

**METROPOLITAN PARK DISTRICT
OF TACOMA**



AGENDA

JULY 22, 2019

6:00 P.M.

**METRO PARKS HEADQUARTERS
4702 S. 19TH ST. TACOMA WA 98405**

**MEETINGS ARE RECORDED AND MAY BE HEARD AT THE
PARK DISTRICT OFFICES UPON REQUEST**

COMMISSIONERS

AARON POINTER, PRESIDENT

TIM REID, CLERK

ANDREA SMITH

ERIK HANBERG

JESSIE BAINES, JR.

5:00 P.M. **STUDY SESSION** HOMELESSNESS RESPONSE UPDATE
PARK CODE REVISIONS

6:00 P.M. **CALL TO ORDER**

ROLL CALL

FLAG SALUTE

SPECIAL PRESENTATIONS

CHARLOTTE'S BLUEBERRY PARK TRUST FOR PUBLIC LANDS PRESENTATION

HONORING CITY OF DESTINY AWARD WINNERS

SUMMER LEARNING PROGRAM THROUGH THE BUFFALO SOLDIERS MUSEUM

EMPLOYEE YEARS OF SERVICE PROCLAMATION

PRESIDENT'S REPORT

STANDING COMMITTEE & COMMISSION REPORTS

EXECUTIVE DIRECTOR'S REPORT

"Park District meeting sites are accessible to people who require
special accommodations, please contact 305-1091
48 hours prior to the meeting time."



REGULAR MEETING

CITIZEN COMMENTS

MINUTES

(5-8) MINUTES OF THE JULY 8, 2019 REGULAR BOARD MEETING

CONSENT AGENDA

(9-10) **RESOLUTION NO. C43-19:** ACCEPTING \$189,055.57 IN CONTRIBUTIONS FROM THE GREATER METRO PARKS FOUNDATION FOR MULTIPLE METRO PARKS PROJECTS AND PROGRAMS
(Contact: Sandra Eliason, Chief Marketing & Development Officer)

(11-12) **RESOLUTION NO. C44-19:** FINAL ACCEPTANCE FOR CONSTRUCTION OF PLAY EQUIPMENT BY TRUST FOR PUBLIC LANDS
(Contact: Debbie Terwilleger, Director of Planning & Development)

(13-14) **RESOLUTION NO. C45-19:** ACCEPTING DONATION OF VET EQUIPMENT FROM THE NORTHWEST TREK FOUNDATION FOR THE BENEFIT OF NORTHWEST TREK WILDLIFE PARK
(Contact: Alan Varsik, Director of Zoological & Environmental Education)

REGULAR AGENDA

PURCHASING RESOLUTIONS

(Requiring one reading for adoption)

(15-18) **RESOLUTIONS P46-19:** APPROVAL OF GOODS AND SERVICES FOR METRO PARKS TACOMA
1. CONCESSION NATION, INC. FOR A FOOD CONCESSION TRAILER IN AN AMOUNT NOT TO EXCEED \$99,000
(Contact: Marina Becker, Director of Parks & Recreation)

PUBLIC WORKS PURCHASING RESOLUTIONS

(Requiring one reading for adoption)

(19-24) **RESOLUTION N. PW47-19:** POINT DEFIANCE PARK WATERFRONT PHASE 1 GUY F. ATKINSON CONSTRUCTION, LLC CONTRACT CHANGE ORDER NO. 28 FOR TRAIL, BRIDGE, AND PENINSULA
Contact: Debbie Terwilleger, Director of Planning & Development)

SINGLE READING RESOLUTIONS

(Requiring one reading for adoption)

SECOND READING RESOLUTIONS

(Requiring two readings for adoption)

FIRST READINGS:

(Requiring two readings for adoption)

UNFINISHED BUSINESS

NEW BUSINESS

BOARD COMMENTS

ADJOURNMENT

UPCOMING BOARD MEETINGS

July 24, 2019	Capital Improvement Committee	5:00 PM	Park Headquarters
July 29, 2019	Committee of the Whole	5:30 PM	Park Headquarters
August 12, 2019	Regular Park Board Meeting	6:00 PM	Park Headquarters
August 14, 2019	Capital Improvement Committee	5:00 PM	Park Headquarters

* Committee Meetings are subject to change - please check the Metro Parks Website, www.metroparkstacoma.org for the most up to date meeting schedules.





**MINUTES OF REGULAR MEETING
BOARD OF PARK COMMISSIONERS
July 8, 2019**

PRESENT: Aaron Pointer, President
Tim Reid, Clerk
Andrea Smith
EXCUSED: Erik Hanberg
ABSENT: Jessie Baines

IN THE CHAIR: Aaron Pointer

PLACE: MPT Headquarters

FLAG SALUTE: Commissioner Pointer

STUDY SESSION: JMAC PUBLIC LAND STUDY & DATABASE

Joe Brady commented that members of JMAC recently were presented with the final Forterra land study results. Mr. Brady noted that in 2018 Forterra partnered with members of the Joint Municipal Action Committee (JMAC), a group of local government agencies and nonprofits, to design a community asset map of the City of Tacoma. The purpose of this map is to give JMAC members a tool to inform real estate decisions that result in multiple public benefits. By combining a range of shared priorities around land use in evaluating opportunities for acquiring or activating public property, the map provides a lens through which to assess where investments can achieve the broadest public good.

Mr. Brady then gave a brief demonstration of the GIS mapping tool/database. He commented on the usefulness of this tool as the District takes on projects such as the level of service study and the school yard parks exploration.

REGULAR MEETING

The regular meeting of the Metropolitan Park District Board of Park Commissioners was called to order by Commissioner Pointer at 6:00p.m.

Commissioner Reid moved to excuse Commissioner Hanberg; seconded by Commissioner Smith.

SPECIAL PRESENTATIONS

PARKS AND RECREATION MONTH PROCLAMATION

Following an introduction about the benefits of Parks and Recreation from Marina Becker, President Pointer read a proclamation proclaiming July as Parks and Recreation Month in the City of Tacoma.

RECOGNITION OF SIGMA GAMMA RHO

Marina Becker and Jan Bretana introduced representatives from Sigma Gamma Rho. Ms. Bretana spoke of the sorority's partnership with USA Swimming to support water safety in the community. A video highlighting the recent Summer Splash event held in June at Stewart Heights Pool was viewed. The Board and staff thanked Sigma Gamm Rho members for their coordination of the event that had over 400 attendees.

PRESIDENTS REPORT None**STANDING COMMITTEE AND COUNCIL REPORTS**

Active Living and Community Wellness Advisory Council
Commissioner Reid commented that the committee attended and participated in the recent Swan Creek Master Plan public meeting. The next meeting will be a tour of the Lister Uplands at Swan Creek.

EXECUTIVE DIRECTOR'S REPORT

Executive Director, Shon Sylvia commented on the following:

- Joint Study Session with City Council is tomorrow July 9th at noon.
- Last week the District received a congratulatory letter from TripAdvisor informing us that we have been awarded a certificate of Excellence for Point Defiance Park for the 5th consecutive year of high ratings from travelers to Tacoma.
- Saturday was a spectacular day for Metro Parks and Tacoma with the opening of Wilson Way and Dune Peninsula.
- The District is hosting the sixth annual Metro Parks Food Truck Fest on Sunday, July 21, 2019 in Wright Park.
- District Park Rangers hosted our first-ever Junior Ranger Kickoff event on June 26th and welcomed 33 participants.
- Blueberries and Blues, a sweet summer celebration Sunday, July 14th, 4-7 pm at Charlotte's Blueberry Park. The event will start with a ribbon of the new playground equipment made possible through a partnership with the Trust for Public Land.

CITIZEN COMMENTS

Amanda Latin commented on safety concerns she has regarding the playground space at Wapato Hills Park. She encouraged the Board to consider fencing around playground structures.

President Pointer thanked Ms. Latin for her comments and noted that the District takes safety very seriously.

MINUTES OF THE JUNE 24, 2019 REGULAR BOARD MEETING

Commissioner Reid moved to adopt the minutes as amended; seconded by Commissioner Smith and passed on a vote of 3-0.

CONSENT AGENDA

RESOLUTION NO. C40-19: APPROVAL OF WARRANTS CLAIM FUND FOR JUNE 2019

RESOLUTION NO. C41-19: POINT DEFIANCE ZOO & AQUARIUM ASIA FOREST FINAL ACCEPTANCE TO PACIFIC EARTH WORKS, INC. CONTRACT 201903Z/ BID NO. J2018-24

RESOLUTION NO. C42-19: WATERFRONT PHASE 1 SR163 N 46TH ST. TO N 54TH ST. FINAL ACCEPTANCE OF SCI INFRASTRUCTURE, LLC CONTRACT #: 2017155J

Commissioner Reid moved adopt the consent agenda as presented; seconded by Commissioner Smith. Being no additional comments the consent agenda passed on a vote of 3-0.

PURCHASING RESOLUTIONS None

PUBLIC WORKS PURCHASING RESOLUTIONS None

SINGLE READING RESOLUTIONS None

SECOND READINGS RESOLUTIONS None

FIRST READING RESOLUTIONS None

UNFINISHED BUSINESS None

NEW BUSINESS PARK CODE REVISIONS

Pete Mayer stated that staff has been actively working with City staff on updates to the Park Code in Chapter 8 of the City’s Municipal Code. He noted that codes were last updated in 2007/08. Staff commented that a number of issues are being addressed through the code revisions process including vaping, drones, vehicle access and tent structures. Mr. Mayer commented that this topic will be discussed at the July 22nd Park Board Study Session. It was noted that these revisions are scheduled for final City Council consideration on October 8th.

BOARD COMMENTS

Board members thanked and recognized staff for the Dune Park Opening event that took place on Saturday.

EXECUTIVE SESSION

Being no additional comments the Board recessed for 40 minutes to discuss pending litigation.

ADJOURN:

Being no further business, the meeting was adjourned at 7:30 p.m.

APPROVED:

President

Clerk

Submitted by: Jennifer Bowman, Board Secretary





MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *Shon Sylvia*

FROM: Pete Mayer, Deputy Executive Director

SUBJECT: Accepting 2019 Mid-Year Funds from Greater Metro Parks Foundation for various programs and projects

DATE: July 22, 2019

EXECUTIVE SUMMARY: A resolution is requested to accept funds from the Greater Metro Parks Foundation, the first of two 2019 fund distributions. This particular 2019 fund distribution is to support the following Metro Parks Tacoma programs and projects:

Parks & Recreation Department

Scholarships	\$ 7,535.31
Specialized Recreation	\$ 18,000.00
Lane Talmadge Scholarships	\$ 1,103.50
People's Swim Team	\$ 3,906.00
Metro Arts	\$ 25,350.00
Recreation Events	\$ 60,500.00
Elementary School Sports	\$ 5,000.00
Youth Development – Summer Playground	\$ 5,000.00
Eastside CC Programming	<u>\$ 62,660.76</u>

\$ 189,055.57

BACKGROUND: The Greater Metro Parks Foundation is a private, nonprofit organization that has been serving the Tacoma area since 1991. The mission of the Greater Metro Parks Foundation is “Inviting you to build a healthier, more vibrant community by investing in people and parks”. The Greater Metro Parks Foundation is comprised of a group of community board volunteers that are guided by MPT professional resource development staff, who are all committed to improving parks and recreation in our community.

Metro Parks Tacoma staff members from Parks and Recreation play an active role in raising funds with the Resource Development Office and the Greater Metro Parks Foundation to benefit Metro Parks Tacoma. Support from MPT program and project staff is vital to the success of private philanthropy.

The Greater Metro Parks Foundation distributes funds to Metro Parks Tacoma semiannually after completion of the specifically earmarked programs.

FISCAL IMPACT: Metro Parks Tacoma will accept \$189,055.57.

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. C43-19

**ACCEPTING \$189,055.57 IN CONTRIBUTIONS FROM THE
GREATER METRO PARKS FOUNDATION
FOR MULTIPLE METRO PARKS PROJECTS AND PROGRAMS**

WHEREAS, the Greater Metro Parks Foundation was established to promote financial support for Metro Park’s programs, services and projects conducted by Metro Parks; and

WHEREAS, the Greater Metro Parks Foundation desires to provide Metro Parks Tacoma with a mid-year disbursement of \$189,055.57 in contributed funds for the following programs and projects:

<u>Parks & Recreation Department</u>	
Scholarships	\$ 7,535.31
Specialized Recreation	\$ 18,000.00
Lane Talmadge Scholarships	\$ 1,103.50
People’s Swim Team	\$ 3,906.00
Metro Arts	\$ 25,350.00
Recreation Events	\$ 60,500.00
Elementary School Sports	\$ 5,000.00
Youth Development – Summer Playground	\$ 5,000.00
Eastside CC Programming	<u>\$ 62,660.76</u>
	\$ 189,055.57

Now, therefore, be it

RESOLVED by the Board of Park Commissioners that the Metropolitan Park District of Tacoma accepts the cash contributions of \$189,055.57 from the Greater Metro Parks Foundation.

The forgoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____ 2019.

President

ATTEST:

Secretary

Clerk



MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *Shon Sylvia*

FROM: Debbie Terwilleger, Director of Planning & Development

**SUBJECT: Charlotte's Blueberry Park
Final Acceptance for construction of play equipment by Trust for Public Lands**

DATE: July 16, 2019

EXECUTIVE SUMMARY: This resolution approves the acceptance of construction and installation of play equipment in the amount of \$107,077.00 by the Trust for Public Land (TPL)/ Kaiser Permanente in Charlotte's Blueberry Park.

BACKGROUND: The Trust for Public Land is a national nonprofit organization that partners with community organizations and individuals for the purpose of planning and creating parks and opens spaces that contribute to healthy, livable communities. TPL receives grants from Kaiser Permanente and facilitates the use within the community. Charlotte's Blueberry Park was chosen for its health-focused activation to compliment the new community garden and the existing blueberries.

TPL worked with MPT staff to lead a Participatory Design Process for multiple community engagements for input and feedback to meet the neighborhood's desires. This project involved community outreach, design, procurement, construction and construction administration from TPL. The project provided new play equipment and fall material valued at \$107,011.00.

A Memorandum of Understanding outlined the parties' respective roles and responsibilities for the project. MPT has full ownership and maintenance once accepted. Staff and TPL provided at punchlist and all items are complete and to MPT satisfaction.

FISCAL IMPACT: The Trust for Public Lands provided all the related design and construction services for this project. The total value of this improvement was \$107,077.00.

ADDITIONAL INFORMATION: For additional information, please contact Planning & Development Director Debbie Terwilleger at 253-305-1086

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. C44-19

**FINAL ACCEPTANCE FOR CONSTRUCTION OF PLAY EQUIPMENT
BY TRUST FOR PUBLIC LANDS**

WHEREAS, Metro Parks Tacoma maintains and operates Charlotte's Blueberry Park; and

WHEREAS, Trust for Public Land worked with Metro Parks Tacoma staff to lead a Participatory Design Process for multiple community engagements for input and feedback to meet the neighborhood's desires; and

WHEREAS, The Trust for Public Lands using a donation from Kaiser Permanente installed play equipment at Charlotte's Blueberry Park, Now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that: accept the play equipment valued at \$107,077.00 from the Trust for Public Lands/Kaiser Permanente.

The forgoing resolution was adopted by the Board of Park Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____ 2019.

President

ATTEST:

Secretary

Clerk



MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *Shon Sylvia*

FROM: Alan Varsik, Director of Zoological & Environmental Education

SUBJECT: **Accepting Donation of vet equipment from the Northwest Trek Foundation for the benefit of Northwest Trek Wildlife Park**

DATE: July 15, 2019

EXECUTIVE SUMMARY: Staff recommends accepting a donation of a NEXT digital radiography and SonoSite ultrasound unit for the benefit of the Northwest Trek veterinary program and the health and welfare of the animals in our care from the Northwest Trek Foundation.

BACKGROUND: On May 7, 2019, the Northwest Trek Foundation held a fund raising event, Trek to the Wild Side, to support the Dave Ellis Conservation Fund. A raise the paddle program was held to purchase critical diagnostic equipment for the veterinary program at Northwest Trek. The program was a huge success and the Foundation raised enough funds to purchase a NEXT digital radiography and a SonoSite ultrasound unit.

FISCAL IMPACT: Due to their non-profit status a substantial discount was provided to the Foundation for the purchase, the equipment is valued at \$107,810.63.

ADDITIONAL INFORMATION: For additional information contact Alan Varsik at 253-404-3634.

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. C45-19

**ACCEPTING DONATION OF VET EQUIPMENT FROM THE
NORTHWEST TREK FOUNDATION FOR THE BENEFIT OF
NORTHWEST TREK WILDLIFE PARK**

WHEREAS, both Metro Parks Tacoma and the Northwest Trek Foundation wish to protect and enhance Northwest Trek Wildlife Park for the benefit of the residents of Tacoma and Pierce County; and

WHEREAS, the Northwest Trek Foundation is committed to providing on-going support of the capital, conservation and program needs of Northwest Trek Wildlife Park; and

WHEREAS, the Northwest Trek Foundation set out to ensure that the Trek to the Wild Side event gave more back to Northwest Trek than past events. The program focused on the veterinary program at Northwest Trek and the need for new equipment to enhance the health and welfare of the animal in our care; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to accept a donation of a NEXT digital radiography and a SonoSite ultrasound unit to enhance the health and welfare of the animals at Northwest Trek Wildlife Park valued at \$107,810.63.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on July 22, 2019.

President

ATTEST:

Secretary

Clerk



MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director

A handwritten signature in black ink, appearing to read "Shon Sylvia", is written over the "THROUGH:" line.

FROM: Marina Becker, Parks & Recreation Director

SUBJECT: Purchasing Resolution

DATE: July 9, 2019

EXECUTIVE SUMMARY: The attached Purchasing Resolution seeks Board approval to enable the Executive Director to enter into the necessary agreements for the purchase and acquisition of the goods and services detailed in Exhibit A to the Resolution and in the supporting information below.

Proposed goods and services proposed for purchase and/or acquisition:

ITEM NO. 1

- **VENDOR** Concession Nation, Inc.
- **GOODS OR SERVICE** 8 X 26 ft. Food Concession Trailer
- **PRICE** Not to exceed \$99,000.00 including WSST
- **SOURCE OF FUNDING** Cambia Health Solutions Sponsorship
- **CONTACT** Marina Becker, (253) 305.1024

BACKGROUND: Under the Regence Blue Shield brand, Cambia Health Solutions is providing financial support for the Metro Parks mobile teaching kitchen concession trailer. Programming of the mobile teaching kitchen will allow Metro Parks to offer foundational cooking skills and help bridge the gap from food desert to healthy eating throughout our community. Metro Park's staff continues to foster our relationship with Cambia Health Solutions to identify projects that will make a positive impact in our community.

Staff advertised Request for Proposal (R2019-10) on April 22, 2019 with the bid due date being May 13, 2019. Only one bid was received and the bid was too costly and therefore rejected. Staff updated the bid docs and advertised again with RFP#: 2019-11 consistent with policy on May 16, 2019 and received one response that was considered non-responsive. We then contacted Concession Nation Inc. and requested a quote for a mobile teaching kitchen that would meet the specific needs we were seeking.

FISCAL IMPACT: Funds will come from a sponsorship from Cambia Health Solutions.

ADDITIONAL INFORMATION: for additional information, please contact Marina Becker, Director of Parks & Recreation at 253-305-1024.

METROPOLITAN PARK DISTRICT OF TACOMA

PURCHASING RESOLUTION NO. P46 -19

**AUTHORIZING PURCHASE OF
GOODS AND SERVICES FOR METRO PARKS TACOMA**

WHEREAS, the Board of Park Commissioners have established polices governing the purchase of good and services for Metro Parks Tacoma through the adoption of Resolution No. RR21-15, Authorizing Amendment of Purchasing Policy for Metropolitan Parks District of Tacoma; and

WHEREAS, the Board of Park Commissioners through the adoption of Resolution No. R51-02, Adopting Board Policies and Procedures, authorized the use of a Purchasing Resolution for consolidation of all purchases seeking approval by the Board of Park Commissioners; and

WHEREAS, Metro Parks staff recommends the Board of Park Commissioners authorize the purchase of goods and services detailed below; now, therefore, be it

RESOLVED by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to authorize the Executive Director to enter into the necessary agreements to purchase or acquire the following goods and services as detailed in Exhibit A to this resolution.

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____, 2019.

ATTEST:

President

Secretary

Clerk

Exhibit A
to
Purchasing Resolution No. P46 -19

ITEM No. 1

- **VENDOR** Concession Nation, Inc.
- **GOODS OR SERVICE** 8 X 26 ft. Food Concession Trailer
- **PRICE** Not to exceed \$99,000.00 including WSST
- **SOURCE OF FUNDING** Cambia Health Solutions Sponsorship
- **CONTACT** Marina Becker, (253) 305.1024



MEMORANDUM

TO: Board of Park Commissioners

THROUGH: Shon Sylvia, Executive Director *Shon Sylvia*

FROM: Debbie Terwilleger, Director of Planning & Development

**SUBJECT: Point Defiance Park Waterfront Phase 1
Guy F. Atkinson Construction, LLC Contract Change Order No. 28
for Trail, Bridge, and Peninsula**

DATE: July 15, 2019

EXECUTIVE SUMMARY: This resolution authorizes contract Change Order No. 28 to Guy F. Atkinson, LLC for the Point Defiance Park Waterfront Phase 1 Project-Trail and Bridge & Peninsula, in the amount not to exceed \$5,167,814.26, bringing the contract total to an amount not to exceed \$62,310,235.74 (inclusive of Washington State sales tax).

CAPITAL IMPROVEMENT COMMITTEE RECOMMENDATION: This resolution was reviewed by the Capital Improvement Committee at their meeting on Wednesday, July 10, 2019 and was accepted for forwarding on to the full Board with a recommendation for approval.

BACKGROUND: Metro Parks continues to advance the improvements to the Point Defiance Park Waterfront Phase I project that includes the Trail & Bridge, Boat Trailer Parking, Park on the Peninsula, Roundabout and all associated utility and site improvements. Point Defiance Park Waterfront Phase I includes a complex set of sub-projects including capping of a contaminated site that will continue to be used for public park purposes. This project reached substantial completion on June 24, 2019.

Work under this Change Order generally includes additional project costs attributed to:

Repair of native ground water seeps, peninsula drainage revisions, fencing revisions, and additional funding associated with the soil treatment, soils handling and other issues including contractor's time delay claim for design changes requested by, and other requirements imposed by, the United States Environmental Protection Agency.

Resolution & Date	Action	Amount Approved	Amount Executed	Total	Reason
10/12/15 PW66-15	GC/CM Contract	\$ 370,440.00	\$ 370,440.00	\$ 370,440.00	Pre-Construction
5/12/2016	Change Order 1 & 2	\$ 35,252.59	\$ 35,252.59	\$ 405,692.59	Add WSST to contract
5/23/16 PW52-16	Change Order 3	\$ 21,427,820.87	\$ 14,243,592.69	\$14,649,285.28	Early Work/Earthmoving
8/15/2017	Change Order 4	** SEE NOTE 1**	\$ 6,983,889.00	\$21,633,174.28	Slag Excavation, Armoring & Clearing of grub
8/22/16 PW78-16	Change Order 5	\$ 26,935,000.00	\$ 26,934,999.82	\$48,568,174.10	T/B, Armoring and completion of earthwork
1/23/17 PW7-17	Change Order 6	\$ 261,599.84	\$ 221,580.77	\$48,789,754.87	Add'l work requested by EPA to be Reimbursed by EPA
3/27/17 PW27-17	Change Order 7	\$ 312,810.79	\$ 312,810.79	\$49,102,565.66	Add'l work requested by EPA & TYC on the peninsula to be reimbursed by EPA & TYC
4/24/17 PW36-17	Change Order 8	\$ 1,413,953.73	\$ 1,358,195.75	\$50,460,761.41	Add'l work requested by EPA to be Reimbursed by EPA
5/12/17 PW50-17	Change Order 9	\$ 462,483.60	\$ 462,483.60	\$50,923,245.01	Add'l work requested by EPA to be Reimbursed by EPA
6/26/17 PW58-17	Change Order 10	** SEE NOTE 2**	\$ -	\$50,923,245.01	Add'l Work for Pearl St.Roundabout in Original Scope
7/12/17 PW62-17	Change Order 11	\$ 1,153,688.64	\$ 1,153,688.64	\$52,076,933.65	Add'l work requested by EPA to be Reimbursed by EPA
8/14/17 PW72-17	Change Order 12	\$ 814,837.69	\$ 814,837.69	\$52,891,771.34	Add'l work requested by EPA & TYC to be Reimb. by EPA & TYC
9/20/2017	Change Order 13	\$ -	\$ -	\$52,891,771.34	No Cost Change Order
10/23/17 PW89-17	Change Order 14	\$ 714,994.31	\$ 708,926.60	\$53,600,697.94	Add'l work requested by EPA & TYC to be Reimb. by EPA & TYC
11/27/17 PW105-17	Change Order 15	\$ 400,000.00	\$ 400,000.02	\$54,000,697.96	Add'l Owner Contingency needed for construction & tax corr.
02/26/18 PW22-18	Change Order 16 & 17	** SEE NOTE 3 ** \$ 228,527.32	\$ 228,527.32	\$54,229,225.28	Add'l work requested by EPA & TYC to be Reimb. by EPA & TYC
5/14/18 PW47-18	Change Order 18	\$ 163,010.88	\$ 163,010.88	\$54,392,236.16	Add'l work requested by EPA to be Reimb. by EPA
8/13/18 PW70-18	Change Order 19	\$ 365,900.06	\$ 365,399.54	\$54,757,635.70	Add'l work needed & to be Reimb. by EPA & MPT.
10/10/2018	Change Order 20	\$ 355,642.64	\$ 355,642.64	\$55,113,278.34	Add'l work needed & to be Reimb. by EPA & MPT.
10/22/2018	Change Order 21	\$ -	\$ -	\$55,113,278.34	No Cost CO to correct tax and allocation of change orders
11/20/2018	Change Order 22	\$ 745,102.67	\$ 745,102.67	\$55,858,381.01	Add'l work needed & to be Reimb. by EPA & MPT.
11/20/2018	Change Order 23	\$ 61,249.17	\$ 61,249.17	\$55,919,630.18	Add'l work needed & to be Reimb. by EPA & Atkinson
12/10/18 PW95-18	Change Order 24	\$ 433,197.31	\$ 433,197.31	\$56,352,827.49	Add'l work required by The Tacoma Fire Dept.
5/3/2019	Change Order 25		\$ 437,241.16	\$56,790,068.65	Add'l work needed & to be Reimb. by EPA & MPT.
5/3/2019	Change Order 26		\$ 351,564.47	\$57,141,633.12	Add'l work needed & to be Reimb. by EPA & MPT.
5/30/2019	Change Order 27		\$ 788.36	\$57,142,421.48	Sales Tax Increase 4/1/19
7/22/2019 PW-19	Change Order 28	\$ 5,167,814.26			Add'l work needed & Time delay claim due to design changes by EPA
TOTAL		\$ 61,594,807.79	\$ 57,142,421.48		

NOTE 1 Change Order 3 was approved for \$21,427,820.87 spending authority, but after negotiations the executed amount of CO 3 was \$14,243,592.69. Using the remaining authorized amount, additional negotiated work was executed on Change Order # 4 in the amount of \$6,983,889.00.

** NOTE 2 ** Change Order 10 was approved for \$3,600,000 spending authority for the Roundabout. Atkinson Construction subsequently withdrew their proposal. The funds were never added to their contract.

NOTE 3 Change Order 17 included an additional correction from Change Order 12 that was processed for \$17,260.99

FISCAL IMPACT: The costs for Point Defiance Park Waterfront Phase I will be accounted for in multiple funds from multiple funding sources including the Metro Parks Tacoma 2005 & 2014 UTGO Capital Improvement Bond, ASARCO Settlement, Department of Ecology, Recreation Conservation Office Grants, the Environmental Protection Agency, and Department of Transportation. The following is a breakdown of the funding sources and project budget:

Project Funding:	
ASARCO Settlement, Preliminary Planning & Interim Construction	\$ 381,242
2005 UTGO Bond, Ruston Way	\$ 2,746,250
2005 UTGO Bond, Point Defiance	\$ 58,750
2005 UTGO Bond (Fund 323)	\$ 1,152,641
ASARCO Settlement, Park on the Peninsula	\$ 785,000
RCO WWRP 12-1549D, Point Defiance Missing Link	\$ 2,500,000
RCO LWCF 12-1553D, Point Defiance Missing Link	\$ 500,000
WA State DOE, 2013-2015 Capital Budget, IAA No. C1600009, Point Defiance Trail	\$ 5,000,000
RCO LWCF 12-1555D, The Peninsula at Point Defiance	\$ 500,000
2014 UTGO Bond, Regional Parks & Attractions, Regional Parks, Point Defiance Park	\$ 26,740,187
2014 UTGO Bond, Regional Parks & Attractions, Regional Parks, Point Defiance Park, Roundabout	\$ 1,800,000
2014 UTGO Bond, Regional Parks & Attractions, Waterfront Parks, Peninsula at Point Defiance	\$ 1,860,000
2014 UTGO Bond, Regional Parks & Attractions, Waterfront Parks	\$ 103,666
2014 UTGO Bond, Regional Parks & Attractions, Waterfront Parks, Ruston Way	\$ 996,334
2014 UTGO Bond,	\$ 5,727,858
U.S. EPA Cooperative Agreement V-01J12201-0, Superfund Remediation of the Peninsula	\$ 25,397,227
WSDOT, Agreement Number LA-8889, Point Defiance Roundabout and Bicycle Connection	\$ 2,500,000
City of Tacoma, Environmental Services, Stormwater	\$ 409,155
Tacoma Yacht Club	\$ 240,747
Total Project Funding:	\$ 79,399,058

Project Budget:	
Preliminary Planning & Construction	\$ 381,242
Planning & Design	\$ 7,412,806
Construction, Soil removal/Stockpiling w/Stormwater Facility (including tax)	\$ 3,000,000
Pre-Construction (including tax)	\$ 405,693
Construction, Early Work Package/Earthmoving (including tax) C/O 3&4	\$ 21,227,482
Construction, Trail, Bridge & Peninsula (including tax) C/O 5	\$ 26,935,000
Construction on Peninsula (including tax) C/O 6 to be reimbursed by EPA	\$ 221,581
Construction on Peninsula (including tax) C/O 7 to be reimbursed by EPA & TYC	\$ 312,811
Construction on Peninsula (including tax) C/O 8 to be reimbursed by EPA	\$ 1,358,196
Construction on Peninsula (including tax) C/O 9 to be reimbursed by EPA	\$ 462,484
Construction of Pearl St. Roundabout C/O 10, WSDOT to Reimb 2.5 Mill	\$ -
Construction on Peninsula (including tax) C/O 11 to be reimbursed by EPA	\$ 1,153,689
Construction on Peninsula (including tax) C/O 12 to be reimbursed by EPA & TYC	\$ 814,838
Construction on Peninsula (including tax) C/O 13 & 14 to be reimbursed by EPA & TYC	\$ 708,927
Owner Contingency Increase for construction on Trail, Bridge & Peninsula C/O 15	\$ 400,000
Construction on Peninsula (including tax) C/O 16 to be reimbursed by EPA	\$ 196,860
Construction on Peninsula (including tax) C/O 17 to be reimbursed by EPA & TYC	\$ 31,668
Construction on Peninsula (including tax) C/O 18 to be reimbursed by EPA	\$ 163,011
Construction on Peninsula (including tax) C/O 19 to be reimbursed by EPA	\$ 365,400
Construction on Peninsula (including tax) C/O 20 & 21 to be partially reimbursed by EPA	\$ 355,643
Construction on Peninsula (including tax) C/O 22 to be partially reimbursed by EPA	\$ 745,103
Construction on Peninsula (including tax) C/O 23 to be reimbursed by EPA	\$ 61,249
Construction on Peninsula (including tax) C/O 24	\$ 433,197
Construction on Peninsula (including tax) C/O 25,26 & 27 for sales tax increase	\$ 789,594
Settlement Agreement & Final change Orders (including tax) C/O 28	\$ 5,167,814
Construction on SR163 N 46th St to N 54th St. (Roundabout)	\$ 2,281,552
Construction on SR163 N 46th St to N 54th St. (Roundabout) C/O 1	\$ 691,023
Construction on SR163 N 46th St to N 54th St. (Roundabout) C/O 2 & 3	\$ (154,125)
Future Construction	\$ 430,000
Other Costs	\$ 2,811,256
1% for the Art	\$ 235,067
Total Project Funding:	\$ 79,399,058

ADDITIONAL INFORMATION: For additional information, please contact Debbie Terwilleger, Director of Planning & Development, at 253-305-1086.

METROPOLITAN PARK DISTRICT OF TACOMA

RESOLUTION NO. PW47-19

**POINT DEFIANCE PARK WATERFRONT PHASE 1
GUY F. ATKINSON CONSTRUCTION, LLC
CONTRACT CHANGE ORDER NO. 28
FOR TRAIL, BRIDGE, AND PENINSULA**

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma desires to move forward with the construction of the Point Defiance Park Waterfront Phase 1 project at a total project budget of \$79,392,489; and

WHEREAS, Guy F. Atkinson Construction, LLC was selected through a process consistent with the administration of the General Construction/Construction Management (GC/CM) process approved by the State and was awarded the contract for GC/CM on October 12, 2015 by Resolution# PW66-15 for \$370,440; and

WHEREAS, staff approved Change Order No. 1 and 2 to add WSST in the amount of \$35,252.59 for a total pre-construction contract amount of \$405,692.59; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 3 for up to an amount of \$21,427,820.87(including tax) for construction services of the Early Work Package/Earthmoving on May 23, 2016 by Resolution# PW52-16; and

WHEREAS, after further negotiations with the contractor, the final amount of Change Order No. 3 was issued for \$14,243,592.69 for a total contract amount of \$14,649,285.28 leaving a remaining authorized amount of \$7,184,228.18; and

WHEREAS, using the remaining authorized amount, Staff further negotiated additional work necessary to move the project forward and issued Change Order No. 4 for \$6,983,889.00 for a final Early Work Package/Earthmoving amount of \$21,227,481.69 for a total contract amount of \$21,633,174.28; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 5 for up to an amount \$26,935,000(including tax) for Trail & Bridge work, armoring and completion of earthwork services on August 22, 2016 by Resolution# PW78-16; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 6 for up to an amount of \$261,599.84(including tax) for additional work on the Peninsula per EPA requests and reimbursed by EPA, on January 23, 2017 by resolution PW7-17; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 7 for an amount not to exceed \$312,810.79(including tax) for additional work on the Peninsula and reimbursed by EPA and The Tacoma Yacht Club, on March 27, 2017 by Resolution No.PW27-17; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 8 for an amount not to exceed \$1,413,953.73(including tax) for additional work on the Peninsula and reimbursed by EPA, on April 24, 2017 by Resolution No.PW36-17; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 9 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$462,483.60 (including tax) for additional work on the Peninsula and reimbursed by EPA on June 12, 2017 by Resolution No. PW50-17; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 10 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$3,600,000 (including tax) to be partially reimbursed by WSDOT on June 26, 2017 by Resolution No. PW58-17; and

WHEREAS, Change Order No. 10 was never executed, as Guy F. Atkinson Construction, LLC subsequently withdrew their proposal for the Roundabout Construction prior to formal contract amendment for the execution of work described under Resolution No. PW58-17; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 11 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$1,153,688.64 (including tax) to be reimbursed by EPA on July 10, 2017 by Resolution No. PW62-17; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 12 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$814,837.69 to be reimbursed by EPA and the Tacoma Yacht Club on August 14, 2017 by Resolution No. PW72-17; and

WHEREAS, Change Order No. 13 for Guy F Construction, LLC was a no cost change order to implement Davis Bacon Language; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 14 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$714,994.31, but was executed for \$ 708,926.61, to be reimbursed by EPA and the Tacoma Yacht Club on October 23, 2017 by Resolution No. PW89-17; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 15 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$400,000, to increase owner's contingency on December 11, 2017 by Resolution No. PW105-17; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 16 & 17 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$228,518.58, to be reimbursed by EPA and the Tacoma Yacht Club, by Resolution No. PW22-18; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 18 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$163,019.62, to be reimbursed by EPA, by Resolution No. PW47-18; and

WHEREAS, the Board of Park Commissioners of the Metropolitan Park District of Tacoma approved Change Order No. 19 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$365,900.06, to be reimbursed by EPA, by Resolution No. PW70-18; and

WHEREAS, the staff negotiated with the contractor and the Executive Director of the Metropolitan Park District of Tacoma approved Change Order No. 20 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$355,642.64, to be reimbursed by EPA; and

WHEREAS, Change Order No. 21 for Guy F. Atkinson Construction, LLC was a no cost change order to implement tax and allocation corrections; and

WHEREAS, the staff negotiated with the contractor and the Executive Director of the Metropolitan Park District of Tacoma approved Change Order No. 22 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$745,102.67; and

WHEREAS, after further negotiations with the contractor the Executive Director of the Metropolitan Park District of Tacoma approved Change Order No. 23 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$61,249.17, to be reimbursed by EPA; Now, therefore, be it

WHEREAS, by the Board of Park Commissioners of the Metropolitan Park District of Tacoma to approved Change Order No. 24 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$433,197.31, required by the Tacoma Fire Dept., for a total contract amount not to exceed \$56,352,827.49 (including tax),

WHEREAS, the staff negotiated with the contractor and the Executive Director of the Metropolitan Park District of Tacoma approved Change Order No. 25 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$437,241.16; and

WHEREAS, the staff negotiated with the contractor and the Executive Director of the Metropolitan Park District of Tacoma approved Change Order No. 26 for Guy F. Atkinson Construction, LLC for an amount not to exceed \$351,564.47; and

WHEREAS, the State of Washington, Department of Revenue increased the local sales tax rate to 10.2%. Therefore, staff approved Change Order No. 27, in the amount of \$788.36 for Guy F. Atkinson Construction, LLC for a total contract amount not to exceed \$57,142,421.48; and

RESOLVED, by the Board of Park Commissioners of the Metropolitan Park District of Tacoma that the Settlement Agreement and Release between the Metropolitan Park District of Tacoma and the contractor is ratified and Change Order No. 28 for Guy F. Atkinson Construction, LLC is approved for an amount not to exceed \$5,167,814.26 regarding repair of native ground water seeps, peninsula drainage revisions, fencing revisions and additional funding associated with the soil treatment, soils handling and other issues including contractor's time delay claim for design changes requested by, and other requirements imposed by, the United States Environmental Protection Agency, for a total contract amount not to exceed \$62,310,235.74 (inclusive of Washington State sales tax),

The foregoing resolution was adopted by the Board of Commissioners of the Metropolitan Park District of Tacoma at a regular meeting held on _____, 2019.

ATTEST:

President

Secretary

Clerk