



Bend Metro Park & Recreation District

June 21, 2016

# Board of Directors Agenda and Reports

[www.bendparksandrec.org](http://www.bendparksandrec.org)



*play for life*



## **Our Vision**

To be a leader in building a community connected to nature, active lifestyles and one another.

## **Our Mission**

To strengthen community vitality and foster healthy, enriched lifestyles by providing exceptional park and recreation services.

## **We Value**

Excellence by striving to set the standard for quality programs, parks and services through leadership, vision, innovation and dedication to our work.

Environmental Sustainability by helping to protect, maintain and preserve our natural and developed resources.

Fiscal Accountability by responsibly and efficiently managing the financial health of the District today and for generations to come.

Inclusiveness by reducing physical, social and financial barriers to our programs, facilities and services.

Partnerships by fostering an atmosphere of cooperation, trust and resourcefulness with our patrons, coworkers and other organizations.

Customers by interacting with people in a responsive, considerate and efficient manner.

Safety by promoting a safe and healthy environment for all who work and play in our parks, facilities and programs.

Staff by honoring the diverse contributions of each employee and volunteer, and recognizing them as essential to accomplishing our mission.

*play for life*

District Office | Don Horton, Executive Director

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# Board of Directors

June 21, 2016

District Office Building | 799 SW Columbia | Bend, Oregon

## AGENDA



### 5:30 p.m. CONVENE MEETING

#### WORK SESSION

1. Bend Whitewater Park Update – *Don Horton, Michelle Healy, Brian Hudspeth (35 Min)*
2. Economic Impact Study – *Don Horton, Michelle Healy, Mark Buckley (30 min)*

#### VISITORS

Work sessions are scheduled for the board to receive and discuss information regarding district operations, projects, and planning to aid in their decision-making process. The Board may elect to ask for comment on work session items at this time. Visitors who wish to speak are asked to submit a public comment card provided at the sign-in table. The visitor's section is not designed for a lengthy presentation. If you have a proposal for Board consideration, briefly introduce the subject, and request that the Board consider adding discussion to a future Board meeting agenda. Please state your name and address at the time you address the Board. Please limit your remarks to three minutes.

### 6:50 p.m. BREAK/TRANSITION

### 7:00 p.m. REGULAR MEETING

#### VISITORS

This is the time provided for individuals wishing to address the Board regarding items **not** listed in the business session. The Board may elect to ask for comment on business session items at the appropriate time. Visitors who wish to speak are asked to submit a public comment card provided at the sign-in table. The visitor's section is not designed for a lengthy presentation. If you have a proposal for Board consideration, briefly introduce the subject, and request that the Board consider adding discussion to a future Board meeting agenda. Please state your name and address at the time you address the Board. Please limit your remarks to three minutes.

#### CONSENT AGENDA

1. Approve Intergovernmental Agreement with City of Bend for Hillside Park Sidewalk

#### BUSINESS SESSION

1. Award Construction Contract for Sylvan & Summit Tennis Courts Replacement – *Brian Hudspeth*
2. Approve Juniper Swim and Fitness Center Flat Roof Replacement Contract – *Matt Mercer*
3. Sole-Source Procurement for JSFC Tent Panels – *Matt Mercer*

#### EXECUTIVE DIRECTOR'S REPORT

#### BOARD MEETINGS CALENDAR REVIEW

#### GOOD OF THE ORDER

#### ADJOURN

**EXECUTIVE SESSION** - The Board will meet in Executive Session upon adjournment of the regular meeting pursuant to ORS 192.660(2)(h) for the purpose of consultation with counsel concerning legal rights and duties regarding current litigation or litigation likely to be filed. This session is closed to all members of the public except for representatives of the news media. Matters discussed in executive session that relate to current litigation or litigation likely to be filed shall not be disclosed by the news media.



Accessible Meeting/Alternate Format Notification

This meeting location is accessible. Sign and other language interpreter service, assistive listening devices, materials in alternate format or other accommodations are available upon advance request. Please contact the Executive Assistant no later than 24 hours in advance of the meeting at [vanessa@bendparksandrec.org](mailto:vanessa@bendparksandrec.org) or 541-706-6151. Providing at least 2 business days notice prior to the meeting will help ensure availability.

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	June 21, 2016
<b>SUBJECT:</b>	Bend Whitewater Park Status Update
<b>STAFF RESOURCE:</b>	Michelle Healy, Planning and Park Services Director Brian Hudspeth, Development Manager Chelsea Schneider, Landscape Architect
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	None
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Customer-Community Connection
<b>Objective:</b>	Analyze and Adapt to Changing Community Need
<b>Initiative:</b>	Acquire land, and plan and develop trails, river access, parks, natural areas and recreation facilities to meet identified community demand and future need.

**BACKGROUND**

In September 2014, the Board approved a contract for the construction of the Bend Whitewater Park. After opening the park in September of 2015, several items were identified by the users, engineers and staff that needed to be done to enhance the safety as well as the usability of the park. The changes include adjustments to the whitewater channel on drops 2, 3, and 4; changes to the floater passage to better direct floaters through the channel; build a walking path along river left and along the top of the island between the passageway and whitewater channel; create a surf wave at drop 3, and other minor modifications identified by the engineers.

The park re-opened in February after preliminary review from the engineers, partner organizations and staff during low flow conditions. The adjustments to the whitewater channel were largely successful, although river flow over subsequent months altered some features again. The District requested and was granted a permit to allow placement of sandbags in the whitewater channel to armor the shoulders of the second (from the bottom) whitewater feature. Those sandbags were placed on June 9 and the positive effect on the whitewater features was experienced immediately. Unfortunately, that installation was temporary and, as anticipated, the sandbags did not stay in place.

During the recent warm weather, the passageway was used by the greatest number of floaters since re-opening. Following the weekend of June 4-5, the District received numerous comments regarding the performance of the channel, as well as first-hand accounts of experiences from users and bystanders. Feedback included comments such as:

- Rapids were rougher than expected and users were flipped off of tubes and rafts, resulting in bumps, bruises and lacerations;

- Difficulty for some users to get out of the water or stand up when they fell off of tubes;
- Concerns about floating devices popping after hitting rocks;
- Observations about users, particularly young children, not wearing personal floatation devices and getting caught up in the water when they fall in;
- Presence of substantial litter caused by broken floating devices and personal belongings being washed away from users who were flipper over;
- Sentiment that the project didn't meet bond expectations for safe passage;
- Perceived lack of sufficient signage warning about the rapids and what users should expect;
- Challenging pathway around and through the City road construction for users who choose to portage at the bridge and re-enter at McKay beach.

The District also received feedback from many users who enjoyed their experiences through the rapids; however, given the number, specificity and source of the negative comments, the decision was made to close the passageway channel until its performance can be further evaluated by the design engineers.

The engineers evaluated the facility during the week of June 13. They will be preparing technical memorandums for the whitewater channel and the passageway channel that summarizes their findings and provides recommendations on possible operational and design modifications for each channel. Staff will provide a status update on the project at the board meeting on June 21; however, the technical memorandums are not expected to be ready in time for the meeting.

**BUDGETARY IMPACT**

None at this time.

**STAFF RECOMMENDATION**

None, information provided for discussion only.

**MOTION**

None, information provided for discussion only.

**ATTACHMENT**

None.

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	June 21, 2016
<b>SUBJECT:</b>	Economic Impact Study
<b>STAFF RESOURCE:</b>	Don Horton, Executive Director Michelle Healy, Planning and Park Services Director Lindsey Lombard, Administrative Services Director
<b>GUEST PRESENTER:</b>	Mark Buckley, ECONorthwest
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	None
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Customer – Community Connection
<b>Objective:</b>	Strength Community Awareness
<b>Initiative:</b>	Communicate the return on community investment and overall economic impact of parks and recreation for the community.

**BACKGROUND**

During the April 19, 2016 board meeting, the Board discussed potential variables to include in an Economic Impact Study that would help measure the return on investment and overall economic impact of the District's programs, services and facilities to the community. During the meeting, the Board, staff and Mark Buckley (a local economist with ECONorthwest) discussed variables to include in a possible study, including:

- Resident Benefits
- Visitor Benefits/Tourism
- Business Activity

Following the meeting, staff worked with Mr. Buckley to further understand these variables and develop a draft scope of work. Attached is the draft scope for further review and discussion by the Board. Mr. Buckley will also be present at the meeting to help refine the scope to best meet the needs of the District.

**BUDGETARY IMPACT**

Economic impact studies have a wide range of costs. Rough estimates indicate a potential cost of \$25,000 to \$50,000 to do the work currently being considered by the District. The final cost of the study will ultimately depend upon the variables the District chooses to evaluate. Funding in the amount of \$40,000 for this project is included in the District's 2016-17 adopted budget.

**STAFF RECOMMENDATION**

Staff recommends the Board consider the draft scope of work and provide input on the general direction of the project. Should the board be comfortable with the scope of work, staff will move forward with executing a contract to complete the study.

**MOTION**

None, for discussion only.

**ATTACHMENT**

Draft Scope of Work

DATE: May 31, 2016  
TO: BPRD  
FROM: Mark Buckley, ECONorthwest  
SUBJECT: DRAFT ECONOMIC ANALYSIS SCOPE LANGUAGE

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## Introduction

### Overview, Objectives and Background

Bend Parks and Recreation District (District) is seeking professional services to provide economic analyses that measure and communicate the economic contributions of the goods and services provided by the District. Proposals should be based on the “Scope of Work” described in Section X below.

The District seeks a technically rigorous yet reader-friendly report and full-color summary document (e.g. brochure, executive summary) that identifies the primary contributions of the District and quantifies their economic value and market impacts. This information is necessary to inform ongoing investment plans and strategies for maintaining and improving current and future benefits provided by the District. The District’s contributions are wide ranging, from developed parks and trails to natural areas and various educational and recreational programs and facilities. District-maintained sites support special events and other organized activities that benefit residents and visitors alike.

Through these investments the District contributes to quality-of-life for residents and attractiveness of the region to visitors, professionals and businesses. District services complement other regional characteristics and amenities to provide the overall experience available in Bend and surroundings. It is important to understand the value and market impacts of the District’s specific contributions in this diverse set of opportunities that combine to make Bend the place it is today.

The research questions that will be guiding this project are:

1. What is the economic value of District-provided goods and services to district residents?
2. What is the economic value of District-provided goods and services to district visitors?
3. How does District-supported tourism benefit district residents?
4. How does the District contribute to business activity in the region, and what is its market impact?

While [bids-proposal](#) should describe a specific approach to answer these questions, the District expects that hedonic property value analysis and a neighborhood-level case study would likely be useful.

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Important background information regarding the District’s activities and offerings are available on its website (<http://www.bendparksandrec.org/>).

## Scope of Work

The topics listed below are considered to be the minimum required to complete the economic analyses under this project. In their submittals, consultants should propose additions or edits to this scope that lend to the most useful findings and communication material given the project objectives. In this scope, value refers to economic value as measured in benefit-cost analysis, and market impact refers to the job, income, and output associated with market activity as measured in economic-impact analysis.

- I. Measure Resident Benefits
  - a. Resident use of District services and its economic value to residents
  - b. Market impacts of resident activities associated with District services
  - c. Residential property value effects of District sites and offerings
  - d. Conduct a case study at the neighborhood-level or special event-level to illustrate the effects of District services for residents
- II. Measure Visitor Benefits
  - a. Visitor use of District services and its economic value
  - b. Market impacts of visitor activities associated with District services
  - c. Quantification and valuation of resident benefits from visitor-supported events and services
- III. Describe and Measure Business Activity
  - a. Business-related market impacts associated with resident and visitor uses of District offerings identified above (I.b. and II.b.)
  - b. Effect of District offerings on decisions by businesses to locate or grow in the Bend region, and the market impacts
- IV. Develop a Draft and Final Report of Findings
- V. Develop a Draft and Final Summary of Findings for the Public
- VI. Deliver a Presentation of Findings for the District Board

This project should use and reference relevant guidance and data sources for the appropriate economic analyses. Analyses should allow transparent assessment of numbers of users by activity type and event, as well as the values applied for consideration of site or project-specific benefits and impacts where appropriate. Analyses should show annual and cumulative effects over time.

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	June 21, 2016
<b>SUBJECT:</b>	Hillside Sidewalk Extension Intergovernmental Agreement (IGA) with the City of Bend
<b>STAFF RESOURCE:</b>	Brian Hudspeth, Development Manager Jim Figurski, Landscape Architect
<b>PREVIOUS BOARD ACTION:</b>	February 17, 2015 Approved Award of Contract for Master Planning and Design; October 6, 2015 Approved Hillside Master Plan; March 1, 2016 Approve Contract Amendment No.2 for Construction Drawings
<b>ACTION PROPOSED:</b>	Approve Hillside Sidewalk Extension IGA with the City of Bend
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Community Connection
<b>Objective:</b>	Analyze and Adapt to Changing Community Need
<b>Initiative:</b>	Acquire land, and plan and develop trails, river access, parks, natural areas and recreation facilities to meet identified community demand and future need.

**BACKGROUND**

The Master Plan for Hillside Park was approved by the Board on October 06, 2015. Included in the Master Plan is the construction of a section of public sidewalk from NW Iowa Ave to NW Vicksburg Ave. This section of sidewalk was included in the plan to improve access to the park and address pedestrian safety concerns raised from neighbors participating in the park planning process.

During the recent land use permitting process for Hillside Park, the City of Bend asked if the District could include an additional section of sidewalk from NW Vicksburg to NW Trenton in the District's project. The extension was not a requirement of the Hillside Park project and the City of Bend agreed to cover the permitting and construction costs of this extension.

The attached IGA outlines the roles and responsibilities of each agency for the requested sidewalk extension (see Attachment A). The estimated cost for the extension is \$14,641. As explained in the IGA, the City will cover any permitting costs and will reimburse the District actual construction costs, plus provide contingency funds. The District will cover the costs to design the sidewalk extension and supervise the construction.

Through this agreement, the District and City can provide the community an important sidewalk extension in an efficient and cost effective manner. Construction of Hillside Park, including this extension, is currently anticipated to begin in fall of 2016.

**BUDGETARY IMPACT**

Minimal - the incremental cost to the District for the additional design and construction administration for the sidewalk extension is negligible. The City will cover actual costs for construction and permitting.

**STAFF RECOMMENDATION**

Staff recommends the Board approve the IGA and authorize the Executive Director to finalize the agreement with the City. The District will then proceed to include construction of the additional public sidewalk from NW Vicksburg Ave to NW Trenton Ave in the Hillside Park construction documents.

**MOTION**

*I move to approve the Hillside Sidewalk Extension IGA with the City of Bend and to authorize the Executive Director to finalize details of the agreement with the City before signing.*

**ATTACHMENT**

Attachment A - Hillside Sidewalk Extension Intergovernmental Agreement

Attachment A

INTERGOVERNMENTAL AGREEMENT  
SIDEWALK EXTENSION - NW VICKSBURG AVENUE TO NW TRENTON AVENUE

This Intergovernmental Agreement dated \_\_\_\_\_, 2016, is between the Bend Park and Recreation District (BPRD), an Oregon special district and the City of Bend (City), an Oregon municipal corporation.

RECITALS

- A. Both BPRD and the City recognize the need for safe access from neighborhoods west of NW 12th Street to Hillside Park.
- B. The City and BPRD are owners of properties under consideration for future development of Hillside Park and the Hillside Park Off-Leash Area.
- C. The City and BPRD entered into a memorandum of understanding regarding management of the Hillside Off-Leash Area on February 21, 2007.
- D. BPRD's outreach process to the surrounding neighborhood identified a need for a public sidewalk along the west part of the right-of-way on NW 12th Street extending from NW Iowa Avenue to NW Vicksburg Avenue that would allow residents safe access to the crosswalk at West Hills Avenue, and BPRD agreed to construct sidewalk from NW Iowa Avenue to NW Vicksburg Avenue.
- E. The City would like to see the sidewalk extended from NW Vicksburg Avenue to NW Trenton Avenue (see Sidewalk Extension concept and location map).
- F. BPRD agreed to assist the City in construction of the sidewalk extension from NW Vicksburg Avenue to NW Trenton Avenue by including the requested sidewalk extension in BPRD's bid documents for the Hillside Park project.

TERMS OF AGREEMENT

- 1. BPRD shall:
  - a. Provide planning, design, permitting and project management services necessary to complete the Sidewalk Extension.
  - b. Provide a 50% design to the City that includes a cost estimate.
  - c. Include the Sidewalk Extension in BPRD's construction and bid documents.
  - d. Provide project and construction management for the Sidewalk Extension.

2. The City shall:
- a. Assist BPRD in the design and permitting process for the Sidewalk Extension.
  - b. Pay city application fees and reimburse BPRD for costs associated with the Sidewalk Extension that are not associated with the planning, design, permitting and project management of the NW Iowa to NW Vicksburg portion of the total sidewalk project.
  - c. Pay to BPRD the actual cost of the construction of the Sidewalk Extension on the following schedule: pay an estimated construction cost of \$14,641 based on the 50% design; pay a final reimbursement of any additional costs based on the actual costs following the award of bid for the proposed work and issuance of required construction permits within 30 days of final acceptance of proposed work by the City.
  - d. Pay BPRD, 5% of the accepted bid document cost for the Sidewalk Extension for construction contingency change orders. The City will pay a final reimbursement of any additional contingency change order costs in excess of the 5%, based on the actual costs to BPRD, within 30 days of final acceptance of the proposed work by the City.

BEND PARK AND RECREATION DISTRICT

CITY OF BEND

\_\_\_\_\_  
Don Horton, Executive Director

Date: \_\_\_\_\_

\_\_\_\_\_  
Eric King, City Manager

Date: \_\_\_\_\_

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	June 21, 2016
<b>SUBJECT:</b>	Construction Contract Award for the Sylvan and Summit Park Tennis Court Replacement Project
<b>STAFF RESOURCE:</b>	Brian Hudspeth, Development Manager Michelle Healy, Planning and Park Services Director
<b>PREVIOUS BOARD ACTION:</b>	Approved Capital Improvement Plan on June 7, 2016
<b>ACTION PROPOSED:</b>	Award Construction Contract
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Financial Stewardship
<b>Objective:</b>	Take Care of What We Have
<b>Initiative:</b>	Ensure sufficient resources are allocated to provide well-maintained and updated facilities. Plan for and invest in operational costs of existing facilities and programs.
<b>Theme:</b>	Community Connection
<b>Objective:</b>	Analyze and Adapt to Changing Community Need
<b>Initiative:</b>	Acquire land, and plan and develop trails, river access, parks, natural areas and recreation facilities to meet identified community demand and future need.

**BACKGROUND**

Caring for our existing park assets is a high priority for District residents. In the adopted Capital Improvement Plan (CIP) the tennis courts at both Sylvan & Summit Parks were budgeted for replacement.

The existing two tennis courts at Sylvan Park and two tennis courts at Summit Park have been in service for over 20 years. Over the years, the District has re-coated the court surfaces and repaired numerous holes and cracks to the underlying asphalt; however, the courts have exceeded their expected life cycle and need to be replaced.

The replacement project includes installing a new asphalt base, new asphalt, court surfacing, nets, posts, gates, and fencing, and addressing minor American's with Disabilities Act (ADA) parking issues. At Summit Park a single new ADA van stall will be installed at the southwest corner of the courts. At Sylvan Park the existing ADA stall will be re-graded to meet current guidelines, as well as re-surfacing the pathway leading from the parking to the court. The new asphalt section and surfacing will have the same specifications as the Juniper Park tennis courts that were completed in October of last year. The new 10-foot high court fencing will be engineered to accommodate wind screens and permitted through the City of Bend. The project estimate, prepared by staff, for this project was \$350,000.

On May 5, 2016, the project was put out for public bid. The bid was a standard invitation to Bid per Oregon Administrative Rule (OAR) 137-049. The District held a mandatory pre-bid meeting on May 12, 2016. On June 2, 2016 the District held the public bid opening. The following bids were received:

<u>Contractor</u>	<u>Bid Amount</u>
Mountain Sky Landscaping, Inc.	\$329,735.00
Alex Hodge Construction	\$414,025.50

The lowest bid was Mountain Sky Landscaping, Inc. for an amount of \$329,735.00. Mountain Sky Landscaping, Inc. has worked for the District before, most recently at First Street Rapids Park.

Pending contract award, the Sylvan and Summit Parks Tennis Court Replacement project will begin in July, with an expected reopening of the courts in October of 2016.

**BUDGETARY IMPACT**

The Capital Improvement Plan allocates \$350,000 to be spent in fiscal year 2016-17 for asset improvements at Sylvan and Summit Parks. The bid price is within the current funding allocation; however, with the addition of approximately a 10% contingency (\$33,000) and \$5,000 in miscellaneous District costs, the revised cost estimate for the project exceeds the funding allocation by \$17,735. Upon completion of the project, the District anticipates spending the following:

Miscellaneous District costs	\$ 5,000
Construction contract	\$ 329,735
<u>Construction contingency</u>	<u>\$ 33,000</u>
<b>Total cost</b>	<b>\$ 367,735</b>

With Board approval of the total construction budget, the funding allocation in the CIP will be increased by \$17,735. The additional funds requested for the project does not negatively impact other projects, and the funds are available in the Facility Reserve Fund where the project is budgeted.

**STAFF RECOMMENDATION**

Staff recommends that the Board award a construction contract to the lowest and best bidder, Mountain Sky Landscaping, Inc., in the amount of \$329,735. Staff further recommends the Board approve a ~10% contingency on the contract, plus an additional \$5,000 for District costs, bringing the total project allocation to \$367,735.

**MOTION**

***I move to authorize the Executive Director to award a construction contract to Mountain Sky Landscaping, Inc., for the Sylvan and Summit Park Tennis Court Replacement project in the amount of \$329,735; and approve a construction contingency of \$33,000 with an additional \$5,000 for District costs - for a total project budget not to exceed \$367,735.***

**ATTACHMENT**

None

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	June 21, 2016
<b>SUBJECT:</b>	JSFC Flat Roof Replacement Contract Award
<b>STAFF RESOURCE:</b>	Matt Mercer, Recreation Director Dave Crowther, Business Manager Rob Shatting, Facility Supervisor
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	Award Construction Contract
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Community Connection
<b>Objective:</b>	Respond to User Expectations
<b>Initiative:</b>	Provide park and facility maintenance based on community expectations.
<b>Theme:</b>	Financial Stewardship
<b>Objective:</b>	Take Care of What We Have
<b>Initiative:</b>	Ensure sufficient resources are allocated to provide well-maintained and updated facilities. Plan for and invest in operational costs of existing facilities and programs.

**BACKGROUND**

The flat roof covering the original north lobby, locker rooms and mechanical space at Juniper Swim & Fitness Center is failing. The current TPO roofing material is 15-years old and has outlasted its lifecycle and warranty period. The roof does not shed water well, causing pools to form which reduces the lifecycle of the roofing material and increases the possibility of damaging leaks.

The District hired a roofing consultant to evaluate of the roof and to provide design services for roof modifications and replacement. Construction documents were completed and the project was bid last spring with a bid opening of June 18, 2015. The bids received at that time substantially exceeded the engineer's estimate and the allocation in the Capital Improvement Plan (CIP) causing the District to reject all bids in order to revisit the project funding allocation and have the project rebid.

On April 19, 2016, the District advertised the roof replacement project as a lump sum bid per ORS 279C. No bids were received by the May 12, 2016 closing, so the project was re-bid again on the following day. One bid was received at the June 7, 2016 bid opening from Eagle Roofing in the amount of \$166,940.

**BUDGETARY IMPACT**

The 2017-2021 CIP allocates \$192,000 for the construction of the project. A total of \$22,000 was spent in prior fiscal years for evaluation, design, construction documents and bidding. The bid price of \$166,940 is within the current funding allocation. With a 10% contingency the total construction budget would be \$183,634, or \$13,634 more than the funding allocation.

Upon Board approval of the total construction budget as presented in this agenda item, the funding allocation in the CIP will reflect the increase in funding needed to complete the project. The additional \$13,634 requested for the construction budget does not negatively impact other projects. The funds are available in the Facility Reserve Fund where the project is budgeted.

**STAFF RECOMMENDATION**

Staff recommends that the Board award a contract to Eagle Roofing in the amount of \$166,940 and allocate an additional 10% contingency or \$16,694 for a total construction budget of \$183,634.

**MOTION**

***I move to authorize the Executive Director to award a construction contract to Eagle Roofing in the amount of \$166,940 for the Juniper Swim & Fitness Center Flat Roof Replacement and approve an additional construction contingency of 10% for a total construction budget not to exceed \$183,634.***

**ATTACHMENT**

None

<b>BOARD AGENDA COMMUNICATION</b>
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<b>AGENDA DATE:</b>	June 21, 2016
<b>SUBJECT:</b>	Sole-Source Procurement for JSFC Tent Panels
<b>STAFF RESOURCE:</b>	Matt Mercer, Recreation Director Dave Crowther, Business Manager
<b>PREVIOUS BOARD ACTION:</b>	None
<b>ACTION PROPOSED:</b>	Approve Sole-Source Procurement
<b>STRATEGIC PLAN:</b>	
<b>Theme:</b>	Community Connection
<b>Objective:</b>	Respond to User Expectations
<b>Initiative:</b>	Provide park and facility maintenance based on community expectations.
<b>Theme:</b>	Financial Stewardship
<b>Objective:</b>	Take Care of What We Have
<b>Initiative:</b>	Ensure sufficient resources are allocated to provide well-maintained and updated facilities. Plan for and invest in operational costs of existing facilities and programs.

**BACKGROUND**

In 1996, the District solicited competitive proposals for enclosures that would allow year-round use of the old outdoor pool at Juniper Swim & Fitness Center by providing an enclosed environment during the winter months and an open air, outdoor environment during the summer months. The District selected a rigid framed fabric product manufactured by Creative Tent International to cover the outdoor pool. In 2006, the District replaced the old 40-yard outdoor pool with a new 50-meter pool. Rather than purchasing an entirely new structure, the District elected to expand the existing structure in order to save costs and to use existing materials. This required that the District use the existing manufacturer, Creative Tent International, as a sole source to provide the structure and fabric as there were not compatible structures on the market. The fabric panels are now 10 years old and in need of replacement.

Staff's recommendation is to purchase the replacement panels through a Sole-Source Procurement with Creative Tent International. According to District purchasing rules and procedures, adopted under Resolution No. 386, the District may purchase a product or service available from only one source if the District meets the requirements for Sole-Source Procurement pursuant to ORS 279B.075. Prior to purchase, the District must document its findings of current market research to support the determination that the product or service is available from only one seller or source and place this information the procurement file. A copy of this document is attached.

The primary reasons supporting the Sole-Source Procurement of the panels include:

1. In order to use the existing framing and structure, the District needs to use compatible fabric panels that are designed for the system. The system is patented and unique to Creative Tent International and the particular structure.
2. The District would assume significant risk by having another company attempt to fabricate compatible panels. Should a third party panel not function properly or create performance, reliability or safety issues with the structure, the District may have difficulty assigning responsibility to Creative Tent International or the manufacturer of the fabric panels.

Additionally, Creative Tent International has a GSA contract with the Federal Government based on fair and reasonable pricing. Creative Tent extends the same pricing to other governmental agencies.

#### **BUDGETARY IMPACT**

The 2017-2021 CIP and Fiscal Year 2016-17 budget allocates \$200,000 for the replacement of the fabric panels. Preliminary estimates provided by Creative Tent International are within this budget allocation. Once design of the panels is completed and a final proposal is provided, a purchase contract will be brought to the board for approval.

#### **STAFF RECOMMENDATION**

Staff recommends that the Board approve a Sole-Source Procurement to purchase the fabric replacement panels for the Juniper Swim & Fitness Center outdoor pool structure from Creative Tent International. The purchase of the panel from Creative Tent International ensures that the integrity of the system is maintained and that the compatibility of the fabric panels with the structure is assured.

#### **MOTION**

***I move to authorize the Executive Director to use the Sole-Source Procurement method for the purchase of replacement fabric panels for the Juniper Swim & Fitness Center outdoor pool structure from Creative Tent International.***

#### **ATTACHMENT**

Sole-Source Procurement Documentation for JSFC Fabric Panels



# Bend Park & Recreation DISTRICT

## **Sole-Source Procurement Findings**

### **Juniper Swim & Fitness Center Fabric Tent Panels**

**Prepared on June 10, 2016**

Pursuant to District Resolution No. 386 and ORS 279B.075, the following is provided to document and support the determination for using the Sole-Source Procurement method for the purchase of replacement fabric panels for the existing structure over the Juniper Swim & Fitness Center outdoor pool.

#### **Contracts to be covered**

The contract covered under this Sole-Source Procurement finding will be a contract for the purchase of goods from Creative Tent-International in July or August of 2016 for an estimated amount between \$180,000- \$200,000. The District may also elect to contract for services to assist in the installation of the purchased goods at an estimated amount of \$5,000-\$10,000. The installation contract is independent of any other work being performed and not part of another contract.

#### **Products or Services to be purchased**

The products to be purchased are fabric replacement panels for the Creative Tent International Quick-Span tent structure owned by the District since 1997. Panels include main roof panels (13), inner panels (13), gable end panels (13) and filler wall panels. Should the District elect to procure installation services, those will consist of the support of one or two technicians from Creative Tent International to assist and supervise District staff with installation of the fabric panels.

#### **Determination of a sole source**

The primary reasons for recommending the use of a Sole-Source Procurement method include:

1. The efficient utilization of existing goods or services requires acquisition of compatible goods and services. In order to utilize the existing framing and structure, which is not in need of replacement, the District needs to use compatible fabric panels that are designed for the system. The system is patented and unique to Creative Tent International and the particular structure and Creative Tent International has not authorized of licensed others to use their

design. While other companies might attempt to duplicate or create a compatible panel, they would be doing so without the authorization of Creative Tent International and without experience with the particular design and system. Hiring an alternative manufacturer to design and fabricate compatible panels would also likely result in a delay in procuring the panels.

2. The District would assume significant risk by having another company attempt to design and manufacture compatible panels. Should a panel provided by a third party not function properly, or create performance, reliability or safety issues with the existing structure or overall system, the District would likely have difficulty assigning responsibility to Creative Tent International or the manufacturer of the fabric panels.

**Board Calendar  
2016-2017**

*\*This working calendar of goals/projects is intended as a guide for the board and subject to change.*

**July 5 - Canceled**

**July 19**

Work Session

- ◆ Bend Whitewater Park Update – *Don Horton*
- ◆ 2015-2016 Annual Action Plan – year-end review – *Michelle Healy (15 min)*
- ◆ CIP – 4th Quarter Review – *Michelle Healy and Lindsey Lombard (15 min)*
- ◆ Larkspur Center Communications & Outreach Plan – *Julie Brown & Michelle Healy (20 min)*

Business Session

- ◆ Stone Creek Neighborhood Park Naming (consent)
- ◆ Approve OSU Lease for Parking – *Michelle Healy*

**August 2**

Director Hovekamp absent

Work Session

- ◆ Perception Survey Results – *DHM (30 min)*

Business Session

- ◆ Approve Purchase Contract with Creative Tent International – *Matt Mercer*
- ◆ Award design services contract for Larkspur Center – *Jim Figurski (15 min)*
- ◆ Award construction contract for Rockridge Park – *Brian Hudspeth (20 min)*

**August 16**

Director Hovekamp absent

Work Session

Business Session

- ◆ Award professional services contract for the Comprehensive Plan Project – *Steve Jorgensen (20 min)*
- ◆ Award construction contract for Hillside Park – *Brian Hudspeth (15 min)*
- ◆ Approve construction contract for Skyline Fields Renovation – *Brian Hudspeth (15 min)*

**September 6**

Work Session

- ◆ Mirror Pond Quarterly Update

Business Session

- ◆ Award construction contract for Riley Ranch Nature Reserve – *Brian Hudspeth (15 min)*

**September 20**

Work Session

Business Session

- ◆ Award construction contract for Eagle Park – *Brian Hudspeth (15 min)*

**October 4**

Work Session

- ◆ Update on Community Sponsored Project Program – *Quinn Keverer (30 min)*

Business Session

**October 18**

Work Session

Business Session

- ◆ CIP 1st Quarter Review & Financial update on Fiscal Year 2015-16 – *Michelle Healy & Lindsey Lombard*

**November 1**

Work Session

Business Session

**November 15**

Work Session

Business Session

**December 6**

Work Session

- ◆ Mirror Pond Quarterly Update

Business Session

**December 20**

Work Session

Business Session

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**January 3 2017**

Board Workshop - 8:00 a.m. – 4:00 p.m.

- Annual Action Plan – mid-year review – *Michelle Healy*
- CIP (2<sup>nd</sup> Quarter Review and Draft Proposed for 2017-18) – *Michelle Healy, Lindsey Lombard*
- Financial Forecast – *Lindsey Lombard*
- Cost Recovery/Subsidy Allocation Strategy – *Matt Mercer*
- Discussion on Budget Priorities – *Don Horton*

**January 17**

Work Session

- ◆ Mirror Pond Quarterly Update

Business Session

**February 7**

Work Session

Business Session

**February 21**

Work Session

Business Session

- ◆ Award construction contract for Shevlin Park Wayfinding Signs – *Quinn Keever (20 min)*

**March 7**

Work Session

- ◆ Mirror Pond Quarterly Update

Business Session

**March 21**

Work Session

Business Session

**April 4**

Work Session

Business Session

**April 18**

Work Session

Business Session

**April - Budget Committee Tour**

**May 2**

Work Session

Business Session

**May BUDGET MEETINGS (Dates TBD)**

**May 16**

*Board Meeting Canceled?*

**June 6**

Work Session

- ◆ Mirror Pond Quarterly Update

Business Session

**June 20**

Work Session

Business Session

**TBD**

District-wide Website – *Colleen McNally and Josiah Dawley (Fall)*

Latino Outreach Program

Facility user priority allocation – *Matt Mercer*

Athletic Field Report – *Matt Mercer*

Approve DRT easements for Putnam to RRNR segment – *Steve Jorgensen (consent)*

Early lease extension request from Cascade School of Music – *Don Horton*

Strategic Plan measurements

DRT - Kirkaldy Ct. to Putnam Rd. easement

Larkspur Center Expansion Business and Programming Plan

Cost Recovery Pricing Review – *Matt Mercer*

Sponsorship Policy

Report on Events in Parks – *Chris Zerger (30 min)*  
Goose program report – *Jeff Amaral (30 min)*  
Trail counts and usage report – *Sasha Sulia, Robin Thompson (30 min)*  
Comprehensive Plan Project Updates – *Steve Jorgensen and Quinn Keever (multiple)*  
River stewardship planning update – *Chelsea Schneider (20 min)*  
IGA with the School District – *Matt Mercer and Don Horton (45 min)*  
IGA with the City for Planning – *Michelle Healy and Don Horton (45 min)*  
Park Rules Update – *Jeff Hagler and Michelle Healy (30 min)*  
Review Economic Impact Study Findings – *Don Horton, Michelle Healy and Lindsey Lombard (45 min)*  
Approve Juniper Park Master Plan update – *Chelsea Schneider (20 min)*  
Approve Pioneer Park Master Plan update – *Chelsea Schneider (20 min)*  
Approve Big Sky master plan update – *Steve Jorgensen and Chelsea Schneider (30 min)*  
Approve Master Plan for SE Community Park property – *Chelsea Schneider (30 min)*  
Review Larkspur Center Updated Master Plan – *Jim Figurski (20 min)*  
Troy Field - Don Horton