



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

**AB 6482
June 18, 2024
Consent Agenda**

AGENDA BILL INFORMATION

| | | |
|----------------------------|---|---|
| TITLE: | AB 6482: Aubrey Davis Park Trail Safety Improvements 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 Aubrey Davis Park Trail Safety Improvements construction contract to Always Active Services LLC and appropriate funds for this project. | |

| | |
|-------------------------------|--|
| DEPARTMENT: | Public Works |
| STAFF: | Jason Kintner, Chief of Operations Kellye Hilde, Deputy Public Works Director Clint Morris, Capital Division Manager |
| COUNCIL LIAISON: | n/a |
| EXHIBITS: | 1. Project Location Map |
| CITY COUNCIL PRIORITY: | 3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks. |

| | |
|-------------------------------|------------|
| AMOUNT OF EXPENDITURE | \$ 642,688 |
| AMOUNT BUDGETED | \$ 385,000 |
| APPROPRIATION REQUIRED | \$ 257,688 |

EXECUTIVE SUMMARY

The purpose of this agenda bill is to award a public works construction contract for improvements on the Mountains to Sound Greenway Trail between 60th Avenue SE and 76th Avenue SE located within Aubrey Davis Park near Feroglia Field (Exhibit 1).

- This project will install pavement markings and advisory signs on areas of the trail prone to congestion, construct a new concrete trail surface by the restroom building, install a new light pole under the 72nd Avenue overpass, and install minor landscaping.
- An extensive public process began in 2022, facilitated by the Parks and Recreation Commission (PRC). The PRC made its final recommendation on the 30% design to City Council on June 6, 2023 ([AB 6265](#)). The City Council accepted the design recommendation and authorized the City Manager to finalize the design and advertise the project for construction bids.
- The total project cost is estimated at \$642,688, inclusive of design, the public process (which was extended), and construction costs.
- This project is included in the 2023-2024 Biennial Budget and Capital Improvement Program (CIP) (PA0109) with a total budget of \$385,000, of which \$375,000 was funded by a Washington State Department of Commerce grant.

- Four bids were received. The lowest responsive and responsible bid is \$447,701.83.
- An appropriation of \$257,688 is needed to fully fund the project.
- Construction is scheduled to begin in July and will be complete in October 2024.

BACKGROUND

On December 3, 2019, the City Council adopted the [Aubrey Davis Park Master Plan](#), which identified the need for traffic calming measures and wayfinding signs on the Mountains to Sound Greenway Trail through the park. The City Council also directed the City Manager and the Parks and Recreation Commission (PRC) to develop a scope of work for a grant from the Washington State Department of Commerce for trail improvements ([AB 5629](#)).

The PRC provided its scope of work recommendation to City Council on March 2, 2021 ([AB 5819](#)). The City Council approved the recommendation and directed staff to facilitate a public input process with the PRC and make a recommendation on design. The PRC considered public input and developed a 30% design recommendation at the following PRC meetings:

- April 7, 2022: PRC reviewed public input and gave feedback on design.
- June 2, 2022: PRC joint meeting with Arts Council that reviewed art opportunities for the project.
- July 7, 2022: Consultant identified consensus elements and outstanding issues.
- September 1, 2022: PRC reviewed design revisions and transmittal memo.
- October 6, 2022: Staff recommended postponing the design discussion to consider Washington State Department of Transportation (WSDOT) comments.
- January 5, 2023: Staff presented the roundabout design. PRC requested a meeting with WSDOT.
- March 2, 2023: WSDOT presented, and PRC selected Option 3 (no roundabout) for the 72nd Avenue intersection.
- May 4, 2023: PRC approved the design recommendation and the transmittal memo.

The PRC made its recommendation on the 30% design to City Council on June 6, 2023 ([AB 6265](#)). The City Council accepted the design recommendation and authorized the City Manager to finalize the design and advertise the project for construction bids.

Design work was completed in March 2024 and the project was advertised for bids in April. The City received and opened contractor bids on May 7, 2024, and the project is now ready for contract award.

ISSUE/DISCUSSION

PROJECT DESCRIPTION

The Aubrey Davis Park Trail Safety Improvements Project (PA0109) consists of limited improvements on the section of the Mountains to Sound Greenway Trail between 60th Avenue SE and 76th Avenue SE. The construction project includes the following scope of work:

- At trail intersections and other congestion areas, pedestrian and bicycle traffic calming measures, including advisory signs and pavement markings will be installed. Wayfinding signage will also be installed to orient trail users and cyclists on routes through the Park. In the section of the trail near the restroom building and Feroglia Field, existing asphalt paving will be removed and replaced with new colored concrete pavement to highlight this high-traffic area.

- At the trail intersection underneath the 72nd Avenue overpass, a new light pole and its associated conduit and wiring will be installed to enhance the intersection's visibility during low-light conditions.
 - The landscaped areas between the parking lot and Feroglia Field will be replanted and new fencing will be installed to direct pedestrians to cross the trail at specific locations.
- Visibility and lines-of-sight on several sections of trail will be improved by cutting back encroaching vegetation and installing a gravel/topsoil shoulder that will support low-growing vegetation.

BID RESULTS

Four construction bids were received on May 7, 2024, and the bid amounts are shown in the table below.

| AUBREY DAVIS PARK TRAIL SAFETY IMPROVEMENTS BID SUMMARY | |
|--|-------------------------------------|
| COMPANY NAME | BID AMOUNT + 10.2% SALES TAX |
| Zenisco, Inc. | \$418,715.92 |
| Always Active Services LLC | \$447,701.83 |
| Apcon Tech, Inc. | \$484,893.22 |
| Core Infrastructure Services LLC | \$563,656.58 |
| Engineer’s Estimate | \$420,000.00 |

The low bidder, Zenisco, Inc., was determined to be a non-responsible bidder due to insufficient experience with similar transportation and public works projects. Staff recommend awarding the bid to Always Active Services LLC, which has demonstrated experience with transportation and public works projects of a similar scope and size.

A review of the Labor and Industries (L&I) website confirms Always Active Services LLC is a contractor in good standing with no license violations, outstanding lawsuits, or L&I tax debt. Based on review of Always Active Services LLC’s bid submittal and reference checks, staff has determined that Always Active Services LLC is the lowest responsive and responsible bidder for this project and staff recommend awarding the Aubrey Davis Park Trail Safety Improvements construction contract to Always Active Services LLC.

PROJECT BUDGET

The 2023-2024 Aubrey Davis Park Trail Safety Improvements project budget is \$385,000. The 30% design process was extended in late 2022 and early 2023 to solicit additional public engagement, to address concerns raised by WSDOT and the PRC, and to perform an analysis for the trail intersection under the 72nd Avenue overpass. These tasks increased design costs and added improvement elements to the project.

The Aubrey Davis Park Trail Safety Improvements construction bid price is \$447,701.83. Adding amounts for design services, construction contingency, construction inspection, project management, WSDOT reviews, and materials brings the total estimated cost to \$642,688, which is \$257,688 more than the available remaining budget. Project costs are summarized in the table on the following page.

| AUBREY DAVIS PARK TRAIL SAFETY IMPROVEMENTS PROJECT BUDGET | |
|--|-------------------|
| DESCRIPTION | TOTAL |
| Total Construction Contract Award to Always Active Services LLC | \$406,263 |
| 10.2% WSST | \$41,438 |
| Construction Contingency @ 5% | \$22,385 |
| Construction Support Services & Inspection | \$43,620 |
| Project Management/In-House Staff Support | \$18,200 |
| Design Services | \$88,440 |
| WSDOT Review | \$9,591 |
| Materials (pre-order fencing and plants to be installed by contractor) | \$12,750 |
| Total Estimated Project Cost | \$642,688 |
| Total 2023-2024 Budget Available for Project PA0109 | \$385,000 |
| Budget Remaining | -\$257,688 |
| Budget Appropriation Needed | \$257,688 |

To complete the Aubrey Davis Park Trail Safety Improvements project as described above, an appropriation of \$257,688 is requested. Staff propose a two-part solution to support the requested appropriation.

First, staff recommend utilizing unspent Department of Commerce grant funds originally allocated to the project in the 2021-2022 biennium. These funds, totaling \$23,353, remain available through the grant program. Second, there are three other capital improvement projects within Aubrey Davis Park that have funds available. The Aubrey Davis Park Vegetation Management project (PA0111) was carried forward from the 2021-2022 budget to complete the landscape portion of this project. The Aubrey Davis Park Trail Pavement Renovation (PA0140) and Aubrey Davis Park Intersection and Crossing Improvement projects (PA0148) focus on improvements similar to the Trail Safety Improvements project.

By strategically coordinating efforts, a portion of these funds will be reallocated to the Trail Safety Improvements project, fully funding the project. Importantly, both PA0111 and PA0140 are still expected to be completed this year and within budget after the recommended reallocation of project funds.

The components of the recommended appropriation are as follows:

| FUNDING SOURCE | BUDGET AVAILABLE |
|--|-------------------------|
| Department of Commerce Grant | \$23,353 |
| PA0111 – Aubrey Davis Park Vegetation Management | \$57,148 |
| PA0140 – Aubrey Davis Trail Pavement Renovation | \$80,000 |
| PA0148 – Aubrey Davis Intersection & Crossing Improvements | \$97,187 |
| TOTAL BUDGET AVAILABLE | \$257,688 |

NEXT STEPS

Construction on the Aubrey Davis Park Trail Safety Improvements project is expected to start in July 2024. Most of the trail work will occur in August and September, with completion anticipated in October 2024.

Trail detour information and construction progress updates will be posted to the project's Let's Talk page at <https://letstalk.mercergov.org/adtrail>.

RECOMMENDED ACTION

Award the Aubrey Davis Park Trail Safety Improvements project to Always Active Services LLC; authorize the City Manager to execute a contract with Always Active Services LLC in an amount not to exceed \$447,701.83; appropriate \$257,688 from the Department of Commerce Grant and the Capital Improvement Fund for the Aubrey Davis Park Trail Safety Improvements project; setting the Aubrey Davis Park Trail Safety Improvements total project budget at \$642,688.