Parks and Recreations Services Manager and Jayne Miller, Community Services Administrator

Whereas, The West Park construction project includes the implementation of a stormwater master plan as well as recreational amenities and access improvements;

Whereas, Proposed improvements include a series of bioswales, wetland and detention basins as well as boardwalks and stairs, paths, bandshell seating, parking lot reconfiguration, relocation of the basketball court, wetland and prairie plantings, and other landscaping;

Whereas, Competitive bids were sought by the Procurement Office for the West Park Improvements with bids received on October 14, 2009 and Site Development, Incorporated was identified as the lowest responsible bidder;

Whereas, Funds for the project are included in the FY 2010 approved Park Maintenance and Capital Improvements Millage budget in the amount of \$213,218.00;

Whereas, The remaining funds for the project (\$1,374,082.00) will come from the City's Stormwater Fund;

Whereas, It is anticipated that the City will enter into a loan agreement with the State of Michigan as part of the Stormwater Revolving Fund (SRF) program, which will repay the City's Stormwater Fund in the amount of \$1,374,082.00;

Whereas, Conditional approval of the award of a contract to Site Development, Incorporated is based on the approval and execution of the SRF program loan agreement between the City and the State of Michigan; and

Whereas, Site Development, Incorporated received Human Rights approval on October 21, 2009 and complies and the living wage and prevailing wage requirements;

RESOLVED, That City Council approve the contract with Site Development, Incorporated, per bid #4052 in the amount of \$1,443,000.00, the terms of which require the condition precedent that it will not become effective unless and until the approval and execution of a loan agreement with the Michigan Stormwater Revolving Fund;

RESOLVED, That City Council approve a construction contingency in the amount of \$144,300.00 (10%) to cover potential contract change orders, and a total construction project budget of \$1,587,300.00 for the life of the project without regard to fiscal year;

RESOLVED, That the City Council appropriate \$1,374,082.00 from City's Stormwater Fund for this project, to be repaid with a loan, when received, from the State of Michigan's Stormwater Revolving Fund (SRF) program;

RESOLVED, That the City Administrator be authorized to take all necessary administrative actions to implement this resolution including the authority to approve change orders within the approved contingency; and

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the contract on satisfaction of the stated condition after approval as to substance by the City Administrator and approval as to form by the City Attorney.