



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND**

**AB 6209
January 17, 2023
Consent Agenda**

AGENDA BILL INFORMATION

TITLE:	AB 6209: Luther Burbank South Shoreline Restoration Project Bid Award	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Award the Luther Burbank South Shoreline Restoration project to Specialty Equipment LLC dba Neptune General Contractors.	

DEPARTMENT:	Public Works
STAFF:	Jason Kintner, Chief of Operations Clint Morris, Capital Division Manager Paul West, CIP Project Manager
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Project Location Map
CITY COUNCIL PRIORITY:	2. Sustain and enhance our natural environment, especially parks and open spaces, to benefit this generation and others that follow.

AMOUNT OF EXPENDITURE	\$ 574,267
AMOUNT BUDGETED	\$ 575,000
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to award a public works contract for the construction of the Luther Burbank Park South Shoreline Restoration project.

- This project will restore over 700 feet of shoreline between the docks and the swim beach and will also relocate an eroding shoreline trail away from the undercut bank to higher ground where it will be constructed to accessible grades.
- This public works contract will be supplemented with habitat restoration work by volunteers and conservation corps crews.
- This work is included in the 2023-2024 capital budget and is funded by three grants and King County Parks Levy funds.
- Estimated project expenditures are within the current available budget and no appropriation is needed.
- Construction will begin in April 2023.

BACKGROUND

The purpose of the project is to improve aquatic habitat and address ongoing erosion along the Luther Burbank Park south shoreline between the docks and the swim beach (Exhibit 1). Improvements include placing fish habitat gravel and intermittent large woody debris along the shoreline, relocation of an existing trail, invasive plant removal, and shoreline buffer riparian planting.

In 1916, Lake Washington was lowered by 9 feet with the opening of the Lake Washington Ship Canal. This exposed what had been lake bottom as the new shoreline. Much of the Lake Washington shoreline was hardscaped in the following decades to inhibit erosion, but some shoreline properties including Luther Burbank Park remained natural. Along the park's shoreline, a vertical bank formed at the ordinary high-water level as a result of coastal erosion. This unstable bank has been eroding unchecked for the past one hundred years. The bank becomes undercut by wave action and collapses into the lake periodically, burying migratory salmon habitat. A long-standing informal trail along the shoreline further contributes to instability and shoreline erosion.

PROJECT DESCRIPTION

The Luther Burbank South Shoreline Restoration Project consists of installing spawning gravels and anchoring large woody debris along 785 feet of shoreline between the docks and the swim beach. The project will relocate the shoreline trail upslope with grades and surfacing that meet accessibility standards for outdoor recreation. The shoreline will be improved by decommissioning the existing trail, removing invasive plants, and planting native shoreline species consistent with the City's open space management objectives. The project will provide shoreline access at two locations. It will also install minor improvements such as benches and fencing where needed to improve user experience and meet grant requirements.

The project will utilize a public works contractor for the earthwork, in-water, and heavy equipment scope. Conservation corps and volunteer crews will be used for the habitat restoration scope, which includes invasive removal, planting, and maintenance. The City is currently working with environmental consultant Anchor QEA to manage construction of the project.

ISSUE/DISCUSSION

PROJECT DEVELOPMENT

Design of this project began in 2013. Initially, the design emulated the 2008 shoreline enhancement work completed between the docks and the off-leash area, but that design proved to be costly and did not compete well for grant funding. The project was then simplified and split into two scopes of work: one that could be completed by volunteers, conservation corps, and in-house staff, and one that would require earthwork and heavy equipment provided by a general contractor. This split approach made the project attractive for grants, resulting in \$240,000 in grant funding. Permitting began in 2020 and was completed in 2022. US Army Corps and Washington State Fish and Wildlife permits restrict in-water work to a timeframe between July 16 and September 30.

BID RESULTS

Five construction bids were received and opened on December 7, 2022. The lowest bid was received from Specialty Equipment LLC dba Neptune General Contractors in the amount of \$376,639.99, approximately 13% above the engineer's construction cost estimate. The following table shows the bid results.

COMPANY NAME	Bid amount + 10.1% sales tax
Specialty Equipment LLC dba Neptune General Contractors	\$376,639.99
East Slope Earthworks LLC	\$425,492.49
Nordvind Company	\$485,983.83
OMA Construction, Inc.	\$587,035.58
Talakai Construction LLC	\$699,438.88
Engineers Estimate	\$333,500.00

The apparent low bidder, Specialty Equipment LLC dba Neptune General Contractors from Anacortes, Washington, has completed numerous in-water projects for public agencies across the Pacific Northwest, including a \$497,000 shellfish hatchery project for the Lummi Nation in 2022 and a \$282,000 bridge replacement for the City of Bellingham, also in 2022. In addition, they completed a \$233,000 retaining wall project on East Mercer Way for the City of Mercer Island in the summer of 2021. Review of the Labor and Industries website confirms Specialty Equipment LLC is a contractor in good standing with no license violations, outstanding lawsuits, or Labor and Industries tax debt.

Based on the review of the Specialty Equipment LLC's bid submittal and reference checks, staff has determined that Specialty Equipment LLC is the lowest responsive bidder for this project. Staff recommends awarding the project to Specialty Equipment LLC.

PROJECT BUDGET

Adding amounts for design, construction contingency, construction support services and inspection, and other project costs brings the total estimated cost of the project to \$574,267. Historically, staff applies a 15% construction contingency to aquatic construction due to the environmental sensitivity of the work. Project costs are summarized in the following table and no appropriation is needed.

LUTHER BURBANK SOUTH SHORELINE RESTORATION PROJECT BUDGET	
Construction Contract	\$376,640
Construction Contingency @ 15%	\$56,496
Construction Support Services	\$31,000
Project Management @ 7%	\$26,365
Conservation Corps	\$30,000
Volunteer Management	\$25,000
1% for the Arts	\$3,776
Plants and Materials	\$25,000
Total Project Cost	\$574,267
Approved Budget (2023-2024)	\$575,000
Budget Remaining	\$733

REVENUE FUNDING

The project utilizes grant funding (\$169,000 in total) from the following programs:

- King Conservation District Member Jurisdiction Program
- King County Flood Control District Cooperative Watershed Management Program (WRIA 8)
- King County Wastewater Treatment Waterworks Program

The remaining funding for this project will use King County Parks Levy funds (\$406,000) per the 2023-2024 adopted budget.

NEXT STEPS

Staff recommends authorizing the City Manager to execute a contract with Specialty Equipment LLC for the construction of the Luther Burbank South Shoreline Restoration Project.

The City and contractors continue to experience supply chain issues in the form of long lead times on critical items. This has been considered during the development and advertisement of this project. Staff will work closely with the contractor to manage the project timeline and work schedule.

A limited Notice to Proceed will be given to Specialty Equipment LLC after award of the project, to get the long lead time items into material sourcing. The spawning gravel and tree debris specified on this project are not standard materials and have to be sourced in advance of construction. Notice to Proceed with construction will occur around April 1, 2023. Upland trail construction and restoration will occur in Q2 of 2023 and is scheduled for completion by July 1. Aquatic work will start in mid-July consistent with permit work windows. The contractor's work is expected to be completed by the end of Q3 2024. Remaining volunteer and conservation corps work will continue through 2024 to manage invasive plants, establish new native plantings and complete installation of site furnishings.

RECOMMENDED ACTION

Award the Luther Burbank South Shoreline Restoration project to Specialty Equipment LLC dba Neptune General Contractors, in the amount of \$376,639.99, and authorize the City Manager to execute the construction contract.