

**THE UNIFIED GOVERNMENT OF ATHENS-CLARKE COUNTY
COMMISSION AGENDA ITEM**

SUBJECT: SPLOST 2020 Project 19, Bishop Park Improvements – Award of Construction Services

DATE: April 25, 2023

BUDGET INFORMATION:

REVENUES:	\$ 218,000	FY23 Capital Fund Balance
	\$ 282,000	SPLOST 2011 - Project 16, Park Improvements
	\$ 15,000	SPLOST 2011 - Project 21, Public Art Program
	\$ 4,900,000	SPLOST 2020 - Project 19, Bishop Park Improvements
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	\$ 5,415,000	Total Revenue Available
EXPENSES:		
CAPITAL:	\$ 487,714	Expensed & Encumbered (Includes Design Fee)
	\$ 45,000	Available for Public Art
	\$ 200,802	Designated Misc./ PM Fees/ Testing Permitting
	\$ 100,000	Designated Furniture, Fixtures, & Equipment (FF&E)
	\$ 781,484	Designated Contingency
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	\$ 3,800,000	Available for Construction
OPERATIONAL:	\$0/yr	
FUNDING SOURCES:		
CAPITAL:	SPLOST 2020 Project 19, Bishop Park Improvements, SPLOST 2011 - Project 16, Park Improvements, SPLOST 2011 - Project 21, Public Art Program, General Fund (FY23 Capital Fund Balance)	
OPERATIONAL:	General Fund	

COMMISSION ACTION REQUESTED ON: June 6, 2023

PURPOSE:

To request that the Mayor and Commission:

- a. Approve a designation of *(To Be Determined)* as the lowest responsive bidder and Construction Services of the Bishop Park Improvements (SPLOST 2020 Project 19);
- b. Authorize the Manager and staff to negotiate with *(To Be Determined)* to develop a final Scope of Services and Fees for a not-to-exceed contract amount of *(To Be Determined)*; and,
- c. Authorize the Mayor and appropriate staff to execute all related documents.

HISTORY:

1. On January 1, 1972, Athens Mayor Julius Bishop announced a purchase agreement for the Athens Fairground property for the development of a recreational park. The initial 23-acre

property on Hawthorne Avenue was held by the Athens Fairgrounds Association, who at the time used the property for the annual county fair.

2. In December 1973, the City of Athens began construction of the park. The first phase included site preparation and grading, two basketball courts, three softball fields, six lighted tennis courts, picnic tables, and parking for 275 cars.
3. In 1974, the Athens City Council voted to name the park, originally conceived as the Athens Fairgrounds Park, in honor of Mayor Bishop for his pivotal role in its development.
4. In 1975, construction of the Bishop Park gymnasium began and was completed the following year.
5. In summer 1977, the park's swimming pool opened.
6. In 1984, the parking area was expanded using additional land acquired along Sunset Drive.
7. In 1989, three tennis courts were constructed in the park near Sunset Drive.
8. In 1996, SPLOST IV Project #27 provided for the construction of two covered tennis courts.
9. In Fall 2013, nine tennis courts were reconditioned as a part of SPLOST 2011 Project #16, Sub-Project #3, Park Facilities Improvements.
10. In 1998, Bishop Park Pool shell and equipment received a significant overhaul.
11. On August 7, 2012, the Mayor and Commission (M&C) approved the Project Concept for the Bishop Park Pool Resurfacing as SPLOST 2011, Project, 16, Sub-Project #4 to the Bid and Award Phase in accordance with the approved Project Concepts.
12. On August 6, 2013, M&C approved a construction contract with Paddock Pools to resurface the pool liner, replace pool equipment, rework the pool gutters, and increase the pool depth under the diving blocks to meet competitive swimming safety regulations.
13. In May 2014, Paddock Pools completed the repairs and resurfacing of the pool. After the repairs, Bishop Park Pool began to experience significant water loss. Extensive efforts to stop the water loss have been unsuccessful. It has been determined that the water loss is an unintended consequence of raising the water depth and the original pool construction.
14. From September 27 to October 10, 2014, Leisure Services Department staff, with assistance from the University of Georgia (UGA) Masters of Environmental Planning & Design (MEPD) students, conducted an on-line and field survey of park users, staff received 502 responses.
15. On October 6, 2014, approximately 40 people attended a public input session led by UGA's Center for Community Design & Preservation (CCDP) with Leisure Services Department staff to gather input and ideas on park improvements. The session included an overview of the project and facilitated round-table discussions.

16. From October 17-19, 2014, CCDP staff conducted a three-day design charrette with UGA students to generate design concepts for the park based on public input.
17. On October 27, 2014, CCDP presented concepts produced during the charrette and gathered public feedback on elements of those alternatives at a public meeting. Approximately 40 people attended.
18. Between November 4 and November 19, 2014, Leisure Services Department staff conducted stakeholder interviews with contracted/permitted park users, including representatives from the Athens Farmer's Market, Downtown Falcons Football program, Dolphins Swim Team, and WOW Boot Camp.
19. On March 25, 2015 and April 4, 2015, Leisure Services Department staff held open houses at the Athens Farmer's Market to gather feedback for the proposed master plan concepts. Citizens were able to view the concepts and respond via an on-line survey from March 9 to April 13, 2015. 153 responses were received to the preliminary concept survey in person or on-line.
20. On August 11, 2015, the Draft Master Plan was presented to the Mayor and Commission at their August work session.
21. In August 2015, the Mayor withdrew the Draft Master Plan from the Mayor and Commission meeting agenda.
22. On March 14, 2017, staff presented an updated Draft Master Plan to the Mayor and Commission at their March work session.
23. Between June 7 and June 12 of 2017, staff solicited public input on the updated Master Plan with three open house sessions and online comments. Fifty people attended the open houses and 57 comments were received online and in person.
24. On July 10, 2018, staff presented the draft master plan revision to Mayor and Commission at their July work session.
25. On August 7, 2018, M&C approved the Bishop Park Master Plan. To view this document please go to the following link: <https://www.accgov.com/DocumentCenter/View/52453/Bishop-Park-Master-Plan-2018---reduced>
26. On November 5, 2019, Athens-Clarke County (ACC) voters approved the SPLOST 2020 Program Referendum. This Referendum included the Bishop Park Improvements (SPLOST 2020 Project 19).
27. On May 12, 2021, the ACAC recommended that SPLOST 2020 Project 19, Sub-Project #1 Bishop Park Improvements be designated as appropriate for public art with a budget amount of 1% of the proposed construction budget.

28. On June 1, 2021, the M&C approved the Master Implementation Plan and Funding Schedule for the SPLOST 2020 Program. The SPLOST 2020 Project 19, Bishop Park Improvements, included funding programmed for Tiers #1, #2, & #3.
29. On July 4, 2021, Leisure Services opened the online public input for initial visioning for Bishop Park Improvements.
30. On July 10, & 12, 2021 Leisure Services held in-person public input sessions for initial visioning for Bishop Park Improvements.
31. On July 15, 2021 Leisure Service held a virtual Public Input Session for initial visioning for Bishop Park Improvements.
32. On August 1, 2021, the public input on-line survey for the initial visioning for Bishop Park Improvements was completed. In total, 173 responses were received from all of the public input.
33. On August 16, 2021, a User Group, consisting of Emily Mann, Eric Eleton, Mel Cochran Davis, Johnathan Foggin, Sybilla Beckmann, Usha Rodrigues, was established for the project.
34. On September 30, 2021, the Unified Government of Athens-Clarke County (ACCGov) advertised a Request for Proposal (RFP) #01055 for Professional Design Services for the Bishop Park Improvements.
35. On October 28, 2021, the User Group recommended to proceed with moving the Proposed Project Concept list for consideration by the M&C during the November/December voting cycle.
36. On November 9, 2021, during the regularly scheduled work session, the SPLOST 2020 Project 19, Sub-Project #1-Bishop Park Improvements Project Concept was presented to the M&C.
37. On November 15, 2021, the SPLOST 2020 Oversight Committee unanimously agreed that the Proposed Project Concept List is in alignment with the goals set forth within the Bishop Park Improvements Initial Project Statement.
38. On December 7, 2021, the M&C approved the Project Concept and designated Lose Design as the Professional Design and Construction Administration Services for Bishop Park Improvements.
39. On February 7, 2022, a contract was executed with Lose Design to provide services for developing a schematic design.
40. On February 22, 2022, Geohydro has completed the interior building material assessment and identified no hazardous materials to be abated prior to refurbishing the building.
41. On May 10, 2022, the User Group approved recommending the Proposed Schematic Design and put the design out for public input.

42. On May 16, 2022, the Bishop Park Pool Schematic Design online survey was opened to the public for comment. The online survey will end June 5, 2022. In-person public input session were held May 24th, May 29th, and June 5th. A total of 149 responses were received in total.
43. On August 2, 2022, M&C approved a CDO for the Proposed Schematic design with the inclusion of an additional \$500,000 (LS FY23 Capital Fund & SPLOST 2011 Project 16) to fund 2 additional swim lanes, 2 diving boards, water features at the zero entry pool section, and provide infrastructure for a future splash pad.
44. Winter 2022-2023, with the anticipation of the replacement project and the ongoing water leaks staff began removing all of the equipment that could be salvaged for uses at other pools. Pumps and motors that are not working were not replaced during the winter maintenance cycle that the other pools received.
45. On March 9, 2023, an RFP for Construction Contract Services for the proposed replacement of the Bishop Park Pool was released.
46. On April 14, 2023, the due date for proposals from the RFP issue March 9, 2023, ACCGov did not receive any proposals for the Construction Contract Services for the pool replacement. Firms that had shown interest, during the RFP advertisement period, in the project reported that they would likely bid on the work, if it was put out as a competitive bid but were too busy to spend the time putting a proposal and a price together for the work.
47. On April 25, 2023, ACCGov released the Bishop Park Pool Replacement Project as a competitive bid for the Construction Services. Bids are due and will be publicly opened on May 23, 2023. The agenda report will be updated with the Bid Results and recommendation, after the opening, prior to the June 6, 2023 voting meeting.

FACTS & ISSUES:

1. The Initial Project Statement of SPLOST 2020 Project 19 reads as follows;
***Bishop Park Improvements**, will provide funding for the most critical improvement needs as identified in the Bishop Park Master Plan, as may be amended by the Mayor and Commission from time to time. Depending upon costs and funding availability, examples of eligible subprojects may include, but not be limited to, reconstruction of the aquatics area, including replacement of the pool and ancillary structures, new splash pad, pool house with restrooms, new playground with an adjacent pavilion and restrooms. To the extent available, remaining funds may be used to target the pedestrian improvement and fence project along Hawthorne Avenue. Additionally, to the extent allowed by law, funds may be used as matching funds for leveraging grant opportunities.*
2. Bishop Park's infrastructure dates back to the original fairgrounds construction in the 1950's with most of the remaining infrastructure added during the park's construction in the 1970's. This infrastructure has exceeded its useful life and is in need of replacement. Water, sewer, and electrical failures are regular issues throughout the park. All of the original infrastructure and structures predate modern building codes and fail to meet accessibility standards. The

approved master plan reconfigures portions of Bishop Park’s infrastructure as part of the needed renovations.

3. Bishop Park Pool is the largest of the ACCGov Leisure Services pools. It is the most heavily used pool and the only pool available for swim team activities. Bishop Park Pool and equipment received significant enlargement and overhauls between its opening and 2014 (History #10-14). The existing pool liner had exceeded its estimated 10-year useful life and is in need of resurfacing as the pool bottom and sides have become rough and pitted as the plaster liner material has deteriorated. The existing gutter and filtration system which is an integrated system is not functioning properly. Because of the significant on-going water loss to the pool and the constant need to add fresh water to the pool, it has been impossible to maintain the pool’s chemistry during swim season.
4. Based on the below schedule, the Bishop Pool has begun being decommissioned with any salvageable materials being removed and saved. Swim teams and other scheduled normal pool users have been notified that the pool will be closed for the Summer 2023 swim season. Most swim programs for kids and lap swim for adults are being recaptured at ACCGov’s other aquatic facilities. The only programs that would be lost for the summer would be camp swim for gymnastics (which is a small part of their day). The Dolphins swim team program, which involves approximately 200 kids in competition swimming, was given enough advanced notice, so that the 2023 swim team could be diverted to 5 other programs in the area.
5. The engineer’s estimated cost of construction for the facility as shown in the approved Schematic Design and as advertised in the Construction Documents is \$3,800,000, including the elements added by the M&C CDO (History #43). The amount of funds shown, above, as “*Available for Construction*” is \$3,800,000 to match the engineer’s estimate. The agenda report will be adjusted after the bids are received to reflect the amount available as the actual recommended award bid amount. Any differences between the actual recommended amount and the estimated \$3.8 million will be taken from or added back into the contingency line item.
6. Given the amount of water leakage from the pool over the last 10 years, there is a high probability that there will be wet, unsuitable, soils under the existing pool. Additionally, there is a likelihood of some rock under the deeper sections of the new pool. Every effort was taken to require excavation below the existing pool depths to reduce the risk of encountering rock within the excavations. In case rock or unsuitable soils are encountered during excavation, unit prices for such work will be obtained from the bidders and included within the awarded contract for such uncertainties.
7. On May 23, 2023, ACCGov is scheduled to receive bids from the following Contractors:

<u>Contractors</u>	<u>Base Bid</u>
<i>(To be Determined)</i>	<i>(To be Determined)</i>
8. Staff has reviewed the bidders submitted documents and had determined that *(To be Determined)* is the lowest responsible and responsive bidder with a Base Bid amount of *(To Be Determined)*. Therefore, staff recommends the Bishop Park Pool Replacement Project be awarded *(To be Determined)* and that staff be authorized to negotiate with *(To be*

Determined) to determine a final scope of services and contract in an amount not to exceed *(To be Determined)*.

9. The proposed final schedule, assuming approval of the Project Concept Design, is as follows:
- Pool Equipment Decommissioning – Winter 2022/2023
 - Bidding Construction Contract – April 25 2023 – May 23, 2023
 - Construction Contract Award – June 6, 2023
 - Construction Notice to Proceed – July 1, 2023
 - Pool Closure – Summer of 2023
 - Project Completion – May 2024
10. This recommendation supports the following Mayor and Commission Strategic Commitment:
- Support and promote healthy lifestyle choices: moving, eating, forming healthy relationships, physical and psychological care.

OPTIONS:

- 1) Mayor and Commission:
- a. Approve a designation of *(To Be Determined)* as the lowest responsive bidder for Construction Services of the Bishop Park Improvements (SPLOST 2020 Project 19);
 - b. Authorize the Manager and staff to negotiate with *(To Be Determined)* to develop a final Scope of Services and Fees for a not-to-exceed contract amount of *(To Be Determined)*; and,
 - c. Authorize the Mayor and appropriate staff to execute all related documents.
- 2) Mayor and Commission deny approval of the proposed Award for Construction Services
- 3) Mayor and Commission defined option.

DEPARTMENT RECOMMENDED ACTION: Option #1 a, b, & c

DEPARTMENT: Department of the Manager – SPLOST Program Management
Prepared by: Keith Sanders for



Robert Cheshire, Capital Projects Director

5/10/2023

Date:

ADMINISTRATIVE COMMENTS:

ADMINISTRATIVE RECOMMENDATION: Option #1 a, b, & c



Manager

May 10, 2023

Date: