


CITY OF RIALTO

AGENDA REPORT

For City Council/Redevelopment Agency Meeting of July 26, 2011

TO:	Honorable Mayor and Council Members Honorable Agency Chair Person and Board Members
APPROVAL:	Mark Kling, Police Chief/Interim City Administrator/Executive Director
FROM:	Ahmad R. Ansari, P.E., Public Works Director/City Engineer  Robb Steel, Economic Development Director
SUBJECT:	Increase Expenditure Authority for Fergusson Park Improvements Project in the Amount of \$189,127.
DATE:	June 2, 2011

BACKGROUND:

On August 10, 2010, the City Council awarded a construction contract to RC Construction, Inc., in the amount of \$5,627,928, for Fergusson Park Improvements Project. The construction started in early November 2010 and is anticipated to be completed by November 2011.

ANALYSIS/DISCUSSION:

A number of issues surfaced during the construction phase of the project which necessitates the expenditure of additional funds. In particular, installation of larger light poles and foundations due to the extremely high wind loads in northern Rialto; discovery of underground utilities not shown on plans or city records; changes to the irrigation system design that were made to avoid an additional water meter; minor modification to the design of the skate park; and installation of additional handicap ramps and rails to comply with ADA requirements. Additional change notices are also anticipated as the construction progresses. The total current and anticipated change orders/change notices amount to 2.5% of the construction cost. The following table shows the details of the change notices:

Date	Description	Amount
3/15/2011	Additional cost for larger light poles and footings for the Musco lighting system due to the increase of wind load requirement.	\$41,198.28
3/31/2011	Additional cost for extra work and material due to the revision of SCE drawing including remove and replace existing concrete pad and transformer, new conduits and wiring.	\$30,820.85
5/16/2011	Additional cost to relocate electrical conduits, wire and boxes not shown on plans. Contractor found the existing utilities after excavation and grading at the north end of the new basketball court.	\$3,749.79
5/16/2011	Additional cost for added necking on the manholes for the storm drain tanks due to the five feet shift of the tank to the north. Contractor needed to move the storm drain tank five feet north of the sidewalk to avoid utilities next to the sidewalk area.	\$2,310.97

Date	Description	Amount
5/26/2011	Additional cost for changing the point of connection for the irrigation water system and replacing the existing pump with a larger pump to serve the entire park. The change also avoided adding a new 3-inch water meter and a onetime facility charge of \$63,000 from West Valley Water District.	\$3,046.30
Anticipated change order	Extra cost for adding steps and walls and installation of ramps and railings to comply with ADA requirements at the area north of the new concession building.	\$30,000
Anticipated change order	Extra cost for changing the “bowl” edge at the skate park from steel tube coping to pool coping. The origin design call for half pool coping and half steel tube coping.	\$4,000
Anticipated change order	Extra cost for removal of existing steep (over 14% grade) walkway ramp and re-grade for landscaping and additional trees/shrubs at the south side of the park.	\$12,000
Anticipated change order	Extra cost for repair retaining wall foundations and additional concrete due to weather damage because of building permit delay.	\$12,000

Since a number of these change orders or change notices are related to plans and specifications, staff will pursue with the design consultant to take responsibility in recovering the applicable costs for the City.

The original and revised project cost estimates are detailed in the following table:

Project Costs	Budget Totals as of 8/10/10	Increase/Decrease to Budget	Revised Budget as of 6/16/11
Budget	\$6,890,000	\$0	\$6,890,000
Expenses incurred during Design Phase of Frisbie Park	\$57,642	\$0	\$57,643
Design Cost	\$564,115	\$0	\$564,115
Construction Contract	\$5,627,928	\$0	\$5,627,928
Change Orders/Notices	\$0	\$81,127	\$81,127
Additional Anticipated Change Orders/Notices	\$0	\$58,000	\$58,000
Construction Management/Support Services	\$250,000	\$50,000	\$300,000
Estimated Total Project Costs	\$6,499,686	\$189,127	\$6,688,813
Anticipated Remaining Balance	\$390,314		\$201,187

Staff recommends that the City Council approve the increase expenditure in the amount of \$189,127 for this Fergusson Park Improvements Project.

ENVIRONMENTAL IMPACT:

The project was reviewed and a Mitigated Negative Declaration was prepared and filed. This project is exempt from CEQA because it is a rehabilitation project.

LEGAL REVIEW:

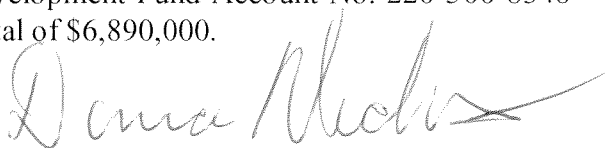
The City Attorney/Agency Council has reviewed and approved this staff report.



City Attorney/Agency Counsel

FINANCIAL IMPACT:

Funds are budgeted and available in RDA 2008 Bond Series A Fund Account No. 336-500-1799-3001-103003-00 for \$6,300,000 and Park Development Fund Account No. 220-500-8348-3001-103003-00 in the amount of \$590,000 for a total of \$6,890,000.



Interim Chief Financial Officer

RECOMMENDATION:



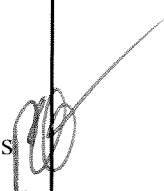
Staff recommends that the City Council/Agency Board, pursuant to Rialto, California, Code of Ordinance, Title 2.48.070-A, delegate signature authority to the Interim City Administrator, or his designee, to authorize purchases, expenses and change notices for this project within the project total budget amount of \$6,688,813.

Report prepared by: Ahmad R. Ansari, P.E., Public Works Director/City Engineer
Susanne Wilcox, Administrative Analyst

CITY OF RIALTO

AGENDA REPORT

For City Council/RDA Meeting of November 22, 2011

TO:	Honorable Mayor Pro Tem and Council Members Honorable Agency Vice Chairperson and Board Members
APPROVAL:	Michael E. Story, City Administrator/Executive Director 
FROM:	Ahmad R. Ansari, P.E., Public Works Director/City Engineer  Robb Steel, Assistant to City Administrator/Director of Development Services 
SUBJECT:	Approve an Increase in Expenditure Authority for Fergusson Park Improvements Project in the Amount of \$85,486.
DATE:	October 10, 2011

BACKGROUND:

On August 10, 2010, City Council awarded a construction contract to RC Construction, Inc., in the amount of \$5,627,928 for the Fergusson Park Improvements Project. The construction started in early November 2010 and is anticipated to be completed by the end of December 2011.

On July 26, 2011, City Council received a report on the additional expenditures and approved the extra costs for Southern California Edison to perform additional work and additional costs for changing the point of connection for the irrigation water system at a total of \$33,867.

ANALYSIS/DISCUSSION:

A number of issues surfaced during the construction phase of the project which necessitated the expenditure of additional funds. These issues include the installation of larger light poles and foundations due to the higher wind loads in northern Rialto; discovery of underground utilities not shown on plans or city records; changes to the irrigation system design that were made to avoid an additional water meter and pump; minor modifications to the design of the skate park; installation of handicap ramps and rails to comply with ADA requirements; and changing the basketball backboards to be consistent with City standards. Additional change notices are also expected as the construction progresses. The total current change notices amount to one and a half percent (1.5%) of the construction cost. The following table shows the details of the change notices:

Date	Description	Amount
3/15/2011	<p><u>Additional cost for larger light poles and footings for the Musco lighting system due to the increase of wind load requirement.</u></p> <p>Initially, a gust wind of 103 mph was used for the design of the Fergusson Park light poles by the structural engineer sub-consultant to the architect (RHA Landscape Architects-Planners, Inc.) hired by the City for the design of the project. After the award of the construction contract to RC Construction Services,</p>	\$41,198.28

Date	Description	Amount
	<p>Inc., staff questioned the wind load rating used on the project and scheduled a meeting in November 2010 to discuss. At the meeting, it was confirmed that a wind load of 120 mph (3 second gust wind) was required at Fergusson Park. The structural engineer was asked to revise the calculations accordingly. In December 2010, three (3) sets of the revised structural calculations and plans were submitted to Building and Safety for review and approval of the general building permit.</p> <ul style="list-style-type: none"> • There was no other alternative. It needed to comply with Building Code. • The change order was authorized at staff level on 3-15-11. The cost for this change order is \$41,198.28 and has been paid in full. • City Council reviewed this change order on 7-26-11 and required additional information. • This extra cost is primarily due to errors and omissions by the design consultant and staff is pursuing cost recovery. 	
3/31/2011	<p><u>Extra cost for changing the “bowl” edge at the skate park from steel tube coping to pool coping.</u></p> <p>The original design calls for half pool coping and half steel tube coping for the “bowl” at the skate park. During construction, the Contractor installed pool coping for the entire edge of the “bowl” as a request from the architect. The architect approved the change request based on input from the future park users, members of the community and the sports league.</p> <ul style="list-style-type: none"> • The work has been completed but the change order has not been authorized by City staff. The cost for this change order request is \$3,226.95. • City Council reviewed this change order on 7-26-11 and required additional information. 	\$3,226.95
5/16/2011	<p><u>Additional cost to relocate electrical conduit, wire and box not shown on plans. Contractor found the existing utilities after excavation and grading at the north end of the new basketball court.</u></p> <p>Due to unforeseen circumstances, the Contractor found pre-existing underground electrical conduit, which could not be buried. He therefore had to relocate it out of the way of the new concrete pad at the new basketball court located at the north end of the park. This electrical line was for the existing lighting system at the park and unfortunately the City does not have any as-built plans or records.</p> <ul style="list-style-type: none"> • There was no other alternative as the existing electrical line was in conflict with the new basketball court and needed to be relocated in order to continue the work. • The change order was authorized at staff level on 5-5-11. The 	\$3,749.79

Date	Description	Amount
	<p>cost for this change order is \$3,749.79 and has been paid in full.</p> <ul style="list-style-type: none"> • City Council reviewed this change order on 7-26-11 and required additional information. • This extra cost is primarily due to errors and omissions by the design consultant and failure to perform potholing to identify electrical lines at the existing park. Staff is pursuing to recover the cost. 	
5/16/2011	<p><u>Additional cost for added necking on the manholes for the storm drain tank due to the five feet shift of the tank to the north. Contractor needed to move the storm drain tank five feet north of the sidewalk to avoid conflicting utilities next to the sidewalk area.</u></p> <p>Due to unforeseen conditions, the contractor found pre-existing utilities and had to shift the tank five (5) feet north to avoid conflict. The utilities belonged to AT&T and SCE at the south side of the park. The original design called out the installation of the storm drain next to the sidewalk area at the south side of the park.</p> <ul style="list-style-type: none"> • The alternative would have been to have the pre-existing utilities relocated but the cost would be higher and would delay the installation of the storm drain tank therefore delaying completion of the project. • The change order was authorized at staff level on 5-6-11. The cost for this change order is \$2,310.97 and has been paid in full. • City Council reviewed this change order on 7-26-11 and required additional information. • This is primarily due to errors and omissions by the design consultant for failure to identify the existing utilities. Staff is pursuing to recover the cost. 	\$2,310.97

Date	Description	Amount
9/8/11	<p data-bbox="354 191 1211 296"><u>Extra cost for constructing additional steps, walls, ramps and railings to comply with ADA requirements at the area north of the new concession building.</u></p> <p data-bbox="354 317 1211 716">After rough grading, the contractor discovered that the sloping area north of the new concession building was too steep and did not comply with ADA requirements. The elevations shown on the plan did not match with what is at the site. The design engineer was requested to look into an alternative and come up with a solution to comply with ADA. A redesign of the area by the design engineer was forwarded to the contractor to include installation of steps, retaining walls, ramps and railings to comply with ADA requirements. City staff authorized the change and requested the contractor move forward on the work to prevent a costly delay on the project.</p> <ul data-bbox="354 737 1211 1016" style="list-style-type: none"> • There was no other alternative; a solution had to be arrived at in order to comply with ADA requirements. • An agreeable final cost for the change has not been determined but is estimated at \$35,000. • City Council reviewed this change order on 7-26-11 and required additional information. • This extra cost is primarily due to errors and omissions by the design consultant. Staff is pursuing cost recovery. 	\$35,000.00

Since a number of these change orders/change notices are related to plans and specifications, staff will pursue with the design consultant to take responsibility in recovering the applicable costs for the City.

The original and revised project cost estimates are detailed in the following table:

Project Costs	Budget Totals at Award on 8/10/10	Budget Totals as of 7/26/11	Increase/ Decrease to Budget	Revised Budget as of 11/22/11
Budget	\$6,890,000	\$6,890,000	\$0	\$6,890,000
Expenses incurred during Design Phase of Frisbie Park	\$57,642	\$57,642	\$0	\$57,643
Design Cost	\$564,115	\$564,115	\$0	\$564,115
Construction Contract	\$5,627,928	\$5,627,928	\$0	\$5,627,928
Change Notices Approved by Council on 7/26/11	N/A	\$33,867	\$0	\$33,867
Change Orders/Notices (1.5% of Construction Cost)	N/A	\$0	\$85,486	\$85,486
Construction Management/Support Services	\$250,000	\$250,000	\$0	\$250,000
Estimated Total Project Costs	\$6,499,685	\$6,533,552	\$85,486	\$6,619,039
Anticipated Remaining Balance	\$390,315	\$356,448		\$270,961

Staff recommends that the City Council approve an increase in expenditures in the amount of \$85,486 for this Fergusson Park Improvements Project.

ENVIRONMENTAL IMPACT:

None with this action.

GENERAL PLAN COMPLIANCE:

Improvement to Fergusson Park is consistent with Chapter Two “Open Space and Recreation of the Rialto General Plan.” The Rialto park system consists of neighborhood parks, community parks and parks of varying sizes to meet the needs of residents.

Goal 2-27: Provide a variety of park facilities that meet the diverse needs and interest of the community.

Policy 2-27.1: Establish a Master Plan for Parks and Recreation that achieves a park ratio of 3.0 acres per 1,000 residents, evenly distributes park facilities throughout the community and contains strategies for funding facilities and maintenance.

Policy 2-27.2: Plan for and designate adequate funding to maintain new and existing parks and facilities.

LEGAL REVIEW:

The City Attorney/Agency Counsel has reviewed and approved this staff report.

City Attorney/Agency Counsel

FINANCIAL IMPACT:

Funds are budgeted and available in RDA 2008 Bond Series A Fund Account No. 336-500-1799-3001-103003-00 for \$6,300,000 and Park Development Fund Account No. 220-500-8348-3001-103003-00 in the amount of \$590,000 for a total budget of \$6,890,000. The annual Operations and Maintenance cost for the improved Fergusson Park is estimated at \$270,000.



Deputy Finance Director

RECOMMENDATION:

Staff recommends that the City Council/Agency Board:

- Approve an increase in expenditures in the amount of \$85,486 for the Fergusson Park Improvements Project.
- Approve change order to construction contract for RC Construction, Inc. in the Amount of \$85,486.
- Authorize the City Administrator or his designee to approve purchases, expenditures and change notices for the project up to the aggregate amount of \$6,619,039.

Report prepared by: Ahmad R. Ansari, P.E., Public Works Director/City Engineer
Susanne Wilcox, Administrative Analyst



City of Rialto

Council Chambers
150 S. Palm Ave.
Rialto, CA 92376

Staff Report - Detailed

File Number: 12-376

File ID: 12-376

Type: Agenda Item

Status: Misc Consent
Calendar

Version: 1

Reference:

In Control: City Council

File Created: 12/11/2012

File Name:

Final Action:

Title: Acceptance of Fergusson Park, City Project No. 103003.

Notes:

Agenda Date: 01/08/2013

Agenda Number: D.1

Sponsors:

Enactment Date:

Attachments: 4-GASB34 12-19-2012

Enactment Number:

Contact:

Hearing Date:

Prepared by: mfuller@rialto.ca.gov

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council	01/08/2013					

Text of Legislative File 12-376

For City Council Meeting

TO: Honorable Mayor and City Council

APPROVAL: Michael E. Story, City Administrator

FROM: Marcus L. Fuller, P.E., P.L.S., Public Works Director/City Engineer

..Title

Acceptance of Fergusson Park, City Project No. 103003.

..Body

BACKGROUND:

On August 10, 2010 the City Council awarded a construction contract to RC Construction, Inc., in the amount of \$5,627,928 for construction of Fergusson Park, City Project No. 103003. The project included construction of two lighted football fields with bleachers, basketball courts, a skate park, two storage buildings, a concession building, a children's playground, two picnic shelters, expanded parking areas and associated recreational amenities.

On July 26 and November 22, 2011 the City Council approved additional expenditures in the amounts of \$33,867 and \$85,486 respectively, for a total contract amount of \$5,747,281 for construction of Fergusson Park.

ANALYSIS/DISCUSSION:

Construction of Fergusson Park was substantially completed on February 10, 2012. A 90 day maintenance period concluded on May 12, 2012. A final inspection was conducted, all final punch list items were completed, and all final contract items were submitted to the City on July 24, 2012.

Ordinarily, the City would schedule City Council acceptance of the improvements and approval of a Notice of Completion soon after a project was completed. This action is necessary to provide constructive notice to subcontractors and material suppliers that the City has accepted the work, which initiates a time frame prescribed by law for subcontractors to file a Stop Notice lien against the project for payments not made by the general contractor.

However, filing a Notice of Completion is not mandatory. Section 3106 of the California Civil Code 3106 states:

Each claimant other than an original contractor, in order to enforce a lien, must record his claim of lien after he has ceased furnishing labor, services, equipment, or materials, and before the expiration of (a) 90 days after completion of the work of improvement if no notice of completion or cessation has been recorded, or (b) 30 days after recordation of a notice of completion or notice of cessation.

The City took active possession of Fergusson Park on July 14, 2012 at the official dedication ceremony and opening of the new football fields. A subsequent period of time lapsed as staff coordinated final contract close-out with the contractor. In accordance with Civil Code 3106, liens were required to be filed within 90 days of completion of the work. In this case, filing a Notice of Completion now is not required as the legally required period of time in which to file a lien lapsed on August 12, 2012.

The City Council approved a total budget of \$6,890,000 for the project funded by RDA 2008 Series A Bond Funds (\$6,300,000) and Park Development Fee Funds (\$590,000). The total costs for the project were under the allocated budget by \$64,487. Final project costs are detailed in the following Table:

PROJECT COSTS	Revised Budget as of 11-22-11	Final/Actual
Budget	\$ 6,890,000.00	\$ 6,890,000.00
Expenses incurred during Design Phase of Frisbie Park	\$ 57,643.00	\$ 108,893.18
Design Cost	\$ 564,115.00	\$ 509,812.73
Construction Contract	\$ 5,627,928.00	\$ 5,627,928.00
Approved Change Orders	\$ 119,353.00	\$ 118,573.88
Additional Hand Rails Installation & Fence Extension to Comply with ADA Requirements	-	\$ 20,392.29
Project Management & Support Services (Included soil testing, concrete testing and special inspections)	\$ 250,000.00	\$ 439,913.06
Project Total Costs	\$ 6,619,039.00	\$ 6,825,513.14
Remaining Balance	\$ 270,961.00	\$ 64,486.86

The Project Management & Support Services cost is over budget by \$189,913 due to the fact that the engineering allocation was charged at nearly the maximum level, and the project duration extended much longer than its original schedule, requiring additional staff time.

ENVIRONMENTAL IMPACT:

Construction of the project was subject to state environmental review pursuant to the California Environmental Quality Act (CEQA). The City, acting as the lead agency pursuant to CEQA, prepared an Initial Study and adopted a Mitigated Negative Declaration (MND) for the project which was filed on July 14, 2010 with San Bernardino County. Mitigation measures were made a condition of the approval of the project, and were incorporated into the project as necessary to comply with CEQA accordingly.

GENERAL PLAN CONSISTENCY:

Approval of this action complies with the following City of Rialto General Plan Goals and Policies:

Goal 2-27: Provide a variety of park facilities that meet the diverse needs and interest of the community.

Policy 2-27.1: Establish a Master Plan for Parks and Recreation that achieves a park ratio of 3.0 acres per 1,000 residents, evenly distributes park facilities throughout the community and contains strategies for funding facilities and maintenance.

Policy 2-27.2: Plan for and designate adequate funding to maintain new and existing parks and facilities.

Goal 2-27: Provide a variety of park facilities that meet the diverse needs and interest of the community.

LEGAL REVIEW:

The City Attorney has reviewed and approved this staff report.

FINANCIAL IMPACT:

The annual operations and maintenance cost for Fergusson Park is estimated at \$270,000. The Finance Department will add the new improvements to the City's fixed asset system in compliance with Governmental Accounting Standard Board (GASB) 34 *Standards for Financial Reporting of Infrastructure Assets*. A copy of the GASB 34 form is included as Attachment 1.

The project expenditures are summarized by funding source in the following Table:

Fund Name	Fund Number	Amount Expended on Project
RDA 2008 Bond Series A Fund	336	\$ 6,223,873.42
Park Development Fund	220	\$ 601,054.52
Engineering Services	710	\$ 585.20
		\$ 6,825,513.14

RECOMMENDATION:

Staff recommends that the City Council accept for maintenance the improvements constructed as part of Fergusson Park, City Project No. 103003.

ITEMS TO BE CAPITALIZED PER GASB 34: ADDITIONS/RECONSTRUCTION/BETTERMENTS ONLY

COUNCIL APPROVED
COMPLETION STAFF REPORTDATE 1/8/2013

BUDGET \$ 6,890,000.00

PROJECT NAME Fergusson Park Improvements Project

TOTAL PROJECT COST TO BE
CAPITALIZED \$ 6,716,619.96

PROJECT # (IF APPLICABLE) 103003

Project Costs/Location	Design Cost	Project/Construction Management	Construction	Total Project Cost
Fergusson Park	\$ 509,812.73	\$ 439,913.06	\$ 5,766,894.17	\$ 6,716,619.96
Expenses incurred during design of Frisbie Park	\$ 79,614.88	\$ 29,278.30	\$	\$ 108,893.18
			\$	-
TOTAL PROJECT COST	\$ 589,427.61	\$ 469,191.36	\$ 5,766,894.17	\$ 6,825,513.14
RDA 2008 Bond Series "A"		336-500-1799-3001-103003-00	\$	6,300,000.00
Park Development Fund		220-500-8348-3001-103003-00	\$	590,000.00
TOTAL CONSTR. COST			\$	6,890,000.00
UNDER/(OVER) BUDGET			\$	64,486.86

Fixed Assets Detail:

(If there are multiple locations, please insert a row)

Category	# of Units	Location	Unit of Measurement	Amount \$
PARK IMPROVEMENTS	12	Fergusson Park	acres	\$ 6,716,620
BERMS				
TUNNELS				
BIKE/JOGGING PATH				
RAMP (Replace)				
CROSS GUTTER (Replace)				
CURB & GUTTER (Replace)				
DRIVE APPROACH (Replace)				
SPANDREL (Replace)				
AC PAVEMENT (NEW)				
MOBILIZATION				
TRAFFIC CONTROL & SAFETY				
CROSS GUTTER (NEW)				
CURB & GUTTER (NEW)				
DRIVE APPROACH (NEW)				
RAMP (NEW)				
SIDEWALK (NEW)				
RIBBON-GUTTER (NEW)				
BUS PAD (NEW)				
DOMES (NEW)				
STORM DRAINS				
STREET LIGHTS				
TRAFFIC SIGNAL				
OTHERS - PLEASE SPECIFY				
WALLS, FENCES AND MAILBOXES				
LANDSCAPING AND IRRIGATION				
WATER METER ADJUSTMENTS				
BASE				
CLEARING, GRUBBING & GRADING				
STREET NAME SIGNS				
SIGNING AND STRIPING				
				\$ 6,716,619.96

For projects spent by the City (not donated)