



## Resolution 2023-103

**RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO EBERT CONSTRUCTION IN THE AMOUNT OF \$6,967,000.00 FOR THE GRACO PARK PROJECT, BID EVENT MPLMN NO. 2468, PENDING REVIEW BY CITY OF MINNEAPOLIS FINANCE AND PROPERTY SERVICES - PROCUREMENT DIVISION AND MINNEAPOLIS CIVIL RIGHTS DEPARTMENT, AND FURTHER AUTHORIZING ADMINISTRATIVE USE OF 10% CONSTRUCTION CONTINGENCY UP TO \$696,700.00 FOR NECESSARY CONSTRUCTION CHANGE ORDERS THAT MAY ARISE WITH THE CONTRACT**

Whereas, The Minneapolis Park and Recreation Board (MPRB) is the steward of Minneapolis park system;

Whereas, The MPRB is authorized to contract with public and private entities in the performance of its functions;

Whereas, The MPRB owns parkland known as Graco Park with Above the Falls Regional Park;

Whereas, The Board of Commissioners approved a schematic design for a park at the former Scherer Brothers Lumber Company site as part of RiverFirst, which included directions for the development of a park along with the recreation of Hall's Island;

Whereas, Graco Park is within the boundary of Above the Falls Regional Park and was designed to acknowledge and celebrate the river and connection to Hall's Island;

Whereas, Aune Fernandez Landscape Architects, Barr Engineering, and Snow Kreilich Architects prepared bid documents for the proposed park improvements;

Whereas, Five main features define the parks design - a broad tree-lined promenade, riverwalk, flexible green bee lawn, expansive native habitat zones, and community building with plaza and performance lawn;

Whereas, The design of the building takes particular care in its impact on the environment, and includes energy saving technology with geothermal heat pump and photovoltaic panels to help accomplish the goal of being the first net zero energy building in the park system;

Whereas, The project will add another Spark'd Studio space, one of six Spark'd Studios incorporated into MPRB's Recreation programming, which already includes Powderhorn Recreation Center and Harrison Park, one currently under construction at Whittier Recreation Center, and future Studios at Luxton Recreation Center and Phillips Community Center;



Whereas, The MPRB publicly solicited and received two (2) bids on April 19, 2023, per Bid Event MPLMN No. 2468, for the Graco Park project;

Whereas, Bids have been reviewed and tabulated with the apparent low bid submitted by Ebert Construction with a base bid of \$6,967,000.00, and does not include any alternates;

Whereas, MPRB staff and consultants have reviewed the bid offered by Ebert Construction and find it to be complete and therefore support award of a construction contract;

Whereas, The bid offered by Ebert Construction is currently under review by City of Minneapolis Finance and Property Services – Procurement Division and Minneapolis Civil Rights Department, to determine that all requirements for award of a contract are met;

Whereas, The MPRB has the funds available within the project budget to account for the construction contract and construction contingency and other costs associated with the project; and

Whereas, This resolution is supported by Parks for All, the MPRB Comprehensive Plan 2021-2036, which envisions in Goal 3 to “Provide core services with care”, in Goal 6 to “Strengthen ecological connections” and in Goal 7 to “Connect through communications and technology;”

RESOLVED, That the Board of Commissioners awards a construction contract to Ebert Construction in the amount of \$6,967,000.00 for the Graco Park project, Bid Event MPLMN No. 2468, pending review by City of Minneapolis Finance and Property Services - Procurement Division and Minneapolis Civil Rights Department, and authorizes administrative use of a 10% construction contingency up to \$696,700.00 for necessary construction change orders that may arise with the contract; and

RESOLVED, That the President of the Board and Secretary to the Board are authorized to take all necessary administrative actions to implement this resolution.



TO: Minneapolis Park and Recreation Board

FROM: Michael Schroeder, Assistant Superintendent, Planning

DATE: 24 May 2023

SUBJECT: RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO EBERT CONSTRUCTION IN THE AMOUNT OF \$6,967,000.00 FOR THE GRACO PARK PROJECT, BID EVENT MPLMN NO. 2468, PENDING REVIEW BY CITY OF MINNEAPOLIS FINANCE AND PROPERTY SERVICES - PROCUREMENT DIVISION AND MINNEAPOLIS CIVIL RIGHTS DEPARTMENT, AND FURTHER AUTHORIZING ADMINISTRATIVE USE OF 10% CONSTRUCTION CONTINGENCY UP TO \$696,700.00 FOR NECESSARY CONSTRUCTION CHANGE ORDERS THAT MAY ARISE WITH THE CONTRACT

---

## BACKGROUND

This resolution considers the award of a construction contract to Ebert Construction in the amount of \$6,967,000.00 for the Graco Park project, Bid Event MPLMN No. 2468, pending final review by City of Minneapolis Finance and Property Services - Procurement Division and Minneapolis Civil Rights Department. The resolution also considers authorizing administrative use of a 10% construction contingency up to \$696,700.00 for necessary construction change orders that may arise with the contract.

On April 19, 2023, the Minneapolis Park and Recreation Board (MPRB) publicly solicited bids and received two bids for the Graco Park construction project. The apparent low bid, as submitted by Ebert Construction (*Attachment A – Bid Tabulation*), is currently being reviewed by City of Minneapolis Finance and Property Services - Procurement Division and Minneapolis Civil Rights Department to determine that all requirements for award of a contract are met.

The site of Graco Park is within the boundary of Above the Falls Regional Park. Graco Park was designed to acknowledge and celebrate the river and connection to Hall's Island. Five main features define the park: a broad tree-lined promenade, riverwalk, flexible green bee lawn, expansive native habitat zones, and community building with plaza and performance lawn. The building is comprised of three distinct spaces: a large open space intended for flexible uses such as performances and workshops; community meeting room and lobby for informal gathering or independent work; a new Spark'd Studio introducing youth and young adults to creativity and technology. The design of the building takes particular care in its impact on the environment, selecting carbon neutral materials, wildlife friendly glass, and providing a wood scrim that protects the building from solar heat gain in summer while allowing low winter light to warm spaces in winter. Energy saving technology includes a geothermal heat pump and photovoltaic



panels on the south roof which helps accomplish the goal of being the first net zero energy building in the park system.

Following review of the bid by City of Minneapolis Finance and Property Services – Procurement Division and Minneapolis Civil Rights Department, to determine that all requirements for award of a contract are met, the project consultant team along with MPRB staff recommends that a construction contract for the Graco Park project be awarded to Ebert Construction (*Attachment B – Design Team letter*).

### FUNDING / COST SUMMARY

<b>Sources</b>	<b>\$ 10,414,375.31</b>
Graco Foundation Donation	\$ 3,027,700.00
2021 Met Council Regional Park Funds	\$ 573,000.00
2020 Parks and Trails funding	\$ 1,023,000.00
Capital Levy from AP681	\$ 507,773.85
Met Council SG 22059	\$ 680,876.46
Met Council SG 12267	\$ 995,322.85
Met Council SG 11356	\$ 475,877.15
Kiwanis Donation	\$ 10,000.00
MWMO	\$ 480,000.00
Prepaid parkland dedication	\$ 150,000.00
Spark'd Studio allocation + General Fund	\$ 225,000.00
MPRB Asset Mgmt. Service Center Fund	\$ 300,000.00
Proceeds from land sale to Graco	\$ 1,093,525.00
Transfer of internal funds according to settlement	\$ 622,300.00
2020 Parks and Trails funding for 8th Avenue NE/Sibley	\$ 250,000.00
<b>Uses</b>	<b>\$ 9,917,007.54</b>
Admin/Community Engagement/Title Survey	\$ 14,999.51
MPRB Staff Chargebacks/Special Consultants/FFE	\$ 576,114.90
AFLA - Professional Services	\$ 453,180.00
SKA - Professional Services	\$ 501,342.00
Barr - Professional Services	\$ 433,960.00
Kimley Horn-Professional Services Prelim Phase	\$ 52,500.00
Alta	\$ 532.00
Testing/Operating Services	\$ 193,092.13
Ebert - Bid Award	\$ 6,967,000.00
Ebert - Construction Contingency	\$ 696,700.00
Construction Related - Other	\$ 27,587.00
<b>Balance</b>	<b>\$ 497,367.77</b>



Increased costs related to new programming and operational requirements will be addressed through the 2025 System Equity Investment.

### **PREVIOUS BOARD ACTIONS**

- |                   |   |
|-------------------|---|
| March 1, 2023     | Resolution 2023-36: Resolution Approving Amendment No. 2 to the Professional Services Agreement COM-0003938 With Snow Kreilich Architects to Provide for Additional Scope Related to Architectural Design Services for Graco Park Within Above the Falls Regional Park for an Additional Fee Not to Exceed \$99,766 and New Contract Total of \$495,542 |
| February 15, 2023 | Resolution 2023-18: Resolution Approving Amendment No. 1 to the Professional Services Agreement COM0002925 with Aune Fernandez Landscape Architecture to Provide for Additional Scope Related to Landscape Architectural Design Services for Graco Park for an Additional Fee Not to Exceed \$32,500 and New Contract Total of \$453,180                |
| February 16, 2022 | Resolution 2022-129: Resolution Approving Amendment No. 1 to Professional Services Agreement COM-0003938 With Snow Kreilich Architects Related to Design Services for Graco Park In the Amount of \$60,240 for a New Contract Total of \$395,776  |
| May 19, 2021      | Resolution 2021-211: Resolution Authorizing a Professional Services Agreement with Snow Kreilich Architects to Provide Architectural Design Services for Graco Park and Scherer Addition Lot 2 for a Fee Not to Exceed \$335,536.00   |
| May 19, 2021      | Resolution 2021-210: Resolution Authorizing a Professional Services Agreement with Barr Engineering Company, Inc. to Provide Civil Engineering Services for Graco Park and Scherer Addition Lot 2 for a Fee Not to Exceed \$433,960   |
| June 17, 2020     | Resolution 2020-230: Resolution Authorizing a Professional Services Agreement with Aune Fernandez Landscape Architecture to Provide Landscape Architectural Design Services for Graco Park and Scherer Addition Lot 2 for a Fee Not to Exceed \$420,680.00  |



## RECOMMENDATION

Staff recommends that the Board of Commissioners award a construction contract to Ebert Construction in the amount of \$6,967,000.00 for the Graco Park project, Bid Event MPLMN No. 2468, pending review by City of Minneapolis Finance and Property Services - Procurement Division and Minneapolis Civil Rights Department, and further authorize administrative use of a 10% construction contingency up to \$696,700.00 for necessary construction change orders that may arise with the contract.

This action is supported by the following goals and strategies in Parks for All, the MPRB Comprehensive Plan 2021-2036:

### Goal:

03. Provide core services with care

06. Strengthen ecological connections

07. Connect through communications and technology

### Strategy:

11. Design and implement parks that are welcoming, climate resilient, ecologically healthy, playful, beautiful and safe as they age.

13. Ensure that park-built infrastructure is habitat friendly including buildings and park amenities through bird-friendly design, lighting modifications, and other practices.

18. Invest in technology in park buildings to support computer skill building, job access, creative projects, digital and remote programs, and to reduce the digital divide.

### Attachments:

1. Attachment A - Bid Tabulation - Graco Park
2. Attachment B – Design Team Letter – Graco Park

*Jbr 5.24.2023.*