

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** The Honorable City Council

**FROM:** Tom Kruse, Parks & Recreation Director

**DATE:** December 16, 2009

**SUBJECT:** Consider Glenwood Park Restroom Options and Execute Agreements with Martinez Architects, Inc., for Construction Document Production and Construction Observation for a 380 Square Foot Restroom Building at Glenwood Park, and PICON for Pre-Construction and Construction Coordination Services

**BACKGROUND**

The City's Fiscal Year 2009/10 Capital Improvement Budget includes \$295,091 for construction of a public restroom at Glenwood Park. The park consists of approximately 4.5 acres, with two full-court basketball courts, a large playground targeted for 5–12 year olds, a separate tot lot, swings, a large picnic pavilion and other picnic amenities. The park also contains a large open turf area that serves as a multi-use field. The lack of a restroom makes it difficult to schedule youth sports practices and other recreation activities. Additionally, requests for facility rental are low. Glenwood Park is the largest City park without a restroom, and in comparison to parks with restrooms, the park is under utilized. Constructing a restroom at Glenwood Park will positively address park usage demands by making the park more useable for youth sports practices and general public use. Please see Attachment A, a site plan showing the location of the proposed restroom.

At the May 20, 2009, City Council meeting, the Council was to consider an agenda item of Glenwood Park restroom options and related professional services. Regarding restroom types, two options were evaluated: 1) A modular, prefabricated design option, and 2) a conventional design and construction option. After research, the then Director of Parks, Recreation and Community Services, Mary Lindley, recommended Option 2, conventional design and construction. Regarding architectural services for construction documents and construction observation, staff recommended approving a proposal from Di Cecco Architecture, Inc., for \$21,920. At that meeting however, the item was removed from the agenda and staff was directed to seek additional proposals for architectural services and bring them back to Council for consideration at a later date. As Mr. Di Cecco is currently a City Planning Commissioner, City Councilmembers were

concerned about the public perception of hiring a firm owned by a City Planning Commissioner to do work for the City.

Subsequent to the May 20, 2009 City Council meeting, the City Council amended the Municipal Code to make the restrictions for Commissioners doing business with the City, identical to those of the City Council, i.e. the City cannot contract with any Councilmember for services. In light of this amendment, the City Council will not consider the proposal from Di Cecco Architecture, Inc.

Since the May 20, 2009, City Council meeting, two additional qualified proposals were received for architectural services for construction documents and construction observation: Martinez Architects for \$22,800 and WLC Architects for \$32,000. The lowest bidder, Martinez Architects, has previously provided services to the City in the design and development of the City's Corporate Yard. Martinez Architects' services were found to be acceptable.

## **DISCUSSION**

Staff evaluated two restroom options: 1) A modular, prefabricated design option, and 2) a conventional design and construct option. To help hold costs down, the size of the restroom evaluated is 380 square feet, smaller than the average size the City has typically constructed, while still accommodating our standard amenities: for women, 2 toilets (one ADA accessible), for men, 1 toilet (ADA accessible) and 1 urinal, plus sinks and hand dryers. This was done by eliminating storage space. To date, the City has conducted a soils test and has completed the civil engineering and utility plans at Glenwood Park. Additionally, as part of the electronic marquee sign installation at Glenwood, electrical conduit has been stubbed-in for the proposed restroom site.

Regarding Option 1, a modular, prefabricated-type restroom, two manufacturers were evaluated. The cost of the modular restroom includes delivery, design, and manufacturing of the structure. All of the site work, pad preparation, hardscape, permits, bonds, soils test, civil engineering (utilities – water & sewer from the street), and administrative issues are the responsibility of the City and would be performed under a separate construction agreement. All utilities must be brought to within five feet of the structure. The two manufacturers considered by staff are unwilling to sign certain provisions of the City's standard agreement without language changes, particularly with regards to insurance and indemnification. The terms and conditions required by these vendors reduces some of the City's typical protection and control. The pricing for the modular, prefabricated-type restrooms varies between companies, and each company uses a different procurement method. One method was "piggy back," using the state's contractor's list procurement process. The second method was a single-source purchase with a mandatory deposit. If the City were to select a modular, prefabricated-type restroom for Glenwood Park, it would still have to conduct a separate bid process

for the site work and utilities, and coordinate the site work/utilities contract, along with the contract for the modular restroom.

Regarding Option 2, a conventional design and construction restroom, consistent with typical capital improvement projects, the City hires an architect to prepare plans and specifications. Once completed, a bid process for the construction phase would be conducted. The construction contract would be all inclusive of site work, utilities, and building. With the conventional method, the City has full control of the design, construction, site improvements, and contract provisions. Also, only one set of bid documents would be required to be prepared. The cost of the conventional option is less than the two modular restrooms and we believe that the quality of work and the control of the project are superior. The following is a summary of the two restroom options:

Option 1: Modular, prefabricated design restroom

A - The Public Restroom Company (TPRC) Roseburg, Oregon

Floor Plan – 370 square feet

In order to satisfy competitive bid requirements, the project would have to be “Piggy Backed” on another local project by (TPRC)

- The City would be required to sign all terms and conditions of TPRC.
- Excluded: miscellaneous site work would be the responsibility of the City including, minor removal of debris, plumbing adjustments typically necessary to line up connections when installation is complete, traffic control requirements and any trench plate requirements.
- Included: Restroom building and screen walls, footings, slab and installation, tile roof, hand dryers, and drinking fountain.
- Warranty is limited: TPRC will repair or replace at their sole option any defects in work upon proper notice as defined by TPRC.
- No project retention is permitted.
- Down payment of 10% is required.
- Final water fittings test is not included.
- No Hold Harmless Agreement. City is required to use TPRC documents.
- This company uses a “pre-stressed” slab. The soils report recommends footings in order to limit water intrusion.
- Crane access is required.

B - ROMTEC - Reno, Nevada

Floor Plan – 392 square feet.

This is the closest their standard plans come to City requirements. In order to satisfy competitive bid requirements, this Company is approved as a State of California, Department of General Services California Multiple Award Schedule (CMAS) provider.

- City must agree to sign the (CMAS) Contract.
- City agrees to use all CMAS documents, and procurement policy.
- Payments made per their terms and conditions.
- Building includes restroom building and screen walls, footings, slab and installation, tile roof, hand dryers, and drinking fountain.

Option 2: Conventional design and construction

City will satisfy competitive bid requirements by using the standard bid invitation process.

- Floor Plan – 380 square feet
- Conventional construction contract to be all inclusive: restroom building, site work and all utilities.
- City has full control of documents (City's plans, specifications and bid documents).
- City hires architect to prepare design and construction specifications.

**COMPARATIVE COST**

Build Option	Source	Square Footage	Total Estimated Cost
Option 1A.	TPRC Modular	370	\$294,800*
Option 1B.	ROMTEC Modular	392	\$307,700*
Option 2.	Conventional Design	380	\$285,500*

\* Includes 10% project contingency

Staff proposes Option 2, which includes all costs for design and construction of a conventional restroom building. We believe that the quality of the building will be superior and more in keeping with the City's typical park restroom. Managing all of the work with a single general contractor lessens any construction conflicts and the potential for change orders. With a 10 percent contingency, it is estimated that the total project will be \$285,500, \$9,591 less than the FY 2009/10 budget for the project. After receiving construction cost proposals, staff will return to the Council to award the construction contract and to amend the project budget.

If the Council concurs with staff's recommendation to proceed with the design and construction of a conventional restroom building at Glenwood Park, staff proposes retaining the architectural services of Martinez Architects to design the restroom, prepare construction documents, and provide construction observation at a cost not to exceed \$22,800, and hiring PICON (Phil Vein) for pre-construction coordination services for an amount not to exceed \$4,400. and construction and close-out services for an amount not to exceed \$10,000, for a total cost not to exceed \$14,400. These amounts are included in the estimated project budget.

**FISCAL IMPACT**

Glenwood Park is within Park Improvement Zone III and the project was funded by Zone III revenues (developer fees). The project's estimated cost is within the City's Fiscal Year 2009/10 Capital Improvement Project budget.

**STAFF RECOMMENDATION**

- 1) Approve Option 2, for conventional design and construction of restrooms at Glenwood Park;
- 2) Authorize the City Manager to execute an agreement with Martinez Architects for the architectural design services at a cost not to exceed \$22,800, subject to final language approval by the City Manager and City Attorney; and
- 3) Authorize the City Manager to execute an agreement with PICON (Phil Vein) for pre-construction coordination, construction, and close-out services at a cost not to exceed \$14,400, subject to final language approval by the City Manager and City Attorney.

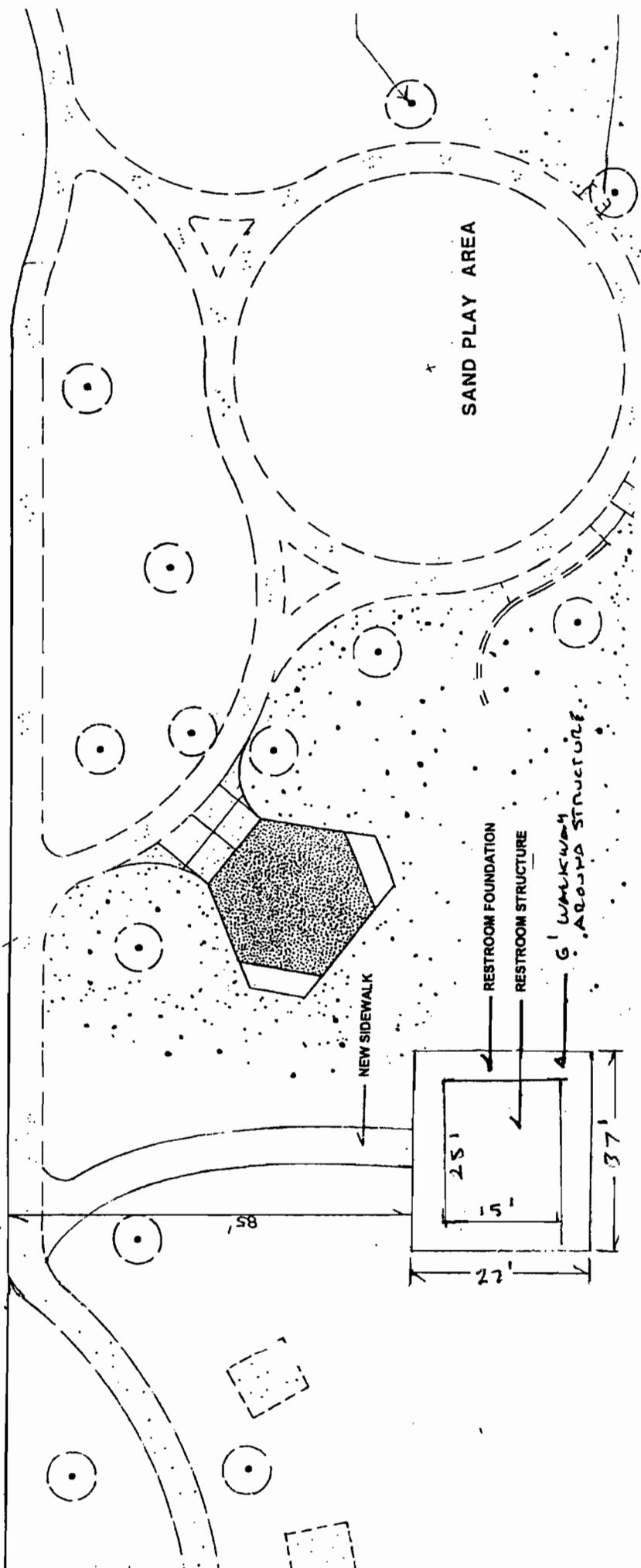
Attachment: A – Site Plan

JUSTIN COUF

**GLENWOOD PARK RESTROOM  
SITE LOCATION**



HARVESTER STREET



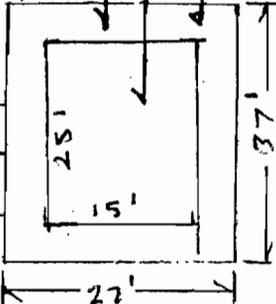
SAND PLAY AREA

NEW SIDEWALK

RESTROOM FOUNDATION

RESTROOM STRUCTURE

6' WALKWAY  
AROUND STRUCTURE



NOT TO SCALE.