



DATE: March 18, 2024

TO: Honorable Mayor and Members of the City Council through City Manager

FROM: Paul Geoghegan – Project Manager, Public Works and Utilities (PW&U)
Jonathan Sanglerat, PE – Engineering/CIP Manager, PW&U
Drew Halter – Director, Parks and Recreation
Gina Benedetti-Petnic, PE – Assistant Director, PW&U
Christopher J. Bolt, MPA, PE, ICMA-CM – Director, PW&U

SUBJECT: Resolution Accepting Completion of the Petaluma Community Baseball Field Project by O.C. Jones & Sons, Inc.

RECOMMENDATION

It is recommended that the City Council approve a Resolution Accepting Completion of the Petaluma Community Baseball Field Project by O.C. Jones & Sons, Inc.



Figure 1 View from Home Base

BACKGROUND

In 2007, the City of Petaluma approved the master plan for a \$23 million, multi-phased sports complex located at the East Washington Park Site. In 2015, Phase 1 of the project was completed, and three new multi-use soccer and lacrosse fields, parking, and field lighting were delivered

within the original project budget of \$6.5M. Phase 2 of this project was focused on developing a premier destination baseball field to serve community youth beyond little league as well as high school, college, American Legion, and semi-pro teams.



Figure 2 Master Plan East Washington Park Site

The vision for Phase 2, originated from a local shortage of ballfields intended to accommodate youth players wishing to continue playing baseball beyond little league’s 12-year-old age limit. Existing Ballfields with 90 foot base-paths at Prince and McNear Park lack facility infrastructure, parking, dedicated outfield fencing, lighting, etc. to meet the criteria to host both league and regional play. The Petaluma Leghorns Baseball organization provides local players an opportunity to participate in the American Legion Baseball League and has been a critical partner in the overall efforts to complete this project. In addition to collaborating on design elements from the original 2007 concept through construction, the Leghorns have also provided significant in-kind contributions to the project which included the electronic score board, team dugouts, and several field amenities. The Leghorns have also contributed significant monetary donations to the project with approximately \$164,000 in contributions to date and commitments for future fundraising efforts towards facility improvements and maintenance activities. The Petaluma Community Baseball Field will be the City’s first major league dimensioned baseball complex that will not only serve our local youth players, travel teams, high school players, and senior little league, but serve as a destination for western regional baseball tournaments that draw teams from eight (8) western states and support Petaluma’s reputation as a baseball friendly community.

The City pursued an extensive permitting and design process for Phase 2 after the master plan was approved, positioning the shovel-ready project to capitalize on any forthcoming public or private funding sources. Initial bids received in 2021 came back roughly 45% over the engineer's estimate, creating a significant budget shortfall. The City conducted a third-party value engineering review and engaged the Petaluma Leghorns Baseball leadership to identify and prioritize facility modifications that would provide cost savings but maintain essential elements of play. This significantly redesigned the project plans, specifications, and delivery approach, separating base project elements from two future bid alternates. The City incorporated these design changes into a revised bid document package and rebid the project in 2022.

DISCUSSION

On April 18th, 2022, the City Council adopted a resolution awarding the construction contract for the Petaluma Community Baseball Field Project to O.C. Jones & Sons, Inc. in the amount of \$4,838,311. This contract award covered only the Base Bid for the basic field construction and did not include funding for Bid Alternatives 1 or 2 for additional lighting and amenities. No bid protests were received at the time of the award.

Construction commenced in June 2022 with an initial scheduled completion date of January 2023. However, several enhancements requested by Leghorns and Parks and Recreation and unforeseen site conditions led to a contract extension to November 2023.

Due to ongoing drainage design issues with the bioretention facilities, property boundary disputes with the neighboring golf course (which limited wetland mitigation work), contractor procurement problems, and necessary rework from quality control issues, the project was not deemed completed by Public Works & Utilities CIP Division until January 29, 2024.

During construction, the City had a dispute with general contractor O.C. Jones & Sons, specifically related to deficiencies in O.C. Jones & Sons' lime treatment of the soil, which did not meet contractual specifications for depth and quality. The City directed O.C. Jones & Sons to remove and replace the noncompliant lime-treated soil. O.C. Jones & Sons performed the work under protest and submitted a change order and claim against the City for costs associated with the additional work. The City rejected paying most of the expenses since it believed O.C. Jones & Sons was responsible for delays and defects related to its own work. After discussions with the City Attorney's office and outside counsel, the City proposed a compromise offer to settle O.C. Jones & Sons' claim. Expressly, the City agreed to pay \$104,509.36 of the original \$198,862.00 claim, which amounted to the direct costs incurred by O.C. Jones & Sons and its subcontractor, Granite Construction, for the corrective soil work, but not indirect costs like overhead or unrelated drain work. This settlement was mutually agreed upon by both parties and subsequently paid to O.C. Jones & Sons.

The wetland mitigation scope was removed from O.C. Jones & Sons' contract to avoid further project delays and additional costs. Additionally, the wetlands mitigation scope and the redesign of the bioretention facilities work will occur separately once the necessary approvals from the State Waterboards are in place.

There are no additional disputed claims with O.C. Jones & Sons, and the project was ultimately completed to the satisfaction of the City without any major incidents.

PUBLIC OUTREACH

The Petaluma Community Baseball Field Project has been in development for many years, reflected by its longstanding inclusion in the City's Capital Improvement Program beginning in 2007. The City Council granted approvals for the design services on October 17, 2016, and for permitting efforts on February 2, 2019. The project was also presented to the Airport Commission

on June 20, 2019, and to the Recreation, Music, and Parks Commission on March 15, 2017, to gather additional stakeholder input.

Throughout the design and construction process, the City staff held meetings with the highly engaged representatives of the Petaluma Leghorns' American Legion Baseball organization on multiple occasions, including October 22, 2020, November 5, 2020, February 2021, and into 2022, during the bidding phase, to receive their input as key community partners.

COUNCIL GOAL ALIGNMENT

The proposed action supports the following Council goals, objectives, and work plan items by continuing to implement the original construction phase of the Petaluma Community Sports Fields. This project supports the following Citywide Goals and Priorities:

Spaces and Places That Inspire, Objective 5 – Improve Existing Parks, Park Infrastructure, and Reimagine New Spaces for Play

- Item 154. Prioritize completion of all phases of the Petaluma Community Sports Field project.

CLIMATE ACTION/SUSTAINABILITY EFFORTS

This proposed action supports the above goals, upgrades the existing Petaluma Community Baseball Field, creates a new baseball field, and encourages additional recreational activities. Artificial turf does not need watering or fertilizer, and the turf material is recycled from pre-consumer and post-industrial materials.

ENVIRONMENTAL REVIEW

Compliance with the California Environmental Quality Act (CEQA) for this project was completed on October 18, 2010, when the City Council adopted the Initial Study and Mitigated Negative Declaration for East Washington Park (MND). The MND included and analyzed the project's impacts and determined that it would not have a significant adverse effect on the environment.

FINANCIAL IMPACTS

This staff report is for Accepting Completion of the Base Bid condition only. The construction contract does not include the sports lighting for the site and field (Bid Alternate 1) and the improved vehicle and pedestrian access around the site (Bid Alternate 2). The total budget for this project phase was projected to be \$5.9 million through FY 22/23. At completion, the total cost came in at approximately \$6.56 million.

The following is a breakdown of the project budget:

Itemized Budget Breakdown/Uses	FY 22/23 Proposed Life to Date + Project Budget	Actual Inception to Date
Planning/Environmental	\$ 26,000.00	\$ 26,000.00
Land & Easements	\$ -	\$ -
Design	\$ 525,000.00	\$ 770,000.00
Legal Services	\$ -	\$ 20,000.00
Administration	\$ -	\$ 10,000.00
Construction Contracts	\$ 4,907,000.00	\$ 5,525,000.00
Construction Management	\$ 115,000.00	\$ 135,000.00
Contingency	\$ 300,000.00	\$ -
CIP Overhead	\$ 24,000.00	\$ 60,000.00
TOTAL	\$ 5,897,000.00	\$ 6,546,000.00
Funding Sources	FY 22/23	Actual To Date
Parkland Impact Fees	\$ 5,543,000.00	\$ 5,543,000.00
Traffic Impact Fees	\$ 200,000.00	\$ 200,000.00
General Fund-Measure U	\$ 154,000.00	\$ 154,000.00
Donations/Developer Contributions	\$ -	\$ 164,000.00
Transient Occupancy Tax	\$ -	\$ 500,000.00
Measure M Parks	\$ -	\$ 300,000.00
SCIP - Parkland Dev Fee	\$ -	\$ 218,000.00
Other Revenue	\$ -	\$ 10,500.00
TOTAL	\$ 5,897,000.00	\$ 7,089,500.00

ALTERNATIVES

The contractor completed the project satisfactorily. Not accepting completion would likely result in a contractual dispute with the contractor.

ATTACHMENTS

1. Resolution
2. Location Map