

FMRP Oversight Team Meeting 12-13-2017

Members Present: David W., Donna G., John W., Pat O., Chris L., and Dale B.

Members Absent: Andrew C.

Others Present: Lisa M., Larry F., Stephen T., Mark K., Garrick S., and Neil M.

Agenda:

- Construction Update Phase II - JCG
- Prime Contract Change Order #009 (PCCO #009)
- Review Draft Interlocal Agreement between City & County

Pat O. called the meeting to order.

Construction Update Phase II

Concession Building

- Interior drywall, Painting, Mechanical, Plumbing / Electrical and Interior finishes

Maintenance Building

- Insulation, Interior drywall, Painting, Mechanical, Plumbing / Electrical and Interior finishes

Playground Restroom

- Interior drywall, Painting, Mechanical, Plumbing / Electrical and Interior finishes

Neil reviewed the Phase II Contingency Report:

To date there is a total of \$253,424.29 approved change orders with two pending change orders paid with contingency

- Softball Field Maintenance (mowing) while turf is established (\$17,500.00)
- Subgrade haul to UM property (\$14,600.00)

Phase II Contingency after Pending - \$221,324.29

Pending Items to be priced

- Water improvements
- Irrigation items
- Landscaping
- Grading – Rock Picking (largest anticipated cost, ~\$55,000 to date)
- Site Improvements (excess topsoil)
- Plumbing / Mechanical
- Concrete
- Electrical

Prime Contract Change Order #009: PCCO 009

Jackson Contracting Group reviewed the change orders. All change orders in PCCO#9 are already in contingency report.

PCO #44 - Seed Changes: 2-Plex, Open Space and Teen Area -\$5,514.00
PCO #46 - ASI 016 - Teen Area Revisions -\$3,111.91
PCO #48 - Security Door Switch Raceways -\$2,083.97
PCO #49 - Access Door to Exterior Trusses -\$942.14
PCO #50 - Proposal Request 04 - Smoke Damper Removal +\$2,127.75
PCO #51 - Reinforced Turf @ Fort Parking Swale -\$3,500.00
PCO #53 - ASI 12 - South Ave. Parking Wheelstop Additions -\$1,240.00
PCO #54 - Concrete Replacement @ Existing Restroom -\$825.00
PCO #55 - Pipe Bollars Removal and Install Bumpers @ Parking Lots +\$22,100.00
PCO #56 - Supply/Install DG @ Kids Cabin and Horseshoe Court -\$3,643.50
PCO #57 - Sports Lighting Controls -\$6,556.36
PCO #58 - Additional Base Foundations @ Softball Fields -\$23,260.30
PCO #59 - Heater in Concessions Building - Gas -\$4,113.26

Motion to approve PCCO#9, Dale B. moved; David W. seconded. Further discussion – none, motion approved.

Review Draft Interlocal Agreement between City & County

Questions generated and discussed from Oversight Review

- Section 7c (Responsibilities of the Partners) of draft Interlocal Agreement – “County will pay the City for maintenance and operations of the County’s

portion of the park.” Section should include something about what happens if the Commission chooses not to appropriate funds.

Discussion – Interlocal Agreement is seen as a contract. Is there a breech clause? A breech clause would be unusual.

- Section 10 (Term) of draft Interlocal Agreement –
Length of term is too long (five years), the first agreement should be shorter in the case there are changes that need to be made.
There needs to be a section that discusses what happens if the City and County decide to dissolve the Interlocal – who gets what (maintenance building, concessions, etc.)

Discussion – If the Interlocal is terminated, do we need a breech clause? Need to add a termination clause to the agreement.

Do we need to answer who gets what if the City and County dissolve the interlocal? If shared assets could not be resolved, it would need to go to District Court. Consult City and County attorneys.

Who will be insuring the park (City, County, Partnership?) at a higher value than the previous infrastructure on the County owed parcel? Consult county risk manager.

- Section 7b (Responsibilities of Partners) of draft Interlocal Agreement –
“City agrees to develop and oversee two budgets for management of the whole Fort Missoula Regional Park – (a) Program Services and Recreation Budget; and (b) Maintenance and Operations Budget”

Discussion – How are we going to deal with major renovations of problems that may occur at the park? What can we expect the Enterprise Fund to pay for? Will there be funds to cover major renovations?

There needs to be some definition of “Enterprise fund” that matches the understanding of the County Commissioners that this will be used to replace and repair items at the park.

Scope of Enterprise Funds is to pay for maintenance of specific sport related equipment (tennis nets, basketball equipment, baseball equipment,

etc.) Enterprise Funds are generated from user fees that go back into that activity/sport to cover revenue loss and generate revenue.

Cyclic maintenance and operation is the Proforma which is budgeted every year and does not use Enterprise Funds.

There are no CIP funds for major renovations, replacement, etc. at this time.

Add Enterprise Funds to the definitions within the DRAFT Interlocal Agreement.

- What happens when one of the revenue generating facilities is "down"? Who is responsible for cost recovery of that lost revenue?

Discussion – Address with Interlocal Agreement

Possible insurance with sufficient documentation to prove loss of revenue during shut-down.

- What happens if the City or County does not have the financial resources to pay for maintenance?

No discussion.

Meeting adjourned, Pat O.

Approved by (Pat O.)



(Signature)

on this day: 1-18-18

(Date)