



Agenda Memorandum

Agenda Item –
{{section.number}}.E.

City Council Meeting
May 22, 2023



Strategic Priority 1: Preparedness and Resilience

Build a system of intentional support for residents, businesses and the environment that mitigates risks and proactively seeks out ways to ensure the community not only endures, but thrives.



Strategic Priority 3: Shared Sense of Community

Foster equitable opportunities that help residents feel at home and connected in their community and empowered to live their best lives.



Strategic Priority 4: Quality of Life

Ensure that Westminster offers a diverse range of amenities and activities for residents, businesses and visitors that honor the city's history and support the arts, parks, recreation, open spaces, and libraries.

Subject: Authorize Task Order #3 for Final Design and Construction Document Services with DTJ Design, Inc. for the Downtown Center Park

Prepared By: Tomás Herrera-Mishler, Director of Parks, Recreation, & Libraries
John Vann, Capital Project Manager – Economic Development Department

Recommended City Council Action:

Authorize the City Manager to approve Task Order #3 with DTJ Design Inc. in the amount of \$310,660 for design services for the Downtown Center Park project, bringing the project design fees from \$249,500 to \$560,160, plus an additional 10% contingency on Task Order #3 in the amount of \$31,066 for a total authorized expenditure of \$591,226.

Summary Statement:

On April 6, 2022, the City signed Task Order #1 with DTJ Design, Inc. in the amount of \$228,000 for Center Park Design services based upon the 2022 On-call Landscape Architectural contract dated January 1, 2022.

On December 12, 2022, the City signed Task Order #2 with DTJ Design, Inc. in the amount of \$36,000 for additional Center Park Design services and a change in scope, including a Task #1 deduction of -\$14,500, making the total contract \$249,500.

After approval of concept design and design development drawings, Staff recommends continuation with DTJ Design, Inc. for Task Order #3 in the amount of \$310,660, to work in tandem with a Contractor Manager at Risk (CMAR) contract to complete plans and specifications for the development of Center Park. This fee includes subconsultants to complete the design work.

Fiscal Impact:

Not to exceed \$591,226.

Source of Funds:

Parks, Open Space, and Trails (POST) Debt: Downtown Center Park capital project account

Policy Issue(s):

Should City Council authorize the City Manager to execute Task Order #3 with DTJ Design Inc. to complete design and construction documents for the Downtown Center Park?

Alternative(s):

1. City Council could decline to authorize Task Order #3 with DTJ Design, Inc. and direct Staff to issue a Request for Proposals (RFP) for other landscape architecture firms to complete the plans for design and construction. This alternative is not recommended because DTJ Design, Inc. has extensive knowledge of the park, beginning with concept design, engagement with Downtown developers, the Downtown Real Estate committee, and other City staff. This alternative would add time and cost to the project and prevent the City from meeting promised deadlines for the Downtown community and real estate developers. Furthermore, a grant extension would be required from the Colorado Department of Transportation, as the City was awarded a \$150,000 equipment and tree grant in the fall of 2022.
2. City Council could decline to authorize the contract amendment with DTJ Design, Inc. and direct Staff to place the project on hold or cancel it altogether. This alternative is not recommended because a grant agreement is already in place, and the Downtown Center Park is the capstone park development in the Downtown. Long delays or canceling the project could jeopardize the City's relationship with existing and future Downtown developers. In addition, the broader Westminster community would miss a much-anticipated project and hub for future activation.

Background Information:

Master planning for the park and greenspaces in Downtown began in 2014. In 2015, the City retained three landscape architecture firms to provide further concept design services for Downtown. Sasaki Design created the first concept plan and study for the Downtown Center Park, while DTJ Design, Inc. created concept plans and studies for South Park and East Park. Wenk Design was retained to create concept plans for the Downtown Plaza and was later retained to complete final construction plans for the plaza and streetscapes of Downtown. This work was undertaken in conjunction with a Construction Manager / General contractor (CM/GC) agreement with ECI Site Management and Construction (ECI). ECI completed construction of the Plaza and Phase 1 streetscapes under a Guaranteed Maximum Price Amendment to the CM/GC contract.

In much the same fashion as the Wenk Contract, DTJ Design, Inc. was again retained in May of 2021 to update concept plans across Downtown in order to better reflect development as it had occurred, and to provide further assessments for activation and development. Following this updated design study, DTJ Design, Inc. was issued Task Order #1 and Task Order #2 utilizing the City's On-Call Landscape Architectural Master Agreement to finalize concept design and begin the process of construction documents for the Downtown Center Park.

The City's On-Call Landscape Architectural Master Agreement was awarded in January of 2021 to eight different landscape architecture firms following an RFP, providing a breadth of specialty design and experience to respond to needs, varying scope, and upcoming design projects. These annual contracts have a maximum amount of \$250,000, and require City Council approval if any one project should have combined, cross-year expenditures exceeding the \$250,000 cap.

Task Order #2 with DTJ was authorized to provide further documentation and research, while beginning development of a washroom/storage structure in the Downtown Center Park. Also included were additional design images to illustrate creative intent and provide support for meetings with stakeholders, including the City's Downtown Real Estate consultants.

This proposed Task Order #3 will allow DTJ to complete the design documents for the park, ensure added opportunity for Staff input, enable construction, and will include necessary planning by subcontractors such as civil, electric, and structural. This Task Order #3 will be performed in conjunction with a Construction Manager at Risk (CMAR) contract to be discussed and potentially awarded in summer 2023.

The Downtown Center Park project is currently estimated to cost \$7 to \$8 million to construct. These funds will come from existing Downtown CIP accounts plus \$4,802,000 from the 2022 POST debt financing. Total design fees of \$591,226 for DTJ reflect approximately a 9.5% fee for design and construction management over the life of the project, which is competitive.

The Downtown Center Park Construction is anticipated to begin in late fall of 2023. The Downtown Center Park will create a unique place in Westminster where people can shop, eat, recreate, and enjoy the outdoors. The Downtown Center Park plan includes several covered café-style areas, a washroom and storage facility, a play area, a spray pad, a fenced dog area, a large turf lawn, multiple flex lawn areas to support various activities and programs, significant landscaping, a mini-garden area, and lighting for nighttime and event use.

The design and development of the Downtown Center Park fulfills the Strategic Plan goal of Preparedness and Resilience by incorporating sustainable building and landscaping techniques, including solar energy, low water use landscapes, recycled materials, and recycled water play features while supporting local business with ancillary features such as picnic areas, gathering points, and programming venues. It also supports a Shared Sense of Community by fostering equitable opportunities and activities, by promoting special events, family outings, and enhanced living experiences. The Downtown Center Park also supports the Strategic Plan goal of Quality of Life by providing a site that has historic ties to the balloon motif of the former Westminster Mall, while offering a diverse range of amenities and activities for residents, businesses and visitors that reflects the City's history and supports the arts, parks, recreation, open spaces, and libraries.

Respectfully Submitted,

Mark A Freitag

Mark A. Freitag
City Manager

Attachments:

Attachment A - Additional Services Agreement for Downtown Westminster Center Park (Task Order #3)

Attachment B - Excerpts from 100% Design Development Package – Center Park