



REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: April 1, 2008

SUBJECT: Final Acceptance and Notice of Completion for
Community/Senior Center, Project No. 00-15

Report in Brief

In May 2005, the City executed a construction contract with Broward Bros., Inc. to construct the new Community/Senior Center. The work was performed in accordance with the plans and specifications and is now ready for acceptance by the City Council.

Certain financial issues remain associated with this project. There is a court action pending, which was filed by a tile sub-contractor naming the general contractor (Broward Bros., Inc.) and the City. The City is holding \$95,073.19 of the contract as required by State Law until this issue is resolved. In addition, the City is withholding \$56,000 of the contract amount for disputed work. If the contractor corrects the disputed work items within a reasonable time frame, they will receive the withheld amount. Otherwise, the City will deduct the cost of the corrective work from the withheld amount to make the corrections and pay the remaining amount to the contractor.

While these issues need to be resolved, the City is not precluded from accepting the project and filing the Notice of Completion. The contractor has completed the work and the building has been open and well utilized for over a year. Staff has reviewed this action with the City Attorney and determined that the action described herein will not compromise the City's ability to resolve the issues.

Staff recommends that the City Council accept as complete, the contract with Broward Bros., Inc., for their work on the Community/Senior Center, Project No. 00-15, and authorize the City Clerk to file a Notice of Completion. The final construction contract value (including amounts withheld) is \$19,705,185. The total value of the withheld amount plus the sub-contractor claim is \$151,000.

Background

With strong community input and support with the passing of Measure H, the City created a world-class facility designed for use by community members of all ages. The 52,500-square-foot building houses a Community Center, Senior Center, and Youth Center, including a banquet room; meeting rooms; a kitchen; classrooms; an arts and crafts room; game rooms; and offices for the Senior and

Parks & Recreation Departments Administration staff. The Center also includes a gymnasium, an amphitheater, parking areas, and the initial component of a Sports Complex - a lighted synthetic turf soccer/softball field.

Stantec Consulting completed the construction documents and the project was advertised in May 2005. On May 3, 2005, Council awarded the construction contract to Broward Bros., Inc. in the amount of \$15,813,000. Work commenced on June 20, 2005 and the grand opening was held on March 3, 2007. During the course of construction the City issued 18 contract change orders for 140 additional items of work for a total change order value of \$3,895,831. The final construction contract amount is \$19,705,231. During the last year the Contractor has been completing the road and landscape work, and numerous punchlist items, which did not affect the daily operation of the facility.

Discussion

The Community/Senior Center project was supported with Measure H sales tax funding approved by the voters in March 2000. The Woodland Community and Senior Center is a vibrant facility with unique architectural and environmental aspects that promote functionality. Its campus-like layout promotes engaging activity for community members of all ages, with a variety of recreational, educational, and special interest programs all in one facility. This positive and healthy environment stimulates community participation and the variety of components ensures continuous flow of activities and usage.

The facility has been open to the public for a year and has provided opportunities to seniors, youth, sports enthusiasts, City staff, community members, and regional and state conferences. The facility has exceeded the projections for programmed use. The facility will continue to be a source of revenue year-round, attracting sports events, outdoor festivals, and social and business events, benefiting not only the Center, but the entire community.

The Dog Park was recently completed and the Community Center Phase 2 project is underway (CIP 08-01), which includes an 8,000 s.f. building for dance, aerobics and fitness. The contract for the Community Sports Park (08-03) has also been awarded and construction is underway.

The construction elements and contractual requirements for the Community/Senior Center, Project No. 00-15 have been completed by the contractor, except for the disputed items of work, and are ready for acceptance.

The outstanding issues are the pending court case and the deficient work. The court case involves a filing by a tile subcontractor to Broward Bros., claiming they are owed money for work completed. The City has paid Broward for the tile work and the matter is between Broward and their sub. The suit however names the City of Woodland therefore the City Attorney has advised that funds must be retained for the amount of the suit and cannot be released until the suit excludes the City. The only outstanding deficient work is the audio/visual system, which has not functioned correctly since the Center was opened. The subcontractors that performed the work have been performing modifications, testing, and commissioning over the least few weeks and staff understands the system

should be acceptable, in accordance with the contract documents, soon. Staff has reviewed this action with the City Attorney and determined that the action described herein will not compromise the City's ability to resolve these two issues.

Fiscal Impact

The latest approved PPSS (September 4, 2007, Rev. 11) authorized a project budget of \$26,360,000. The amount authorized for construction was \$19,840,000 and the final construction cost was \$19,705,185 (including withheld amounts). The amount withheld for disputed items of work is \$56,000. The City will also continue to hold \$95,073.19 until such time as the sub-contractor court case is resolved.

The final PPSS (March 2008) costs add up to \$26,411,872, which is an increase of \$51,872 (0.2%) to cover additional closeout costs, including project management and construction management, and fixtures, furnishings and equipment for functionality. The final PPSS is attached.

Funds to cover the budget overage will be transferred from the Phase 2 project as reflected in the Final PPSS. The overall facility budget (Projects 00-15, 08-01, and 08-03) will not be exceeded.

Public Contact

Posting of the City Council agenda.

Recommendation for Action

Staff recommends the City Council accept as complete, the contract with Broward Bros., Inc., for their work on the Community/Senior Center, Project No. 00-15, and authorize the City Clerk to file a Notice of Completion. The final construction contract value (including amounts withheld) is \$19,705,185. The total value of the withheld amount plus the sub-contractor claim is \$151,000.

Prepared by: Alan Mitchell, Project Manager
Ponticello Enterprises

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Dick Donnelly, Interim PW Director
Dan Gentry, Parks Director
Joan Dayton, Finance Director

Mark G. Deven
City Manager

Attachment: Final PPSS

Project Summary

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Revision #	C.C. Date
5	7/5/2005
6	3/7/2006
7	3/17/2006
8	7/18/2006
9	10/3/2006
10	1/16/2007
11	9/4/2007
12	4/1/2008

Project No.: 00-15 **Revision #:** 12 **Project Title:** Community & Senior Center - Phase 1

PM: Ponticello-Mitchell, Alan **Owner:** PRCS

Land	\$1,076,867.00	Admin & PM	\$810,000.00
Construction	\$19,705,185.00	Design	\$2,485,000.00
CM/Insp	\$1,710,000.00	Other/Contingency	\$67,948.00
FF&E	\$595,000.00		
Project Total: \$26,450,000.00			

Project Description:

The 40 acre site will house both the community center and senior center, and will include a banquet facility, gymnasium, numerous rooms for meetings, games, classes and crafts, kitchens, open space, and offices for Senior's and PR&CS Recreation Administration staff. The 40-acre site will also include an amphitheatre and parking. A synthetic soccer/softball field will be constructed and a soccer-only synthetic field may be constructed if Prop. 40 Grant funds are approved. The storm drain retention pond will be placed on the adjacent property to the east, which will become the springlake specific plan west regional detention pond. Off-site improvements include water and sewer systems extensions, a ped/bike path, traffic signal at East and Road 24A, and a Rule 20A utility undergrounding district.

Project Justification:

The Community/Senior Center and Sports Complex (Soccer) projects were supported with Measure H sales tax funding approved by the voters in March 2000. This project is necessary to meet parks level of service requirements identified in the General Plan and 2004 Parks Master Plan Update.

Rev 10 Note: Realigned funding between task codes for consistency with the narrative on the Council Communicator of October 3, 2006 & September 19, 2006; approved by PW Director after discussion with Finance Director.

Project Staging:

Fund No.	Fund Name	Program No.	MPFP No.	Total / Partial	Total Amt, \$K	Percent
501	General Capital Outlay	0015	Park 5	P	0.0	0
502	State Bond Act-Parks Projects	0015	Park 5	P	709.0	2.68
505	Measure H	0015	Park 5	P	105.0	0.4
505	Measure H	0015	Park 5	P	6,477.3	24.49

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506	Measure E	0015	Park 5	P	229.2	0.87
510	General City Development	0015	Park 5	P	430.2	1.63
540	PRCS Development	0015	Park 5	P	17,913.4	67.73
541	Parks In-Lieu Fees (Quimby)	0015	Park 5	P	315.8	1.19
582	Road Development	0015	Park 5	P	150.0	0.57
584	Water Development	0015	WTR-130	P	120.0	0.44

Project Total: 26,450.0

Recommended for Submittal	_____	Date	_____
Recommended for Approval (Dept Head)	_____	Date	_____
MPFP Approval (Public Works)	_____	Date	_____
Finance Department Approval	_____	Date	_____
City Manager Approval	_____	Date	_____