

CITY COUNCIL REPORT



Meeting Date: November 12, 2019
 General Plan Element: *Community Pride*
 General Plan Goal: *To effectively host social and business events.*

ACTION

Construction Bid Award for McCormick-Stillman Railroad Park Restroom Building Replacement.

Adopt Resolution No. 11613 authorizing:

- (1) the creation of a new Capital Improvement Program (CIP) project to be titled McCormick-Stillman Railroad Park Restroom Building Replacement and budget adjustments totaling \$722,000:
 - (a) a FY 2019/20 Special Programs Fund Operating Budget Contingency Appropriation Transfer to the CIP totaling \$282,000 that will be funded by McCormick-Stillman Railroad Park revenue collected in the Operating Special Programs Fund; and
 - (b) a FY 2019/20 Community Services Division, Parks & Recreation Department General Fund Operating Budget Transfer to the CIP totaling \$440,000 that will be funded by the Operating General Fund; and
- (2) a Construction Bid Award 20PB012 to Straight Arrow Contracting, LLC the lowest responsive bidder, at their total bid price of \$575,000 for the construction of McCormick-Stillman Railroad Park Restroom Building Replacement.

BACKGROUND

The purpose of this action is to create, fully fund and award a contract for the construction of the McCormick-Stillman Railroad Park Restroom Building Replacement. The existing restroom located in the south end of the park was built in 1982 and does not have the capacity to support the demand of larger events hosted at the McCormick-Stillman Railroad Park. The proposed improvements will demolish and reconstruct a larger restroom facility to address the lack of capacity and update the facility to match the 'Train Depot' theme the park maintains.

Community Services currently has a CIP project for the replacement of Park Restrooms and Storage Buildings at four city Parks. McCormick-Stillman Railroad Park is included as one of the four; however, this specific restroom is not part of that scope of work.

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The total cost for this restroom reconstruction is \$722,000 which includes design, construction, administration and contingency. Funding for this project was originally included as part of the FY 2018/19 Adopted Parks & Recreation Department Operating General Fund budget (\$440,000); however, due to delays the funding was carried forward and included in the FY 2019/20 Adopted Parks & Recreation Department Operating General Fund budget. Funds dedicated to the McCormick-Stillman Railroad Park in the FY 2019/20 Operating Special Programs Fund are enough to cover the additional funding required to complete this work (\$282,000).

In April 2019, McCormick-Stillman Railroad Park won a national award, the ELGL (Engaging Local Government Leaders) Knope Award for best local parks and open spaces. The park is a popular Scottsdale attraction, with approximately one (1) million visitors a year.

ANALYSIS & ASSESSMENT

Recent Staff Action

On August 23, 2019, staff solicited construction bids for the “McCormick-Stillman Railroad Park Restroom Building Replacement” project. The city received six (6) bids on September 19, 2019. The bids received are as follows:

Contractor	Lump Sum Cost	City Utility Force Account	Total Bid
Straight Arrow Contracting	\$575,000	\$250,000	\$825,000
Torcom Construction	\$578,285	\$250,000	\$828,285
Bayley Construction	\$599,000	\$250,000	\$849,000
Delta Construction	\$619,659	\$250,000	\$869,659
Caliente Construction	\$660,207	\$250,000	\$910,207
Builders Guild	\$662,082	\$250,000	\$912,082

The bids received included a \$250,000 City Utility Force Account (an account used for funding change orders that may arise during construction), which is too large for this project. The city has elected to not award the City Utility Force Account line items as a part of this action. The City Utility Force Account is a separate bid line item and is not a competitive factor in the award. This concept has been discussed and agreed to by the contractor, Capital Project Management staff, the City Attorney’s Office and the Purchasing Department. The removal of the City Utility Force Account reduces the total bid award to Straight Arrow Contracting, LLC. from \$825,000 to \$575,000. The funding requested for this action will fully fund the construction contract and will provide additional

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funding for administration and a project contingency outside of the construction contract.

RESOURCE IMPACTS

Available funding

The total cost of the Restroom Replacement at McCormick-Stillman Railroad Park is \$722,000. Two budget adjustments will be necessary to fully fund this project: (1) a FY 2019/20 Special Programs Fund Operating Budget Contingency Appropriation Transfer to the CIP totaling \$282,000 that will be funded by McCormick-Stillman Railroad Park revenue collected in the Operating Special Programs Fund; and (2) a FY 2019/20 Community Services Division, Parks & Recreation Department General Fund Operating Budget Transfer to the CIP totaling \$440,000 that will be funded by the Operating General Fund.

Staffing, Workload Impact

The contract administrator responsible for enforcement of all provisions of the contract is Joe Phillips, Project Manager, Public Works Division.

Maintenance Requirements

This project replaces the existing restroom with a larger facility. The Facilities Management Department will assume maintenance costs in their future years' budgets.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach

Adopt Resolution No. 11613 authorizing:

- 1) the creation of a new Capital Improvement Program (CIP) project to be titled McCormick-Stillman Railroad Park Restroom Building Replacement and budget adjustments totaling \$722,000:
 - (a) a FY 2019/20 Special Programs Fund Operating Budget Contingency Appropriation Transfer to the CIP totaling \$282,000 that will be funded by McCormick-Stillman Railroad Park revenue collected in the Operating Special Programs Fund; and
 - (b) a FY 2019/20 Community Services Division, Parks & Recreation Department General Fund Operating Budget Transfer to the CIP totaling \$440,000 that will be funded by the Operating General Fund; and
- 2) a Construction Bid Award 20PB012 to Straight Arrow Contracting, LLC the lowest responsive bidder, at their total bid price of \$575,000 for the construction of McCormick-Stillman Railroad Park Restroom Building Replacement.

Proposed Next Steps:

Upon Council approval, project construction is expected to start in December 2019 and will take approximately 4 months to complete.

RESPONSIBLE DEPARTMENT(S)

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Public Works Division - Capital Project Management Department; Community Services Division

STAFF CONTACT(S)

Joe Phillips, Project Manager, jphillips@scottsdaleaz.gov, (480) 312-2522

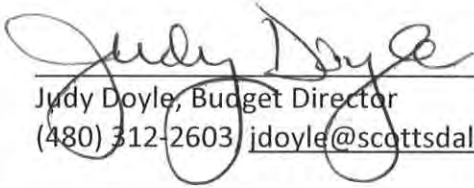
APPROVED BY



Daniel J. Worth, Public Works Director
(480) 312-5555, dworth@scottsdaleaz.gov

10-29-19

Date



Judy Doyle, Budget Director
(480) 312-2603, jdoyle@scottsdaleaz.gov

10.29.19

Date

ATTACHMENTS

1. Resolution No. 11613
2. Location Map
3. Contract 20PB012

RESOLUTION NO. 11613

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CREATION OF A NEW CIP PROJECT TO BE TITLED RESTROOM AT MCCORMICK-STILLMAN RAILROAD PARK AND TWO BUDGET ADJUSTMENTS (a) FY 2019/20 SPECIAL PROGRAMS FUND OPERATING BUDGET CONTINGENCY APPROPRIATION TRANSFER TO THE CIP TOTALING \$282,000 THAT WILL BE FUNDED BY MCCORMICK-STILLMAN RAILROAD PARK REVENUE COLLECTED IN THE OPERATING SPECIAL PROGRAMS FUND; AND (b) A FY 2019/20 COMMUNITY SERVICES DIVISION, PARKS AND RECREATION DEPARTMENT GENERAL FUND OPERATING BUDGET TRANSFER TO THE CIP TOTALING \$440,000 THAT WILL BE FUNDED BY THE OPERATING GENERAL FUND, AND FURTHER AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE CONSTRUCTION BID AWARD NO. 20PB012 BETWEEN THE CITY AND STRAIGHT ARROW CONTRACTING, LLC IN THE AMOUNT OF \$575,000 FOR THE CONSTRUCTION OF MCCORMICK-STILLMAN RAILROAD PARK RESTROOM BUILDING REPLACEMENT.

WHEREAS, the City wishes to construct McCormick-Stillman Railroad Park Restroom Replacement; and

WHEREAS, Straight Arrow Contracting, LLC, has offered to provide to the City the requisite construction services necessary to complete the construction work; and

WHEREAS, it is further necessary to create a new CIP project and authorize budget transfers for the needed budget appropriation and funding; and now, therefore

BE IT RESOLVED by the Council of the City of Scottsdale as follows:

Section 1. The City Council hereby authorizes the creation of a new CIP project to be titled Restroom at McCormick-Stillman Railroad Park and budget adjustments totaling \$722,000 as follows: (a) a FY 2019/20 Special Programs Fund Operating Budget Contingency Appropriation Transfer to the CIP totaling \$282,000 that will be funded by McCormick-Stillman Railroad Park revenue collected in the Operating Special Programs Fund; and (b) a FY 2019/20 Community Services Division, Parks & Recreation Department General Fund Operating Budget Transfer to the CIP totaling \$440,000 that will be funded by the Operating General Fund.

Section 2. The Mayor of the City of Scottsdale is authorized and directed to execute Construction Bid Award No. 20PB012 between the City and Straight Arrow Contracting, LLC for construction of McCormick-Stillman Railroad Park Restroom Building Replacement with a total contract amount of five hundred seventy-five thousand dollars (\$575,000.00) as indicated in the Bid Form and the Award.

PASSED AND ADOPTED by the Council of the City of Scottsdale this 12th day of November 2019.

CITY OF SCOTTSDALE
an Arizona municipal corporation

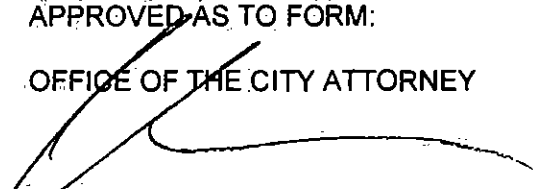
ATTEST:

Carolyn Jagger, City Clerk

W. J. "Jim" Lane, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY



Sherry R. Scott, City Attorney

By: Eric C. Anderson, Senior Assistant City Attorney



ATTACHMENT 2					
PROJECT TITLE					
LOCATION MAP					
DEPT.	J.P.	DRAWN	DATE	SCALE	SHT.
	CPM	RAH	9/19	NTS	1 OF 1





**CITY OF SCOTTSDALE
CONSTRUCTION CONTRACT**

BID NUMBER: 20PB012

PROJECT NUMBER: PF05A

PROJECT NAME: MCCORMICK-STILLMAN RAILROAD PARK RESTROOM BUILDING REPLACEMENT

THIS CONTRACT, entered into this 12th day of November, 2019, between Straight Arrow Contracting, LLC, an Arizona limited liability company, (hereinafter designated "Contractor") and the City of Scottsdale, County of Maricopa, and State of Arizona, a municipal corporation, organized and existing under and by virtue of the laws of the State of Arizona (the "City").

WITNESSETH:

The Contractor, in consideration of the sum to be paid to Contractor by the City, in the manner and at the time provided, and of the other covenants and agreements contained in this Contract and under the penalties expressed in the bonds provided, agrees, for itself, its heirs, executors, administrators, successors, and assigns as follows:

SECTION 1 - SCOPE OF WORK: The Contractor will furnish any and all labor, materials, equipment, transportation, utilities, services and facilities required to perform all work for Bid No. 20PB012, Project No. PF05A and to completely and totally construct the project and install the material in the project for the City, in a good workmanlike and substantial manner to the satisfaction of the City and under the oversight of the City, or other properly authorized agents and strictly in accordance with the Plans and Specifications prepared for the City, and with any modifications of the Plans and Specifications and other documents that may be made by the City or other properly authorized agents, as provided in this Contract.

The Contractor agrees that this Contract as awarded, is for Bid No. 20PB012, Project No. PF05A, McCormick-Stillman Railroad Park Restroom Building Replacement, 7301 E. Indian Bend Road, Scottsdale, AZ 85250, in the amount of \$575,000 and understands that payment for the total work will be made on the basis of the indicated amount(s), as bid in the Bid Form. The Parties recognize that the *All-inclusive lump sum cost* from line 1 of the Schedule of Bid Items is an amount of \$575,000 and a Force Account from Line 2 is \$250,000. The City has elected to award by line item and shall proceed with an award of Line 1 with a contract amount of \$575,000. The City reserves the right to enact the Force Account in an amount equal to or less than the original estimate amount represented on Line 2 of the Schedule of Bid Items.

SECTION 2 - CONTRACT DOCUMENTS: The Contract Documents consist of the Invitation for Bid, Bid No. 20PB012, Plans, Standard Specifications and Details, Project Manuals, General and Special Provisions, Addenda, if any, and Contractor's Bid, as accepted by the Mayor and Council. Performance Bond, Payment Bond, Certificates of Insurance, and Change Orders, if any, are by this reference made a part of this Contract.

BID NUMBER: 20PB012

PROJECT NUMBER: PF05A

PROJECT NAME: MCCORMICK-STILLMAN RAILROAD PARK RESTROOM BUILDING REPLACEMENT

SECTION 3 - TIME OF COMPLETION: The Contractor further covenants and agrees at its own proper cost and expense, to do all work as required for the construction of the improvements and to completely construct the project and install the materials, as called for by the Contract Documents free and clear of all claims, liens, and charges whatsoever, in the manner and under the conditions specified within the time, or times, stated in the bid documents.

SECTION 4 - PAYMENTS: In consideration of the faithful performance of the work as stated in the Contract Documents, which have been made a part of this Contract by reference, and in accordance with the directions of the City, through its Contract Administrator or other properly authorized agent and to City's satisfaction, the City agrees to pay the Contractor the amount earned, computed from actual quantities of work performed and accepted or materials furnished at the unit bid and/or lump sum price on the Bid Form. Any progress payments made must be in accordance with the General Terms and Conditions as stated in the Contract Documents and final payment will be made within 60 days after final inspection and acceptance of the work.

SECTION 5 - CONTRACT ADMINISTRATOR IS: Joe Phillips or designee.

IN WITNESS WHEREOF, 2 identical counterparts of this contract, each of which are for all purposes considered an original, have been duly executed by the parties on the date and year first above written.

CITY OF SCOTTSDALE, an Arizona municipal corporation

By: _____
W. J. "Jim" Lane, Mayor

CONTRACTOR:

STRAIGHT ARROW CONTRACTING, LLC, an Arizona limited liability company
Attn: Mike Yates
10120 West Southern Avenue
Tolleson, AZ 85353

(printed name / title)

(signature of authorized representative)

ATTEST:

By: _____
Carolyn Jagger, City Clerk

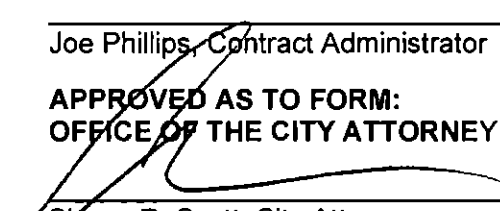
REVIEWED:

Katherine Callaway,
Risk Management Director

Robert Schoepe, CPM, Purchasing Director

Joe Phillips, Contract Administrator

**APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY**



Sherry R. Scott, City Attorney
By: Eric C. Anderson,
Senior Assistant City Attorney