



DATE: October 26, 2021

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Rengstorff Park Aquatics Center Replacement, Project 18-38 – Various Actions**

RECOMMENDATION

1. Approve the Responsible Bidders List for the construction of the Rengstorff Park Aquatics Center Replacement, Project 18-38.
2. Approve plans and specifications for the construction of the Rengstorff Park Aquatics Center Replacement, Project 18-38, and authorize staff to solicit monetary bids from the approved Responsible Bidders List.
3. Appropriate and transfer \$26,300,000 from the Park Land Dedication Fund (as detailed in Attachment 3 to the Council report) to the Rengstorff Park Aquatics Center Replacement, Design and Construction, Project 18-38, for a total project budget of \$28,000,000. (Five votes required)
4. Authorize the City Manager or designee to award the construction contract to the lowest responsible bidder if the bid is within the project budget.
5. Authorize the City Manager or designee to amend the existing professional services agreement with Griffin Structures, Inc., for an additional \$150,000 to provide construction administration services for Rengstorff Park Aquatics Center Replacement, Project 18-38, in a total not-to-exceed amount of \$860,000.

BACKGROUND

The Rengstorff Park Aquatics Center (Aquatics Center) opened in 1959 and is located on the northeast side of Rengstorff Park along Crisanto Avenue. On June 20, 2017, the City Council approved funding for the design phase of this project as part of the adopted Fiscal Year 2017-18 Capital Improvement Program. In fall 2018, the City engaged the services of ELS Architecture and Urban Design (ELS) to verify the project program and provide comprehensive design services.

The proposed project would replace the existing 5,200 square foot building and two pools with new facilities intended for year-round use. On October 27, 2020, as recommended by staff and the Parks and Recreation Commission (PRC), Council approved the schematic design and the Heritage tree mitigation plan and directed staff to proceed with the detailed design of the project. On June 22, 2021, the City Council authorized staff to begin a general contractor prequalification process to solicit qualifications from prospective bidders. At this meeting, the Council also approved the three Visual Arts Committee-recommended artists and art proposals to be incorporated into the project and approved expanding the public art elements at an additional cost of approximately \$75,000.

On September 9, 2021, staff presented the final design and recommended funding to the PRC. The PRC provided comments on the final design and unanimously recommended to forward staff's funding recommendation to Council. The PRC comments are discussed in the Analysis section of this Council report.

ANALYSIS

Final Design Updates

The project includes a new 8,200 square foot aquatics building with new lap and recreational pools and all new site amenities (Figure 1). The final design further refines all the elements of the approved schematic design and incorporates the approved public art elements throughout the proposed facility. The art installations' proposed locations are noted in Figure 1 as 10.a. through 10.c. The artists are collaborating with the design team to finalize and integrate the public art into the project. For more details on the artists and approved art pieces, see the [June 22, 2021 Council report](#).

In addition, since the last Council update, four bid alternate items have been incorporated into the project as base bid scope elements (Table 1). These elements were incorporated due to the desired enhancements that they provide to the facility and program. It would also be impractical and not cost-effective to add them in the future once the project is completed.

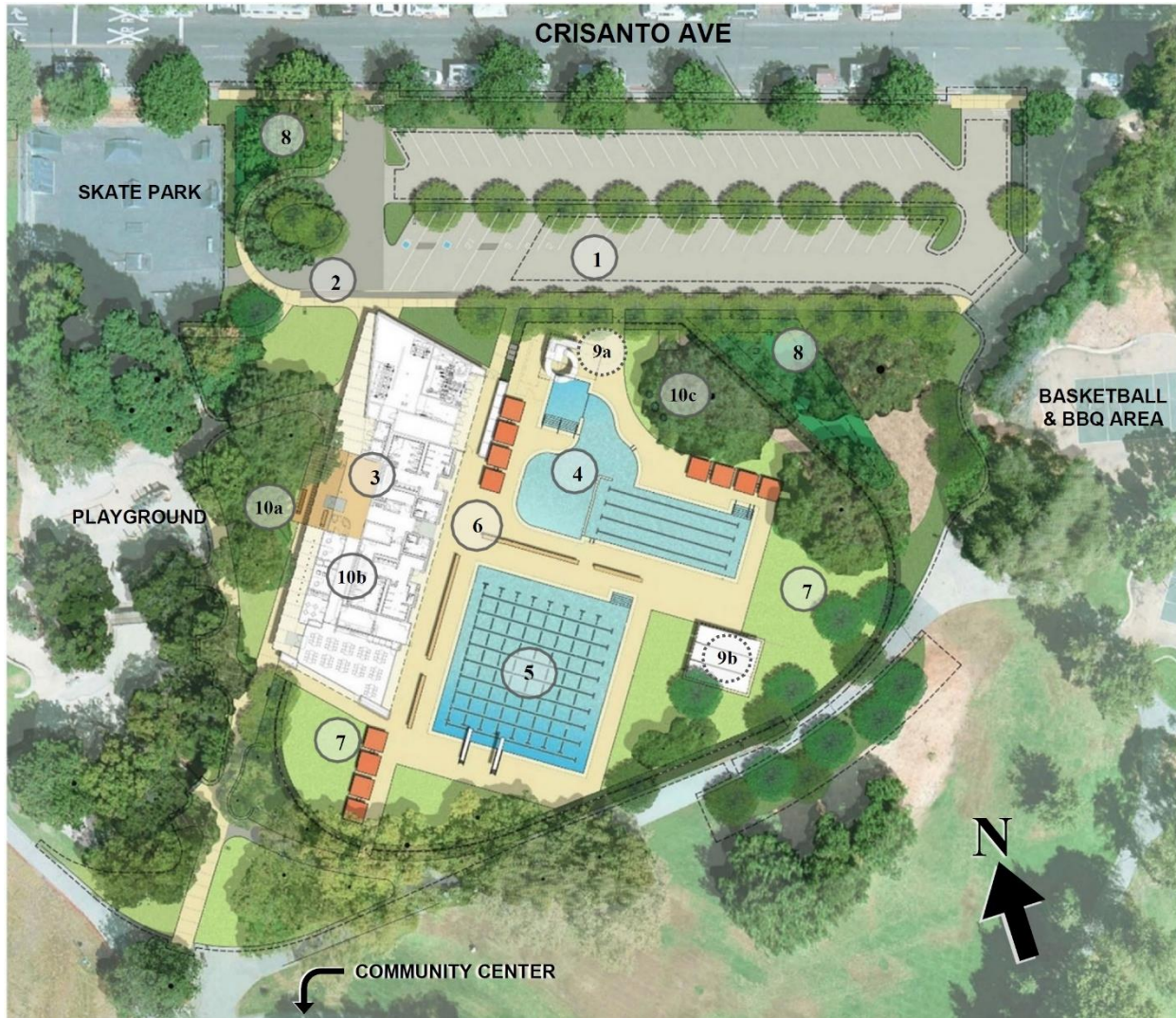


Figure 1: Final Design Elements

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| <ol style="list-style-type: none"> 1. Resurfaced parking lot with up to 50 spaces. 2. New vehicle drop-off area. 3. Aquatics Building (approximately 8,200 square feet). 4. Activity pool with zero beach entry, water toys, slide, and four shallow lap lanes. 5. 25 yard x 25 meter lap pool with 10 lanes, with 1 meter and 3 meter dive boards. 6. Pool deck with seating and umbrellas. | <ol style="list-style-type: none"> 7. Grass leisure and picnic areas. 8. Stormwater treatment basins. 9. Bid alternates: <ol style="list-style-type: none"> a. New water slide (replaces existing). b. Pool equipment enclosure upgrades. 10. Public art locations: <ol style="list-style-type: none"> a. Two reclaimed wood “wave” benches. b. Lenticular “bubbles.” c. Three “waterdrop” chairs. |
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Table 1: Former Bid Alternates to Be Included in Base Bid

Added to Base Bid:	Estimated Cost
1. <u>Lap Lanes:</u> Installation of two (2) additional shallow lap lanes in the Recreational/ Activity Pool for a total of four (4) lanes.	\$353,000
2. <u>Decorative Perimeter Fence Materials:</u> Installation of decorative metal picket fence in lieu of chain-link fence to be consistent with existing aesthetic in the park.	300,000
3. <u>Parking Area:</u> Repair existing curbs and gutters and resurface parking lot.	80,000
4. <u>Reinstallation of Sculptural “Fish”:</u> Reinstallation of existing concrete and tile wall sculptures along the entry walkway and in the main lobby.	<u>75,000</u>
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Total for All Bid Alternates:	<u>\$808,000</u>

Bid Alternates

The proposed final design includes two bid alternates that may provide project enhancements if the monetary bids received are within the project budget. These locations are noted on Figure 1 as Design Elements 9.a. and 9.b. The bid alternate estimated costs and staff-recommended priority order are shown in Table 2 below.

Table 2: Bid Alternates in Staff-Recommended Priority Order

Bid Alternates:	Estimated Cost
1. <u>Water Slide:</u> Installation of new larger, longer water slide in lieu of installation of existing relocated slide.	\$410,000
2. <u>Enhanced Pool Storage Enclosure Materials:</u> Installation of composite wood siding in lieu of chain-link fencing with landscaping vines at pool equipment enclosure.	<u>100,000</u>
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Total for All Bid Alternates:	<u>\$510,000</u>

All-Electric Pool Heating and Energy Costs

This project is being designed to meet all Mountain View Green Building Code (MVGBC) requirements for new commercial projects, including not using natural gas to heat water. The ELS design team, including their engineering subconsultant, Guttman & Blaevoet, has provided an engineered solution that involves the use of innovative dual-technology solar panels that provide photovoltaic (PV) as well solar thermal energy to heat the pool water. The panels, combined with an array of air-cooled chillers, will be mounted on the roof to provide hot water year-round for the pools as well as the showers and sinks. The anticipated carbon emissions reduction for this proposed design is approximately 570 metric tons of CO₂ annually over a traditional natural gas system.

The one-time capital cost for the building and pool water heating system (the solar PV/thermal panels, chillers, heat exchangers, etc.) is estimated to cost approximately \$1.2 million. After completing the design, the design team was able to evaluate and model the estimated energy use of the building and pool equipment. The ongoing operational electrical utility costs for this system are estimated to be approximately \$88,000 per year at projected 2023 energy rates. When compared to current utility expenses at the Eagle Park Pool, which uses all-gas heating, these projected costs are comparable. The actual cost for operations of the proposed project will be dependent on hours of use, utilization rates of pool covers, weather patterns, future utility rate increases, and other factors.

With the help of Silicon Valley Green Energy, staff evaluated adding various on-site energy production measures to reduce the estimated operating utility costs for the project. Options included adding a structured solar PV system in the parking lot with battery storage or a large ground-source heat pump system (similar to geothermal) using the park land. These options would have increased the project costs by \$500,000 to over \$1 million. Based on the current estimated energy costs, staff does not recommend pursuit of any additional on-site energy production measures at this time. After a year or more of operations and associated utility bills, real-world data will be available to assess operational costs more effectively and make recommendations to Council on cost mitigation options if any are warranted.

Parks and Recreation Commission

On September 8, 2021, the PRC reviewed and recommended Council approve the final design and recommended budget action. The PRC supported the overall project design

and provided comments and suggestions. PRC comments and staff responses are as follows:

- *Building Front Elevation:* A member of the PRC commented that the “SWIM” super-graphic on the front of the proposed building was hard to read because it incorporated the building address in place of the “I.” Staff worked with the architect and recommended changes which place the building address above the super-graphic. See Attachment 1 for updated renderings of the building elevation.
- *Density of Trees at the Front Parking Area:* A member of the PRC questioned the proximity of four London plane trees along the southeastern end of the parking lot related to the location of an existing Heritage oak tree and noted concerns of potential overlap in canopies. After reviewing the planned design with the City arborist and ELS, staff recommends continuing with the design as proposed as staff anticipates there will be no conflict between the canopies of the new trees and the existing Heritage oak.
- *Resurfaced Front Asphalt Parking Areas:* A comment was made to evaluate inclusion of stormwater capture for the front parking lot. As noted in Figure 1, the project site does have stormwater treatment basins (Design Element 8). The recommendation to add resurfacing of the parking lot to the base bid for an estimated \$80,000 was made after the design plans were nearly complete. Resurfacing the lot and repairing curbs and gutters do not involve changing the grading and layout of the existing parking lot. Redesigning and reconstructing the parking lot to add this feature would introduce significant project delays and cost. Therefore, staff does not recommend this modification.

Urban Forestry Board and Tree Impacts and Proposed Mitigation

On October 27, 2020, the City Council approved the staff- and PRC-recommended Heritage tree removal and mitigation plan to replace up to nine Heritage trees at a ratio of 2:1. In the course of completing the design of this facility, there have been no changes to the Heritage tree impacts.

Responsible Bidders List

As noted in the June 22, 2021 Council report, due to the complex scope of replacing a major City aquatics facility and seeking Leadership in Energy and Environmental Design (LEED) Gold® Certification, the City required prequalification of contractors to demonstrate recent experience on multiple projects of similar size and complexity. The

process of obtaining the recommended Responsible Bidder list required two attempts to maintain a competitive environment.

The general contractor prequalification process was initiated on June 22, 2021, when the first Notice to Bidders was advertised inviting prospective bidders to submit completed Responsibility Statements and Questionnaires (RSQ). On July 26, 2021, the City received statements from five prospective bidders. Staff reviewed the information provided by these contractors, scored their responses, and determined that only three of the five respondents potentially met the initial RSQ's technical requirements. Upon further review, staff determined that with moderately broader criteria, a greater number of qualified prospective bidders would be more likely, while still retaining key qualification requirements. Therefore, to improve the bidding environment for this project, staff canceled the initial RSQ process and, on August 19, 2021, issued a revised RSQ with modified requirements. For the revised RSQ, contractors had to provide evidence of construction experience with:

- At least two \$15 million new building projects, one of which had to be a public facility;
- At least one LEED Silver certified (or better) project; and
- At least one public pool project.

On September 9, 2021, the City received statements from nine prospective bidders. Staff reviewed the information provided by these contractors, scored their responses, and determined that all contractor submittals met the revised RSQ requirements.

The contractors list is shown on Attachment 1, and staff recommends Council approve this Responsible Bidders List and allow the bidding process to proceed. The approved bidders list applies only to this project.

Consultant Fees

On October 27, 2020, Council authorized the City Manager to execute a professional services agreement with Griffin Structures, Inc. (GS), for preconstruction, construction management, and LEED commissioning services for the Rengstorff Park Aquatics Center for a total maximum compensation of \$710,000. The proposed amendment to this agreement will add \$150,000 to the additional services allowance of the agreement for a new total not-to-exceed amount of \$860,000. This additional services increase is requested to cover the estimated cost to incorporate a third-party special inspection subconsultant for materials and soils testing and related construction administration

services not covered by the existing agreement. As the on-site construction management firm, GS will be coordinating the day-to-day special inspection needs for the project as part of their basic services. Having the special inspection subconsultant added to their agreement will enhance the efficiency and coordination of this task.

Recreational Operations During Construction

The Rengstorff Park Pool will be out of commission during construction. Aquatics programming will continue to operate at Eagle Park Pool throughout construction as the regular year-round facility. Staff anticipates offering all typical Aquatics programming during construction at Eagle Park Pool such as Lap Swim, Swim Lessons, Recreation Swim, and Aquatic Fitness classes (Aquacise and Drop-in Water Exercise).

California Environmental Quality Act (CEQA)

As noted in the June 22, 2021 Council report and in accordance with California Environmental Quality Act, this project has been determined to be categorically exempt as a Class 2, 15302(e) (2) for the building replacement. The notice of exemption was filed with the County of Santa Clara on March 26, 2021.

FISCAL IMPACT

Since the [October 27, 2020 Council report](#), the anticipated construction costs have increased by approximately \$1.7 million for a total construction phase cost of \$23.6 million. See Table 3 for the contributing factors to the increased project cost.

Table 3: Project Cost Increases

1. Original base scope cost rise (escalation)	\$560,000
2. Incorporation of four former bid alternates	808,000
3. Added construction contingency (for 1 and 2 above)	137,000
4. Additional public art by Council on June 22, 2021	75,000
5. City Administrative fees (for 1 to 4 above)	<u>103,000</u>
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Total Estimated Project Cost Increases:	\$1,683,000
Total Recommended Increased Funding:	\$1,700,000

Rengstorff Park Aquatics Center Replacement Design, Project 18-38, is funded with \$4.4 million from the Park Land Dedication Fund. With the addition of \$23.6 million for the construction phase, the total project estimate is \$28 million (Table 4).

Table 4: Total Design and Construction Project Cost

Construction (including contingency)	\$20,832,000
Consultant Services	3,522,000
City Project Management	650,000
Construction Inspection and Testing	275,000
Public Art	255,000
Fixtures Furnishing and Equipment (FFE)	165,000
Moving/ Activation	96,000
Permits, Printing, Miscellaneous	316,000
Project Contingency	<u>180,000</u>
Subtotal	\$26,291,000
City Administration	<u>1,709,000</u>
TOTAL ESTIMATED COST	\$28,000,000
CURRENT FUNDING	<u>4,400,000</u>
REQUESTED FUNDING	\$23,600,000

The Park Land Dedication Fund has available funding for the recommended action, and the revised base project scope can be completed within the budget.

As approved by Council on October 27, 2020, staff has submitted an application for Statewide Park Development and Community Revitalization Program Grant Funds in the amount of \$8.5 million through the State of California Proposition 68 Program. This is a competitive grant program, and the results from the grant application have not yet been received. Staff will recommend to Council that grant funds, if any are received, are to fund elements of the project in the following order:

1. Allocate grant funds toward base bid construction contract costs if bids exceed the Engineer's Estimate.

2. Award Bid Alternates in order of staff recommended priority.
3. Use any remaining grant funds in place of Park Land Dedication Funds.

CONCLUSION

The Rengstorff Park Aquatics Center Replacement, Design, and Construction Project is a significant and complex community pool project that will require an experienced and responsible contractor to execute successfully. Approval to advertise for monetary bids exclusively from the recommended list of prequalified responsible bidders is necessary to help ensure the project's successful construction.

Approval of the various actions outlined in this Council report will allow the Rengstorff Park Aquatics Center Replacement project to move forward. If approved and bids are within the estimates, construction could begin in January 2022.

ALTERNATIVES

1. Direct staff to use the standard City bid process, foregoing prequalification of responsible bidders.
2. Direct staff to revise the project design and scope.
3. Provide other direction.

PUBLIC NOTICING – Agenda posting.

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Attachments: 1. Final Design – Illustrated Plans, Elevations and Renderings
2. Responsible Bidders List
3. Recommended Park Land Dedication Commitments

cc: CSD, APWD – Arango, PCE – Gonzales, PCE – Shah, SMA – Doan, SMA –
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