

Agenda Item #14.1
For Council Meeting of: October 18, 2016

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
FROM: JASON NUTT, DIRECTOR
TRANSPORTATION AND PUBLIC WORKS
COLLEEN FERGUSON, DEPUTY DIRECTOR – CAPITAL
PROJECTS ENGINEERING
SUBJECT: COURTHOUSE SQUARE REUNIFICATION PROJECT UPDATE,
EXPENDITURE REPORT AND CONTINGENCY ACTION
AGENDA ACTION: MOTION

RECOMMENDATION

It is recommended by the Transportation and Public Works Department that the Council, by motion, accept the Courthouse Square Reunification expenditure report and approve additional construction contingency in the amount of \$250,000 for electrical facility upgrades.

EXECUTIVE SUMMARY

Construction of the Courthouse Square Reunification project is progressing quickly. Extensive public communication has been completed and is ongoing.

As a result of significant upgrades to the electrical facilities, additional construction contingency is needed and the schedule has been impacted.

BACKGROUND

In 2004, the City Council adopted goals which included reunification of Courthouse Square. Over the following 10 years, Council took several actions in support of that goal. At the meeting on November 3, 2015, City Council approved basic design guidelines for Courthouse Square, approved the public outreach process for the interior of the square, and delegated authority to the City Manager to select a consultant team to design the improvements associated with the reunification of Courthouse Square.

City staff worked with the Chamber of Commerce to develop and implement a public outreach process for the design of the interior of the square. The City's online survey regarding the reunification of Courthouse Square received over 2,000 comments. The first public outreach meeting was held on December 12, 2015. The project designer, Carlile-Macy, used the comments from the public meeting, other comments provided to the City, and the online survey as well as the basic design guidelines to develop alternative conceptual plans for Courthouse Square. The alternative conceptual plans

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were presented at a second public meeting on January 9, 2016. Public comments received from members of the public who attended the community meetings have been posted on the project website srcity.org/CHS. In response to public input, the alternative plans were refined into two draft master plan options. An addendum to the Final Tiered Environmental Impact Report (FTEIR) has also been prepared to document the consistency of each master plan option with the FTEIR.

PRIOR CITY COUNCIL REVIEW

1. On February 25, 2014, the City Council by Resolution No. 28437 certified the Final Tiered Environmental Impact Report (FTEIR) for the Reunification of Courthouse Square. The Mitigation Monitoring Program from the certified FTEIR includes various mitigation measures that would be implemented before, during and post-construction to ensure that the Courthouse Square reunification project does not have a significant effect on the environment.
2. On October 14, 2014, the City Council by Resolution No. 28568 approved the preferred alternative which includes the two peripheral streets and may include architectural features and pavilions; adopted the mitigation measures and directed staff to implement and complete the Mitigation Monitoring Program as part of the approved project.
3. On November 3, 2015, the City Council by Resolution No. 28706 authorized the City Manager to appropriate any private donations received for the project as well as up to \$500,000 from the General Fund unassigned fund balance to the project account in order to proceed with project design.
4. On April 19, 2016, the City Council by Resolution No. 28772 approved a revised Master Plan for the Courthouse Square Reunification project and, by motion, awarded a contract for construction of the project.
5. On June 14, 2016, the City Council by Resolution No. 28790 declared intention to reimburse expenditure from the proceeds of certain obligations and directing certain action.
6. On July 12, 2016, the City Council by Resolution No. 28816 approved the new, revised Master Plan for the Courthouse Square Reunification project. The report to Council noted a pending \$200,000 (approximately) change order for improved electrical system and power accessible at street lights.
7. On August 2, 2016, the City Council by Resolution No. 28834 approved the forms of the Preliminary Official Statement which includes as an exhibit the Continuing Disclosure Certificate, Site and Facilities Lease, Lease Agreement, Trust Agreement, Escrow Deposit and Trust Agreement and Certificate Purchase Agreement in connection with the execution and delivery of 2016 Certificates of

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Participation (Courthouse Square Project and 2007 Lease Refinancing) (the “2016 COPs”) in order to (1) finance a portion of the costs of the Courthouse Square Reunification Project costs, (2) refinance the City’s outstanding Certificates of Participation (Building Acquisition Project) (the “2007 COPs”) for debt service savings, (3) approve the appointment of bond counsel/disclosure counsel and financial advisor for this financing, (4) rescind appropriation of \$4,533,752 from the General Fund unassigned fund balance as authorized in Resolution No. 27882, (5) appropriate \$4,200,000 from debt proceeds into the Courthouse Square Reunification Project, and (6) direct repayment of any funds already expended as authorized under Resolution No. 28790.

8. On August 16, 2016, the City Council by Resolution authorized installation and removal of temporary mid-block crosswalks on Fourth Street at the east and west sides of the Square.
9. On August 30, 2016, the City Council received a project status update on construction activity as well as project schedule and budget status. This update noted a potential project delay of up to 34 days due to changes in the design of the electrical facilities and uncertain timeline for procurement of some electrical components. It also noted that staff is actively working with the contractor to determine the full extent of the delay and begin to identify activities and actions that could help recover some of that time. Staff is coordinating with the Winter Lights planning committee and providing public outreach to the community regarding the potential delay.
10. On September 13, 2016, the City Council by motion accepted the Courthouse Square Reunification expenditure report and authorized the plaque containing the name of Landscape Architect Leland H. Noel to be given to his daughter Pamela Noel and, by two separate resolutions, authorized replacement of a Rosenberg plaque in the Square, and confirmed the name of the plaza and street sections between Third and Fourth Streets as “Old Courthouse Square”.

ANALYSIS

The onsite construction work is progressing quickly. Silva cells have been installed and curb and gutter has been poured around the tree bosques. Underground pipes and conduits have been placed for future installation of a fountain with the Asawa artwork. Significant progress has been made on electrical conduit and street light foundations.

FISCAL IMPACT

As described during the presentation to Council as part of the contract award action on April 19, 2016, staff intends to keep Council informed of the details as construction proceeds and actual construction costs and construction management and inspection costs are incurred. The table below shows costs incurred to date in the “Expenditures” column and the authorized construction contract, original contingency (10%), proposed

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increase in contingency, and construction management and inspection (10%) amounts in the “Allowance” column.

Construction contingency expenditures include underground pipes and conduits for a future fountain with the Asawa artwork, upgraded kiosks to support public engagement on the Square, relocation of a water main on Fourth Street due to utility conflicts, extension of roof drain lines, addition of four decorative lights at the central green (not included in original bid amount, foundation modifications due to Silva cells and permeable pavers, and deducts for elimination of the children’s play area, circular benches and planting 60” box trees (which were included in the original bid amount).

The project being constructed includes several improvements to the project that was bid, including upgrades to the electrical facilities. The impacts of these upgrades exceed the unanticipated construction issues for which the construction contingency allowance was provided. The construction contingency allowance needs to be increased by \$250,000 so that project construction can move forward without additional delay.

	Expenditures	Allowance	Balance	Notes
Design	\$ 897,000	\$ 906,000	\$ 9,000	
Advanced Tree Work	\$ 115,770	\$ 130,120	\$ 14,350	Work complete 3-10-2016
Construction	\$2,310,000	\$6,719,253	\$4,409,253	
Construction Contingency	\$ 442,035	\$ 671,925	\$ 229,890	
Proposed Increase in Construction Contingency Allowance	\$ 155,775	\$ 250,000	\$ 94,225	Includes electrical facility upgrades and estimated \$75K for PG&E vault due to higher power demand. Does not include activation of public WiFi.
Construction Management and Inspection	\$ 503,000	\$ 671,925	\$ 168,925	
TOTAL	\$4,423,580	\$9,349,223	\$4,925,643	

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The Courthouse Square Reunification Project Update that is expected to be scheduled in November is likely to include information about the costs to activate public WiFi in the Square. The project as bid included construction of the underground conduits necessary to support public WiFi on the Square. It did not include pulling fiber in the conduits or acquisition, installation and connection of the WiFi equipment. As part of the November update, staff expects to request appropriations for these additional needs.

ENVIRONMENTAL IMPACT

Council certified the Final Tiered Environmental Impact Report on February 25, 2014. An Addendum to the FTEIR has been prepared pursuant to Section 15164 of the California Environmental Quality Act for the updated plan options, and documents that the project involves only minor technical changes and additions. It further documents that none of the conditions described in Section 15162, which would require a subsequent EIR, have occurred because neither Courthouse Square Reunification Master Plan involves substantial changes to the project or the circumstances under which the project has been undertaken. Based on this analysis, staff found it appropriate to rely on the FTEIR.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

In addition to the City Council, the Courthouse Square Reunification project has been on the agenda of the Bicycle and Pedestrian Advisory Board, the Art in Public Places Committee, the Board of Community Services and the Community Advisory Board.

NOTIFICATION

Not applicable

ATTACHMENTS

- None

CONTACT

Colleen Ferguson, cferguson@srcity.org, (707) 543-3852