



## Legislation Text

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**File #:** 16-1645, **Version:** 1

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Resolution to Approve Contracts for the Rotary Club of Ann Arbor Universal Access Playground at Gallup Park with Penchura for Fabrication and Supply of the Playground Equipment (\$391,577.00), and with Michigan Recreational Construction, Inc. for Installation of Equipment and Associated Site Work (\$547,756.31), Appropriate Funds, and Amend the Project Budget for Construction (**8 Votes Required**)

Attached for your review and action is a resolution to approve two contracts for the Rotary Club of Ann Arbor Universal Access Playground; one for the supply of playground equipment and park furniture, and the other to install the equipment and perform site work, including pathways, docks, and safety surfacing; and to appropriate funds and amend the project budget.

Budget/Fiscal Impact: The budget previously established in the Parks Maintenance and Capital Improvements Millage for the purpose of design work and accepting grants was \$559,166.64 (\$300,000.00 from a Michigan Department of Natural Resources grant and \$259,166.64 from the Parks Maintenance and Capital Improvements Millage). The Rotary Club of Ann Arbor has raised additional funds in the amount of \$550,000.00 for this project. An appropriation of additional funding in the amount of \$550,000 is being requested to and amendment of the project budget previously established in the Parks Maintenance and Capital Improvements Millage for a new total amount of \$1,109,166.64.

In August, 2015, the City solicited proposals from playground manufacturers to provide detailed design services towards fabricating custom playground equipment for this project. The companies were asked to provide design development and preliminary engineering of custom playground equipment, guidance on barrier free accessible equipment and how the equipment will meet goals of universal accessibility, and detailed cost estimates. Penchura was chosen to perform this work, and their equipment was specified for this project, with the caveat that any company could bid on the equipment if it met all of the specifications.

The project was advertised under two separate bids to provide the most competitive pricing, and for the City to have direct working relationship with the equipment manufacturer. The playground equipment includes a significant number of custom pieces, and bidding this work separately will allow the City to work directly with the manufacturer to make sure the equipment meets all of the specifications. Additionally, if a general construction contractor were to supply the equipment, there would be a significant markup in cost.

The project was identified in the Capital Improvements Plan to provide a universal access playground which is a missing amenity in the park system and a goal of the Parks & Recreation Open Space Plan.

The project meets multiple Sustainability Goals, including:

- Safe Community

- Engaged Community
- Active Living and Learning

Two bids were submitted for the playground equipment bid, ITB#4460:

Penchura	\$391,577.00*
Gametime	\$62,750.00**

\*Lowest responsible bidder.

\*\*Gametime only submitted a partial bid.

Two bids were submitted for the playground construction bid, ITB #4459:

Michigan Recreational Construction, Inc.	\$547,756.31*
Anglin Civil	\$658,104.47

\*Lowest responsible bidder

Staff is recommending awarding a contract to Penchura in the amount of \$391,577.00 to supply the playground equipment for the Gallup Park Universal Access Playground, ITB #4460. A 10% construction contingency (\$39,157.70) is requested to cover potential contract change orders to be approved by the City Administrator. It is requested that a \$430,734.70 contract and contingency amount be approved for the life of the project without regard to fiscal year.

Staff is recommending awarding a contract to Michigan Recreational Construction, Inc. in the amount of \$547,756.31 to install the playground equipment and perform associated site work, ITB #4459. A 10% construction contingency (\$54,775.63) is requested to cover potential contract change orders to be approved by the City Administrator. It is requested that a \$602,531.94 contract and contingency amount be approved for the life of the project without regard to fiscal year.

The selected contractors comply with the City's non-discrimination and prevailing wage and/or living wage ordinance requirements.

The Park Advisory Commission recommended approval of these contracts at their November 15, 2016 meeting.

Prepared by: Colin Smith, Parks & Recreation Services Manager

Reviewed by: Derek Delacourt, Community Services Area Administrator

Approved by: Howard S. Lazarus, City Administrator

Whereas, A new playground is being constructed at Gallup Park to fill a community need for a universally accessible playground in partnership with the Ann Arbor Rotary Club and the Michigan Department of Natural Resources Trust Fund;

Whereas, Competitive bids were received by Purchasing on Monday, November 7, 2016 for playground equipment;

Whereas, Competitive bids were received by Purchasing on Wednesday, November 9, 2016 for construction services;

Whereas, Penchura submitted the lowest responsible bid to supply playground equipment and site furniture for the playground;

Whereas, Michigan Recreational Construction, Inc. submitted the lowest responsible bid to construct the playground and perform associated site work;

Whereas, The Park Advisory Commission recommended approval of these contracts and

Whereas, Funding for this project includes a previously budgeted \$300,000.00 grant from the Michigan Department of Natural Resources Trust fund, \$550,000.00 from the Rotary Club of Ann Arbor, and \$259,166.64 previously budgeted from the Park Maintenance and Capital Improvements Millage;

RESOLVED, That City Council approve a contract with Penchura to supply playground equipment and park furniture for the Gallup Park Universal Access Playground in the amount of \$391,577.00 and approve a construction contingency of \$39,157.70 (10%) to cover potential contract change orders for a total contract amount of \$430,734.70 for the life of the project without regard to fiscal year;

RESOLVED, That City Council approve a contract with MRC to construct the Gallup Park Universal Access Playground in the amount of \$547,756.31, and approve a construction contingency of \$54,775.63 (10%) to cover potential contract change orders for a total contract amount of \$602,531.94 for the life of the project without regard to fiscal year;

RESOLVED, That the project budget previously established in the Parks Maintenance and Capital Improvements Millage be increased from \$559,166.64 to \$1,109,166.64 as follows:

Sources of funds: \$550,000.00 from donations from the Rotary Club of Ann Arbor;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute the contract after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

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.