


COUNCIL COMMUNICATION

	Number:	22-558	Meeting:	December 12, 2022
	Agenda Item:	10	Roll Call:	22-1862
	Submitted by:	Benjamin R. Page, Park and Recreation Director, James M. Hoff, Facilities Manager, and Steven L. Naber, P.E., City Engineer		

AGENDA HEADING:

Approving Change Order No. 1 with Ball Team, LLC for additional work on Principal Park Phase 1 Improvements, in the amount of \$462,108.

SYNOPSIS:

Recommend approval of Change Order No. 1 in an amount not to exceed \$462,108 with Ball Team, LLC (Richard Ball, Managing Member, 10550 New York Avenue, Suite 100, Urbandale, Iowa, 50322), for additional work on Principal Park Phase 1 Improvements.

FISCAL IMPACT:

Amount: \$462,108

Funding Source: 2022-23 CIP, Page 70, Principal Park, PK132, Being: \$250,000 Private and \$212,108 Tax Increment Funding Bonds.

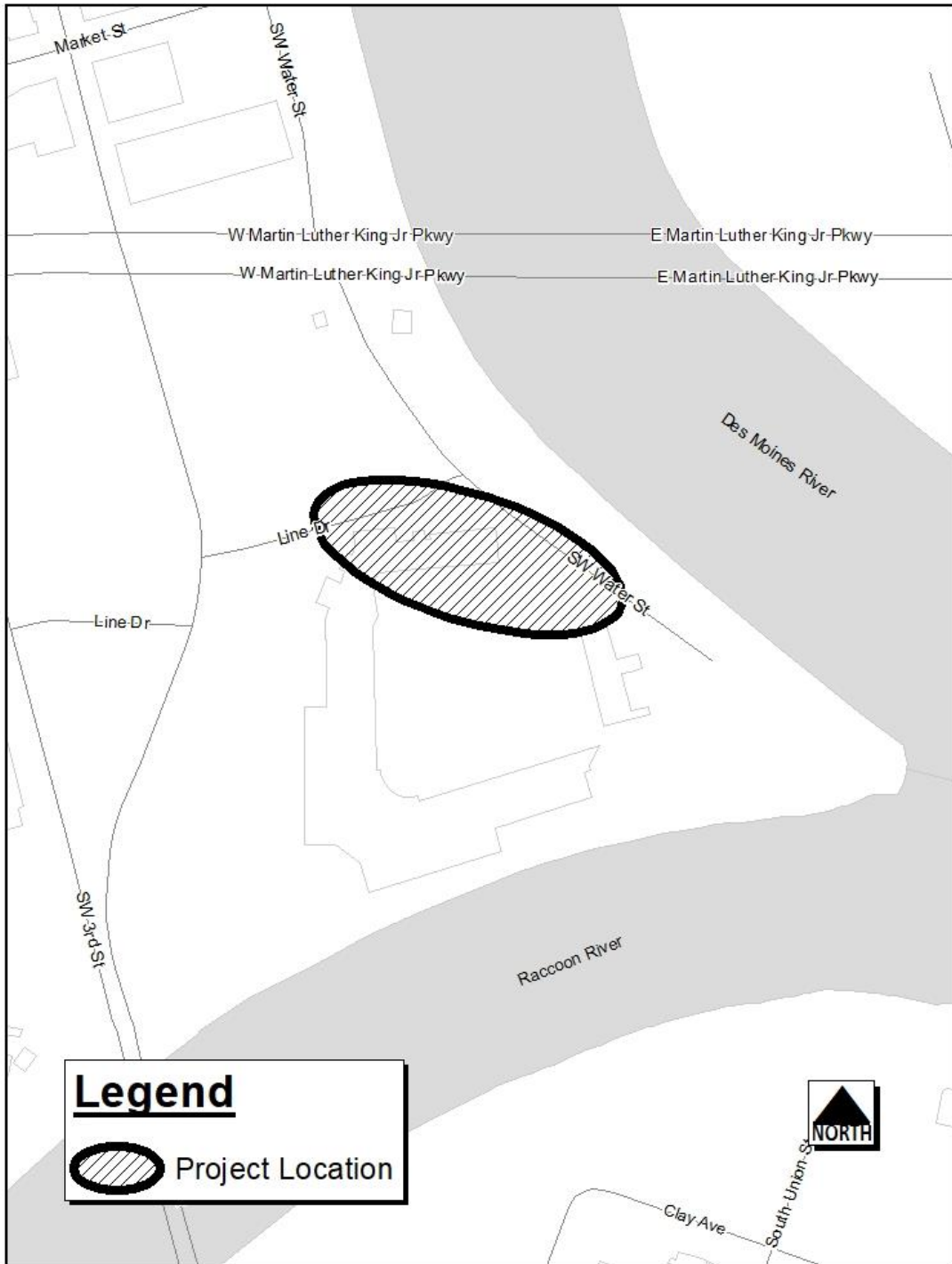
ADDITIONAL INFORMATION:

- This project will address the current clubhouse building's deficient conditions which include building envelope integrity, new interior functional requirements, new player support programming requirements, new staffing facility requirements, replacement of aging mechanical, electrical and plumbing systems, and improved flood resiliency.
- On October 3, 2022, under Roll Call Number 22-1579, the City Council approved plans and specifications for the Principal Park Phase 1 Improvements project and designated the lowest responsible bidder as Ball Team, LLC for \$7,995,000.
- Due to the use of American Rescue Plan Act (ARPA) funds for construction of this project, the Federal Requirements attached to this Change Order are being added to the Contract to incorporate the necessary federal requirements required under ARPA. The Contractor agrees to comply with all requirements, terms and conditions of the attached Federal Requirements which are made a part of and incorporated into the Contract.

- Change Order No. 1 includes the following changes to the construction contract:
 - Revises the batter's eye structure to remove unnecessary metal panels and steel framing on the river-facing side.
 - Adds scope from ARPA Federal Requirements incorporated into the Contract.
 - Revises the locker room layouts to re-use additional salvaged lockers.
 - Revises the ceiling cloud layout to remove unnecessary material.
 - Relocates electrical handhole feeding the north parking lot.
 - Removes existing chase wall not shown in demolition plans.
 - Adds plumbing demolition to remove existing piping and extending condensate drain.
 - Adds furring walls to account for shower plumbing.
 - Adds steel in the batter's eye structure to support metal wall panels.
 - Adds scope to furnish and install a current transformer section from the MidAmerican metering to switchgear in the electrical room.
 - Replaces the existing temporary outfield wall between the left field clubhouse and right field bleachers with a permanent concrete and steel-framed outfield wall. This section of outfield wall will be replaced in the 2023-2024 offseason.
 - Applies value engineering modifications to the outfield wall, including replacing auger cast piles with rammed aggregate piers, reducing foundation size, reducing wall pad height to match existing, removing pressure resistant panels, and other miscellaneous items of work.

- On October 3, 2022, the City Council acted to extend the term of lease to December 31, 2032, with two (2) 5-year renewal options. Section 8.a.3 provides that "...the CITY shall furnish and/or bear the costs of furnishing, such capital improvements CITY deems to be reasonable, necessary, and commensurate with CITY's overall financial condition and ability to make additional capital investments in the stadium." This section means that the City is only required to make capital expenditures to the stadium that the City – in its sole discretion finds to meet all three (3) criteria: 1. Reasonable; 2. Necessary; and 3. Commensurate with the City's overall financial condition and ability. If the City determines that a capital improvement fails on any of these three (3) factors, the City is not under an obligation to make that improvement.

- The lease amendment included \$1,250,000 in contributions towards the completion of the Principal Park Phase 1 Improvements. The fifth installment of \$250,000 is dependent upon the City incorporating a change order for the outfield wall enclosure no later than March 31, 2023, and the outfield wall being temporarily or permanent installed and functional by March 31, 2024.



PREVIOUS COUNCIL ACTION(S):

Date: October 3, 2022

Roll Call Number: [22-1579](#) and [22-1580](#)

Action: On Principal Park Phase 1 Improvements: Resolution approving plans, specifications, form of contract documents, engineer's estimate, receive and file bids, and designating the lowest responsive, responsible bidder as Ball Team LLC (Richard Ball, Managing Member), \$7,995,000. ([Council Communication No. 22-448](#)) Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.

(A) Approval of contract and bond and permission to sublet. Moved by Gatto to adopt. Second by Voss. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Access Advisory Board

Date: May 18, 2022

Resolution Number: V (c.)

Action: Due to lack of quorum, a consensus of the members present recommended approval of the Principal Park Phase 1 project.

Board: Urban Design Review Board

Date: April 19, 2022

Resolution Number: C

Action: Principal Park Phase One improvement project – design review. Recommend approval of design.

Board: Plan and Zoning Commission

Date: May 19, 2022

Resolution Number: Item 1

Action: Part A) The requested “P2” District be found not in conformance with the existing PlanDSM future land use designation of Parks and Open Space. Part B) Approval of the request to amend the PlanDSM: Creating Our Tomorrow Comprehensive Plan to revise the future land use designation from Parks and Open Space to Public/Semi-Public. Part C) Approval of the request to rezone the property from “F” Flood District and “P2” Public, Civic and Institutional District to “P2” Public, Civic and Institutional District. Approved 11-0-1.

Board: Zoning Board of Adjustment

Date: June 22, 2022

Resolution Number: ZBOA 2022-000045

Action: The appeal for a Conditional Use (per City Code Section 134-6.4) for an “Events Center” use in a “P2” Public, Civic, and Institutional District, to allow expansion and renovation of the existing Minor League Baseball stadium facility, is granted. The foregoing Decision and Order was adopted by a vote of 6-0, with all Board members present voting in favor thereof.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

- Accepting completed construction and approving final payment on public improvement construction contracts.

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