



Peninsula Metropolitan Park District

PO Box 425 – Gig Harbor, WA 98335
253-858-3400 – info@penmetparks.org
www.penmetparks.org

REGULAR MEETING AGENDA

January 23, 2024, 6:00 PM

Arletta Schoolhouse at Hales Pass Park - 3507 Ray Nash Drive NW, Gig Harbor, WA 98335

Call to Order

Commissioner Roll Call:

	Present	Excused	Comment
Maryellen (Missy) Hill, President			
Laurel Kingsbury, Clerk			
Kurt Grimmer			
Steve Nixon			
William C. (Billy) Sehmel			

ITEM 1 President's Report

ITEM 2 Executive Director's Report

ITEM 3 Special Presentations

3a. [Financial Review - September to November 2023](#)

ITEM 4 Board Committee Reports

4a. **Park Services Committee**

4b. **Finance Committee**

4c. **Administrative Services Committee**

4d. **Recreation Services Committee**

4e. **Campaign Committee**

4f. **External Committees**

ITEM 5 Public Comments:

This is the time set aside for the public to provide their comments to the Board on matters related to PenMet Parks. Each person may speak up to three (3) minutes, but only once during the citizen comment period. Anyone who provides public comment must comply with Policy P10-106 providing for the Rules of Decorum for Board Meetings. A copy of the policy is available at each meeting and at www.penmetparks.org

ITEM 6 Minutes

6a. [Approval of the January 9, 2024 Study Session Minutes](#)

6b. [Approval of the January 9, 2024 Regular Meeting Minutes](#)

ITEM 7 Consent Agenda



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ITEM 8 Unfinished Business

ITEM 9 New Business

9.1 [Purchasing Resolutions Requiring One Reading for Adoption](#)

[9.1a Resolution P2024-002 Authorizing the Executive Director to Execute Change Order No. 006 to the Construction Agreement with Jody Miller Construction, Inc for LEED Silver Construction at the Community Recreation Center](#)

[9.1b Resolution P2024-003 Ratifying the Executive Director's Approval of Contract with J.A. Morris Construction, LLC for Emergency Repair Work](#)

9.2 Single Reading Resolutions Requiring One Reading for Adoption

9.3 Two Reading Resolutions Requiring Two Readings for Adoption

ITEM 10 Comments by Board

ITEM 11 Next Board Meetings

February 6, 2024 Study Session at 5:00 pm and Regular Meeting at 6:00 pm at the Community Recreation Center Administration Building- 2416 14th Ave NW, Gig Harbor, WA 98335

ITEM 12 Executive Session:

Executive Session for the purpose of considering the selection of a site or the acquisition of real estate by lease or purchase when public knowledge regarding such consideration would cause a likelihood of increased price pursuant to RCW 42.30.110 (b).

ITEM 13 Executive Session:

Executive Session for the purpose of discussing potential litigation to which the agency is likely to become a party when public knowledge regarding the discussion is likely to result in an adverse legal consequence pursuant to RCW 42.30.110 (i).

ITEM 14 Adjournment

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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Financial Review – September– November 2023

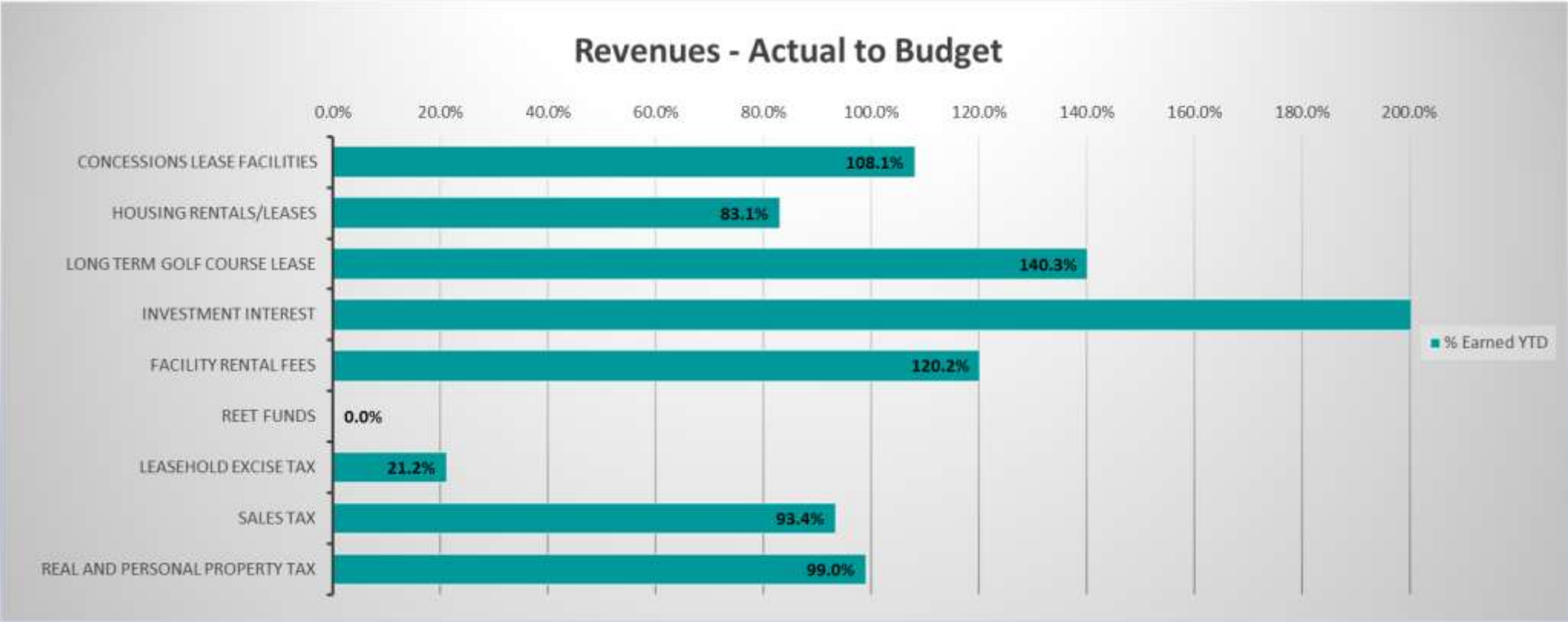
Board of Park Commissioners Meeting
January 23, 2024

General Fund 2023 Budget-vs-Actual

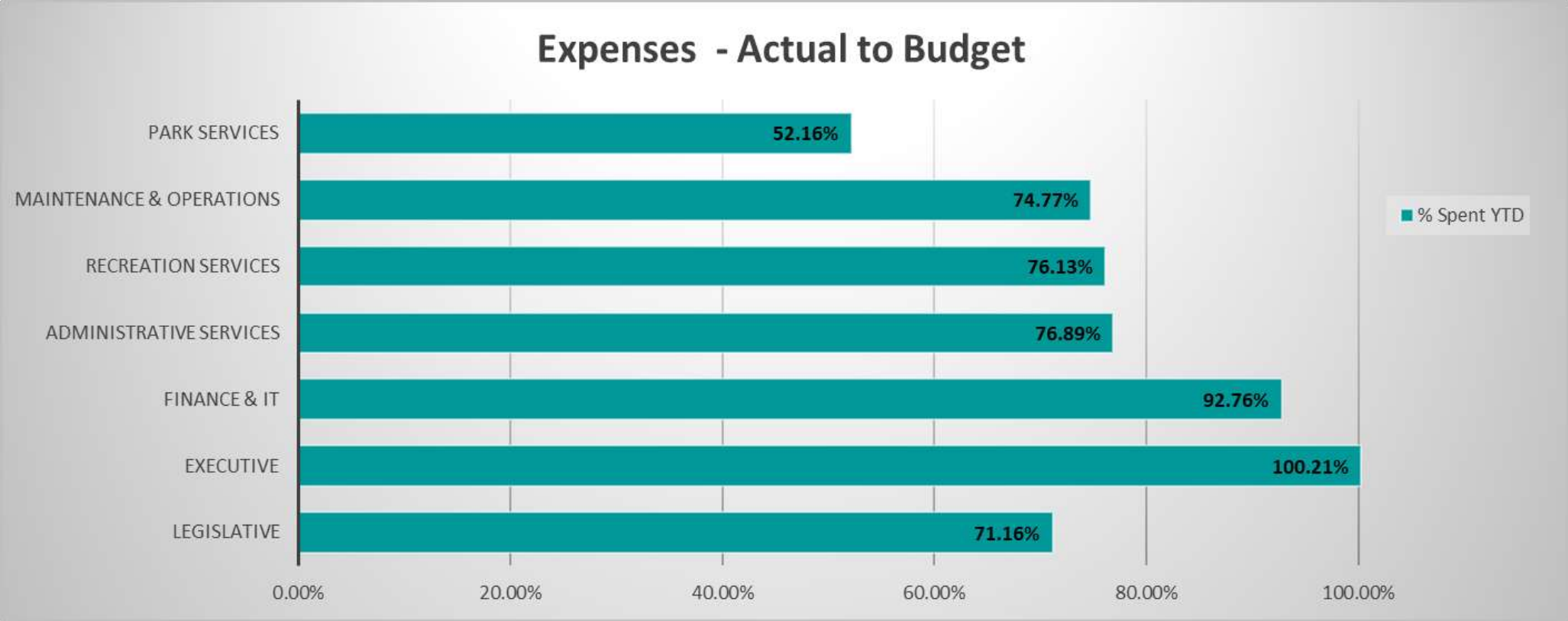
General Fund Revenue	2023 Budget	2023 YTD
Real and Personal Property Tax	8,378,566	8,297,906
Sales Tax	540,000	504,519
Leasehold Excise Tax	5,000	1,060
REET Funds	618,600	-
Facility Rental Fees	119,647	143,870
Investment Interest	300,000	771,657
Long Term Golf Course Lease	60,000	84,170
Housing Rentals/Leases	48,500	40,284
Concessions Lease Facilities	1,000	1,081
Deposits Received	-	14,610
Other General Fund Revenue	5,000	4,224
Sale of Machinery & Equipment	10,000	-
Total General Fund Revenue	10,088,313	9,863,381

General Fund Operating Expenses By Division	2023 Budget	2023 YTD Actual
Legislative	172,675	122,867
Executive	510,067	511,131
Finance & IT	1,053,508	977,209
Administrative Services	828,405	636,943
Recreation Services	212,264	161,588
Maintenance & Operations	1,563,713	1,169,145
Park Services	757,407	395,071
General Fund Transfers	4,989,374	4,705,714
Intergovernment Transfers	900	1,050
Total General Fund Expenses	10,088,313	8,680,719

General Fund Budget-vs-Actual:



General Fund Budget-vs-Actual:



Recreation Revolving Fund

Revenues by Program Type

Recreation Revolving Fund Revenue	2023 Budget	2023 YTD Actual
Donations	2,500	3,342
Sponsorship	16,750	14,000
Program Fees - Sports & Fitness	472,483	462,784
Program Fees - Adaptive Rec	8,505	852
Program Fees - Camps	159,800	181,778
Program Fees - Youth Programs	52,558	50,488
Program Fees - Adult Programs	30,650	19,960
Program Fees-Senior Program	8,448	14,551
Event Fees	13,150	7,969
Total Recreation Revolving Fund Revenue	764,844	753,907

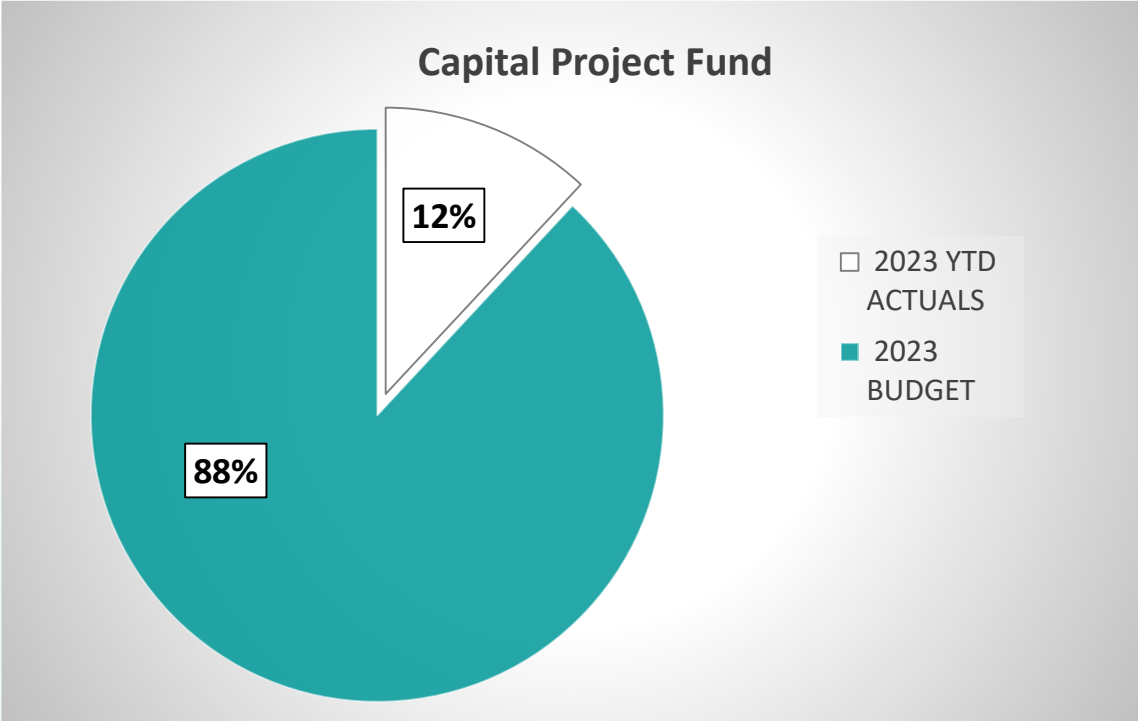
Recreation Revolving Fund

Expenses by Program Type

Recreation Revolving Fund Expenses	2023 Budget	2023 YTD Actual
Software for Rec Program	61,087	3,630
Uniforms	1,750	-
Comprehensive Program Plan	45,000	44,329
Sports & Fitness	369,115	293,645
Adaptive Recreation	36,314	14,901
Camps	112,603	155,087
Youth Programs	48,363	21,139
Adult Programs	27,956	12,437
Senior Programs	38,565	9,910
Special Events	100,479	102,837
General Recreation Expenses	606,266	509,667
Transfer Out- Scholarship Fund	50,000	50,000
Total Recreation Revolving Fund Expenses	1,497,498	1,217,583

Capital Project Fund

Project	2023 YTD Expenditures
CRC - Planning & Construction	4,138,046
Sehmel Homestead Park - Turf	41,829
Hale Pass - Renovation	59,149
Peninsula Gardens Demo	24,373
DeMolay Sandspit Demo	35,063
Narrows Beach Demo	24,249
Sunrise Beach Demo	17,814
Rosedale Hall Renovations	126,432
District - Key & Access Control Plan	1,648
District - Signage/Wayfinding Master Plan Design	174
Feasibility Studies	86,596
DeMolay Sandspit - Master Plan	8,753
Tubby's Trail - Upgrades To Dog Park	725
District - Capital Campaign Initiatives	85,969
Total YTD Capital Fund Expenditures	4,650,819



Questions?



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STUDY SESSION MINUTES

January 09, 2024, 5:00 PM

Arletta Schoolhouse at Hales Pass Park - 3507 Ray Nash Drive NW, Gig Harbor, WA 98335

Call to Order Time: 5:00 PM

Commissioner Roll Call:

	Present	Excused	Comment
Steve Nixon, President	X		
Maryellen (Missy) Hill, Clerk	X		
William C. (Billy) Sehmel	X		
Kurt Grimmer	X		
Laurel Kingsbury	X		

Quorum: Yes

ITEM 1 Board Discussion

1a. Board Enrichment and Engagement Discussion

PowerPoint Presentation by Executive Director Bujacich, Director of Recreation Tracy Gallaway, Executive Assistant, and Board Secretary Robyn Readwin

Board Comments: August recess makes sense. Keep the first Tuesday, September meeting manageable due to back to school and holiday. Open and flexible to keep district business moving. Also, consider first Tuesday of November and elections. **Staff:** Move forward with this schedule, keep open communication, and be intentional about the agenda.

The board agreed to schedule the annual Board Retreat on March 30, 2024.

Board Comments: Very excited for programming to include mobile recreation program. Excited to see Peninsula Gardens on this year’s plan. Board Committee work is very helpful and I appreciate having agendas ahead of time. What is the intention of having two commissioners, my input would be to have one be the lead and one as back-up. Historical background and balance across board. Now we do have five committees.

Staff feedback: It has been helpful to have Commissioners find substitutes if they cannot make it, and it gives additional perspective. Add this to committee agendas for discussion. **Board Comments:** The recreation services commissioner would be suited to be a YMCA Advisory Council representative. Commissioner Kingsbury is happy to get more information about the Tacoma Narrows Airport Advisory Commission from Commissioner Grimmer for future meetings.



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Legislative Funds: This is a way to share with commissioners or get support. The designation process looks good. Having fund flexibility and a formalized process is nice to provide clarity and inclusion. **Staff:** Add to written policy—report on funds regularly.

ITEM 2 Adjournment Time: 5:57 PM

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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Approved By the Board on _____

Maryellen (Missy) Hill, Board President

Laurel Kingsbury, Board Clerk

Attest: Ally Bujacich

Submitted by: Robyn Readwin, Board Secretary



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REGULAR MEETING MINUTES

January 09, 2024, 6:00 PM

Arletta Schoolhouse at Hales Pass Park - 3507 Ray Nash Drive NW, Gig Harbor, WA 98335

Call to Order Time: 6:05 PM

Commissioner Roll Call:

	Present	Excused	Comment
Steve Nixon, President	X		
Maryellen (Missy) Hill, Clerk	X		
William C. (Billy) Sehmel	X		
Kurt Grimmer	X		Commissioner Grimmer exited the meeting at 6:11 PM
Laurel Kingsbury	X		

Board Secretary: Quorum, Yes

ITEM 1 Swearing in of New Commissioner William C. (Billy) Sehmel

Former Commissioner William Sehmel administered the Oath of Office to Commissioner William C. (Billy) Sehmel

ITEM 2 Nominations and Elections of 2024 Board Officers:

The Board of Park Commissioners has two officers, the Board President and the Board Clerk. Board members shall nominate from its members a President and a Clerk. Nominations were accepted at the last meeting of the calendar year and will be accepted again at the first meeting of the new calendar year. A Board member may nominate himself or herself for any officer position.

The Board shall elect its officers after the nominations have been closed at the first meeting of the new calendar year by a majority vote. Election of officers shall be at the first meeting of the new calendar year. The Board members elected as officers shall immediately take office.

Commissioner Hill was nominated for the position of 2024 Board President. With no further nominations, nominations for the 2024 Board President were closed.

Roll call vote. Approved Unanimously. Commissioner Hill received a majority of the votes and is elected as 2024 Board President and took office immediately.

Commissioner Kingsbury was nominated for the position of 2024 Board Clerk. With no further nominations, nominations for the 2024 Board Clerk were closed.

Roll call vote. Approved Unanimously. Commissioner



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Commissioner Kingsbury has received a majority of the votes and is elected as 2024 Board Clerk and shall immediately take office.

ITEM 3 **President's Report:** Defer to former President Steve Nixon

Attended Commissioner William C. (Billy) Sehmel's swearing in with the attorney for recording to Pierce County last week. Congratulations Billy.

Note Commissioner Grimmer exited the meeting at 6:11 PM

ITEM 4 **Executive Director's Report**

Thank you, Commissioner Nixon, for your commitment and significant organizational changes:

- Developing multi-year strategic plan
- Update the PROS Plan
- Policy development
- Partnerships and collaboration with neighboring organizations
- Advocacy at the state and local level
- Adopting eight new or amended policies
- Clean Audit
- Completed capital projects, Turf, Arletta Schoolhouse,
- Programs for Seniors
- Revitalized Teen Programs
- Congratulations, President Hill, and Board Clerk Kingsbury

Introduce new employees and staff announcement:

- Director of Finance Jessica Wigle
- Grounds Supervisor Adam Love
- Special Projects Manager Barry Shields
- Promotion of Recreation Services Manager Brycen Toney

Upcoming programming and events:

- Youth basketball league started with nearly 700 players
- Moves to Music involvement has increased
- Pre-Teen Lasertag is at capacity
- Teen Masquerade Ball Jan. 27 at GHHS
- DeMolay Masterplan Project Meeting 5:30 pm on Jan. 24 at Nichols Community Center
- Pierce County Night to Shine Feb. 9th, PenMet Parks is a sponsor with Commissioner Legislative Funds. Volunteers are encouraged to connect with Tracy Gallaway.
- Sweetheart Dances
- Clean financial audit by state auditor (SAO) Published on our website and SAO website.
 - January 2021 and 2022
 - Next audit for 2023 and 2024 is scheduled for 2025



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CRC Phase II - Construction Change Order 05:

Board Question: Previous change order included Phase I concrete removal, is this additional concrete? **Staff Answer:** Yes. Change order clarification to include Phase I and Phase II designations and approved total.

ITEM 5 Special Presentations

5a. Recreation Event Report

PowerPoint Special Events Presentation by Coordinator Ryan Sparks

Board Comments and Questions: Scarecrow was so well done, thank you to staff and great job with the budget.

For Cookies with Santa - what was the attendance this year and last year? **Staff Answer:** This year was 650 and we can provide last year's attendance to you.

ITEM 6 Board Committee Reports

6a. **Park Services Committee** – Has not met since last meeting.

6b. Finance Committee

- The Committee debriefed on the SAO Financial & Accountability audit exit conference, which was held just prior to the Finance Committee meeting.
- The Committee discussed a division update and the transition plan as the new Director of Finance is onboarded.

6c. Administrative Services Committee

- Staff provided an update on marketing, including the 2024-2025 Calendar and Social media schedule.
- The Facility Rental Coordinator is accepting applications for spring/summer from field and court users December 8-January 4 and is welcoming 2 new hires to support rental supervision.
- Staff provided an update on a partnership with the Peninsula Art League.
- Website refresh.

6d. Recreation Services Committee

- 2024 Special Events Schedule
- 20th Anniversary Celebration
- 2024 Fall Rec Planning
- Mobile Recreation Program
 - Open play
 - Facilitated games
 - Arts and Crafts

6e. Campaign Committee



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- Discussed PenMet Parks Foundation timeline, 2024 Campaign Committee Membership, Potential PAL Partnership, Final review of Naming Policy

6f. External Committees – None

ITEM 7 Public Comment was provided by:

- Betty Lilienthal
- James Braden

ITEM 8 Minutes

8a. Approval of the December 05, 2023 Special Meeting Minutes

8b. Approval of the December 05, 2023 Study Session Minutes

8c. Approval of the December 05, 2023 Regular Meeting Minutes

8d. Approval of the December 19, 2023 Special Meeting Minutes

Commissioner moved to adopt the minutes as presented; Commissioner seconded.

Roll call vote. Approved unanimously. Motion Carried.

ITEM 9 Consent Agenda

9a. Resolution C2024-001: Approval of the December 2023 Vouchers

Commissioner moved to adopt the consent agenda as presented; Commissioner seconded.

Roll call vote. Approved unanimously. Motion Carried.

ITEM 10 Unfinished Business

10a. Resolution RR2023-017: Adopting the Amended Policy P50-103: Facilities Use Policy and Retiring Policy P50-101: Athletic Field Use Policy (second reading)

This Item was moved and seconded on December 5, 2023. There is a motion on the table.

No further staff presentation or Board discussion.

Roll call vote. Approved unanimously. Motion Carried.

ITEM 11 New Business

11.1 Purchasing Resolutions Requiring One Reading for Adoption: None

11.2 Single Reading Resolutions Requiring One Reading for Adoption:



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11.2a Resolution R2024-001 Authorizing the Executive Director to Sign the Memorandum of Understanding with Peninsula Art League

Commissioner moved; Commissioner seconded.

Memo overview by Director of Development Tracy Stirrett

Board Question: Will the curated and installed art be for sale. **Staff**

Answer: Yes

Roll call vote. Approved unanimously. Motion Carried.

11.2b Resolution R2024-002 Adopting the 2024 Budget Book

Commissioner moved; Commissioner seconded.

Memo overview by Executive Director Ally Bujacich

Board discussion: None

Roll call vote. Approved unanimously. Motion Carried.

11.3 Two Reading Resolutions Requiring Two Readings for Adoption: None

ITEM 12 Comments by Board: Bill Sehmel, thank you for be here tonight and swearing in your son. It is fitting for the 20-year anniversary to have second-generation Sehmel on the board and carry PenMet Parks forward.

Congratulations to Brycen on promotion, positive energy. Proud of you and glad to promote you. Recreation staff, great job for expanding and growing. In-laws attended a senior event and had a great time. Congratulations to Commissioner Sehmel, looking forward to working with you.

Thank former President Nixon for all the work and taking such good care of us. Hope to do as good. Thank you for effort. Welcome and congratulations Commissioner Sehmel, the citizens voted and believe in you. Thank you!

ITEM 13 Next Board Meetings

January 23, 2024 Study Session at 5:00 pm and Regular Meeting at 6:00 pm at the Arletta Schoolhouse at Hales Pass Park - 3507 Ray Nash Drive NW, Gig Harbor, WA 98335

ITEM 14 Adjournment Time: 7:22 PM

BOARD OF PARK COMMISSIONERS MEETING PROCEDURES

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Approved By the Board on _____

Maryellen (Missy) Hill, Board President

Laurel Kingsbury, Board Clerk

Attest: Ally Bujacich

Submitted by: Robyn Readwin, Board Secretary



DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

From: Sue O'Neill, Director of Park Services

Date: January 23, 2024

Subject: **Resolution P2024-002 Authorizing the Executive Director to Execute Change Order No. 006 with Jody Miller Construction, Inc. for LEED Silver Construction at the Community Recreation Center**

Background

PenMet Parks is developing an indoor Community Recreation Center (CRC) to meet community needs. The Washington State Legislature appropriated \$1,030,000 for the CRC in its 2023-25 State Capital Budget that was signed by Governor Inslee. The Department of Commerce will retain 3% (up to \$50,000) of the appropriation to administer the project, for a net grant award of \$999,100. The funding has conditional requirements, including compliance with State's green building standards (RCW 39.35D), which states that major facility projects of public agencies receiving funding in a state capital budget must be designed, constructed, and certified to at least the LEED Silver standard.

The LEED (Leadership in Energy and Environmental Design) rating system provides a framework to develop healthy, efficient, carbon, and cost-saving green buildings, RCW 39.35D states, in part, that the Washington State Legislature finds that public buildings can be built using high-performance methods that save monthly operational costs and increase productivity and that high performance public buildings are proved to increase student test scores, reduce worker absenteeism, and cut energy and utility costs. Design and construction of the CRC to meet or exceed LEED Silver standards will result in a more energy-efficient building with a reduced environmental footprint and further PenMet Park's Strategic Plan Theme 3, Operational Excellence, by developing and expanding sustainable practices and creating key recommendations for implementation of sustainable practice priorities.

The Board passed Resolution P2023-009 on September 5, 2023 authorizing the Executive Director to sign the First Amendment to the design agreement with Barker Rinker Seacat for LEED Silver certification design and coordination in an amount not to



exceed \$255,819, which includes design, LEED coordination, and commissioning services, reimbursable expenses, and LEED registration and certification fees. Since then, project architect Barker Rinker Seacat (BRS) has updated the drawings and specifications with the requirements to achieve LEED Silver certification.

On July 18, 2023, the Board of Park Commissioners passed Resolution P2023-005 authorizing the Executive Director to execute a construction agreement for Phase II of the Community Recreation Center Project with Jody Miller Construction in the amount of \$20,700,400. LEED certification was not part of this contract and a contract change order is required to provide additional construction services to meet the requirements of LEED Silver certification.

Staff negotiated Change Order No. 006 with Jody Miller Construction in an amount not to exceed \$179,907.80 to provide the required LEED construction components to achieve LEED Silver certification as identified by BRS.

Budget Analysis

On December 7, 2021, the Board of Park Commissioners passed Resolution R2021-036 adopting the CRC total project budget of \$31,600,000, excluding acquisition costs. The cost of Change Order 006 is within the total approved project budget. The State capital appropriation will fund all design, certification, and construction costs required for LEED Silver certification.

Policy Implications/Support

1. Policy P10-101: Board Policy and Procedures states, in part, that PenMet Parks is accountable to its citizens for its use of public dollars.
2. The Board passed Resolution R2021-036 adopting the CRC total project budget of \$31,600,000.
3. The Board passed Resolution P2023-005 authorizing the Executive Director to execute a construction agreement with Jody Miller Construction Inc. for construction of the Community Recreation Center in the amount of \$20,700,400. LEED certification was not part of the original agreement.
4. PenMet Parks received notification of grant funding from Washington State Legislature for the Community Recreation Center project which requires LEED Silver certification of the Community Recreation Center building.
5. The Board passed Resolution P2023-009 authorizing the Executive Director to sign the First Amendment to the design agreement with Barker Rinker Seacat for LEED Silver certification design and coordination in an amount not to exceed \$255,819, which includes design, LEED coordination, and commissioning services, reimbursable expenses, and LEED registration and certification fees.



Staff Recommendation

Staff recommends the Board pass Resolution P2024-002 authorizing the Executive Director to execute Change Order No. 006 to the construction agreement with Jody Miller Construction Inc to provide additional construction services to meet the requirements of LEED Silver certification in an amount not to exceed \$179,907.80, exclusive of applicable WSST.

Staff Contact

If you have any questions or comments, please contact Sue O'Neill at (253) 720-0178 or via e-mail at soneill@penmetparks.org.

Attachments

Exhibit A: Resolution P2024-002



Peninsula Metropolitan Park District

RESOLUTION NO. P2024-002

AUTHORIZING THE EXECUTIVE DIRECTOR TO EXECUTE CHANGE ORDER NO. 006 TO THE CONSTRUCTION AGREEMENT WITH JODY MILLER CONSTRUCTION, INC. FOR LEED SILVER CONSTRUCTION AT THE COMMUNITY RECREATION CENTER

WHEREAS, The Board of Park Commissioners passed Resolution P2023-005 authorizing the Executive Director to execute a construction agreement for construction of Phase II of the Community Recreation Center with Jody Miller Construction, Inc.; and

WHEREAS, The Washington State 2023-25 capital budget appropriated \$1,030,000 for the Community Recreation Center project; and

WHEREAS, LEED Silver Certification is a condition of the State capital funding; and

WHEREAS, constructing the Community Recreation Center to achieve LEED Silver certification will result in increased energy efficiency, reduced environmental impact, and advance District goals; and

WHEREAS, PenMet Parks negotiated Change Order No. 006 to the Jody Miller Construction, Inc. contract in an amount not to exceed One Hundred Seventy-Nine Thousand Nine Hundred Seven and 80/100 dollars (\$179,907.80), exclusive of applicable WSST so that the current contract total will not be more than Twenty-One Million One Hundred Ten Thousand Two Hundred Sixty-Two and 33/100 Dollars (\$21,110,262.33), exclusive of applicable WSST; and

WHEREAS, the anticipated cost to design, construct and certify the Community Recreation Center to meet LEED Silver requirements is within the total project budget of \$31,600,000;

NOW THEREFORE, BE IT

RESOLVED that the Board of Park Commissioners of the Peninsula Metropolitan Park District authorizes the Executive Director to execute Construction Change Order No. 006 with Jody Miller Construction, Inc. to provide additional construction services to meet LEED Silver certification requirements for the Community Recreation Center in the amount of not more than One Hundred Seventy Nine Thousand Nine Hundred Seven and 80/100 Dollars (\$179,907.80), exclusive of applicable WSST, in substantially the form attached as Exhibit "A" for new contract total amount of not more than Twenty-One Million One Hundred Ten Thousand Two Hundred Sixty-Two and 33/100 Dollars (\$21,110,262.33), exclusive of applicable WSST;

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Peninsula Metropolitan Park District held on January 23, 2024.

Maryellen “Missy” Hill, Board President

Laurel Kingsbury, Board Clerk

Attest: Ally Bujacich



PENINSULA METROPOLITAN PARK DISTRICT
 PO Box 425
 Gig Harbor WA 98335
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CONTRACT CHANGE ORDER
 NO. 006

Project Name: CRC - II Community Recreation Center Request Date: 1/11/2024
 Contractor Name: Jody Miller Construction, Inc. Requested By: Jody Miller
 Contract Date: July 18th, 2023

Description, Reason and/or Necessity of Proposed Change:

A Change Construction Directive (CCD-01) was issued to Jody Miller Construction in order to provide LEED Silver construction components for the project and meet our LEED Silver goals as a requirement of PenMet Park's grant funding from Washington State. Through the CCD, Jody Miller was able to instruct subcontractors and suppliers to identify costs associated with LEED performance requirements. Jody Miller Construction provided Potential Change Order pricing (PCO-014) that clarifies the associated costs to provide the identified LEED products as well as contractor and subcontractor performance expense. The costs for PCO-014 are reasonable for the performance requirements regarding LEED Silver Certification.

COMBINED AMOUNT FOR CHANGE ORDER : NTE: \$ 179,907.80
 Contract Price Change: No Change Increase Decrease Total Amount: \$ 179,907.80
 Completion Date: No Change Increase Decrease Number of Days: 0

CONTRACT SUMMARY/HISTORY		CHANGE ORDER APPROVAL	
Original Contract Amount	\$ 20,700,400.00		
Change Order History (Previous Additions)			
Change Order No. <input type="text" value="001"/>	\$ 68,561.18		
Change Order No. <input type="text" value="002"/>	\$ 84,558.48		
Change Order No. <input type="text" value="003"/> <i>pending</i>	\$ -		
Change Order No. <input type="text" value="004"/>	\$ 16,865.94		
Change Order No. <input type="text" value="005"/>	\$ 59,968.93		
Net - Previous Additions:	\$ 229,954.53	PENMET PARKS EXECUTIVE DIRECTOR	DATE
Change Order History (Previous Deductions)			
Change Order No. <input type="text" value="none"/>	\$ -		
Net Previous Deductions:	\$ -		
Current Change Order Description and Cost (NOT TO EXCEED)		PENMET PARKS PROJECT MANAGER	DATE
PCO-014 Provide LEED Silver component items per CCD-01 requests and pricing per PCO-014	\$ 179,907.80		
		JODY MILLER CONSTRUCTION PROJECT MANAGER	DATE
Subtotal This Change Order Request			
	\$ 179,907.80		
New Contract Amount Subtotal			
	\$ 21,110,262.33		
Sales Tax (WSST) 8.1%			
	\$ 1,709,931.25		
New Grand Total Contract	\$ 22,820,193.58		
New Substantial Completion Date:			
	<u>unchanged</u>		

This Change Order is an Amendment to the Original Contract Agreement and all contract provisions shall apply unless specifically exempted. No other agreement or modifications shall apply to this contract amendment unless expressly provided herein.



DISTRICT COMMISSION MEMO

To: Board of Park Commissioners

Through: Ally Bujacich, Executive Director

From: Sue O'Neill, Director of Park Services

Date: January 23, 2024

Subject: **Resolution P2024-003 Ratifying the Executive Director's Award of a Contract with J.A. Morris Construction, LLC for Emergency Repair Work**

Background

PenMet Parks staff discovered a water leak the morning of January 15, 2024 at the District administrative headquarters. The leak was presumably caused by unusually cold temperatures that resulted in a broken water line in the ceiling over the men's restroom. The water line break occurred outside of normal business hours and when it was discovered there was water damage to walls, finishes, and flooring in a portion of the first level of the building.

Staff contacted J.A. Morris Construction, LLC on the morning of January 15 to assess and repair the damage. J.A. Morris completed sufficient repairs the same day, January 15, to allow District operations to continue uninterrupted. The remediation and repair work, as well as investigation to confirm the cause and permanent solution of the water line break, is still in progress.

The water line break and resulting damage was deemed an emergency by the Executive Director. Pursuant to RCW 39.04.280(3), "emergency" means unforeseen circumstances beyond the control of PenMet Parks that either: (i) presents a real, immediate threat to the proper performance of essential functions; or (ii) will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

PenMet Parks Purchasing Policy P40-102 addresses emergencies and states, "If an emergency exists, the Executive Director or designee may waive competitive bidding requirements, and award all necessary contracts on behalf of PenMet Parks to address the emergency situation." The policy also requires if a contract is awarded without competitive bidding due to an emergency, the Executive Director or designee will



prepare a resolution for approval by the Board of Park Commissioners that includes a written finding of the existence of an emergency and to ratify the contract award. The resolution shall be presented to the Board at the next regular Board meeting, but in any event not later than two weeks following the award of the contract.

A contract was executed with J.A. Morris Construction, LLC in an amount not to exceed \$20,000, exclusive of applicable WSST, to make emergency repairs.

Budget Analysis

PenMet Parks notified its insurance carrier of the loss. District expenses associated with repairing the damage will be funded from the operating or capital budget, dependent upon the root cause of the broken water line. Staff will update the Board with the final expenditures and funding source as the investigation is completed.

Policy Implications/Support

1. Policy P10-101: Board Policy and Procedures states, in part, that PenMet Parks is accountable to its citizens for its use of public dollars.
2. Policy P40-102: Purchasing Policy addresses emergencies and allows the Executive Director or designee to waive competitive bidding requirements consistent with RCW 39.04.280(3) and award necessary contracts to address the emergency situation.

Staff Recommendation

Staff recommends the Board pass Resolution P2024-003 ratifying the Executive Director's award of a contract with J.A. Morris Construction, LLC for emergency repair work in an amount not to exceed \$20,000.00, exclusive of applicable WSST.

Staff Contact

If you have any questions or comments, please contact Sue O'Neill at (253) 720-0178 or via e-mail at soneill@penmetparks.org.

Attachments

Exhibit A: Resolution P2024-003



Peninsula Metropolitan Park District

RESOLUTION NO. P2024-003

RATIFYING THE EXECUTIVE DIRECTOR’S APPROVAL OF A CONTRACT WITH J.A. MORRIS CONSTRUCTION, LLC FOR EMERGENCY REPAIR WORK

WHEREAS, Policy P40-102: Purchasing Policy defines emergencies and provides the Executive Director or designee with the authority to waive competitive bidding requirements and award all necessary contracts on behalf of PenMet Parks to address the emergency situation consistent with RCW 39.04.280(3); and

WHEREAS, a broken water line at the PenMet Parks’ administrative headquarters was discovered on January 15, 2024, which is an observed District holiday, and the resulting damage and potential further damage to District property was deemed an emergency by the Executive Director; and

WHEREAS, PenMet Parks executed an emergency contract with J.A. Morris Construction, LLC in an amount not to exceed \$20,000, exclusive of applicable WSST, to repair the broken water line and correct the resulting damage;

NOW THEREFORE BE IT

RESOLVED, by the Board of Park Commissioners of the Peninsula Metropolitan Park District, that the Executive Director’s approval of a contract with J.A. Morris Construction, LLC for to make emergency repairs in an amount not to exceed \$20,000, exclusive of applicable WSST and attached as Exhibit A, is hereby ratified.

The foregoing resolution was adopted at a regular meeting of the Board of Park Commissioners of the Peninsula Metropolitan Park District held on January 23, 2024.

Maryellen “Missy” Hill, Board President

Laurel Kingsbury, Board Clerk

Attest: Ally Bujacich

Peninsula Metropolitan Park District

PROJECT CONTRACT FOR WORK - SMALL WORKS

THIS AGREEMENT is made this 15th day of January, 2024, by and between the Peninsula Metropolitan Park District (PenMet Parks) [the "Owner"] and J.A. Morris Construction, LLC [the "Contractor"].

IN CONSIDERATION of the payments and agreements herein identified and the award of this work as an emergency contract, the Contractor hereby agrees to commence and complete for the Owner the services described below:

1. **Project:** Respond to and address damage from a water leak caused by a burst pipe in the men's restroom at the Community Recreation Center Administration building located at 2416 14th Ave NW, Gig Harbor WA 98335. Work will include removal of damaged ceiling in the men's restroom, insulating the accessible water pipe, ceiling repair and painting. Work will also include installation of a ceiling access panel in both the men's and women's restrooms. Check heating and ventilation equipment in the men's restroom ceiling for damage and check the building hot water heater for issues. Extract water from the carpets and place dehumidifiers and fans to dry the carpet and walls. If necessary, remove and replace molding and wallboard to address any mold issues should they occur.
2. **Price:** For the above mentioned construction services, hereinafter called the "Project", the Owner agrees to pay the Contractor on a time and materials basis up to the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00), exclusive of Washington State Sales Tax.
3. **Schedule and Liquidated Damages:** Construction shall commence work immediately following Contractor's receipt of Owner's verbal Notice to Proceed. Construction shall be completed within 30 calendar days of Contractor's receipt of Owner's verbal Notice to Proceed. The Owner and Contractor agree liquidated damages will not apply.
4. **Integration:** This written contract represents the entire agreement between the parties. All prior representations, promises or statements merge with this written contract.
5. **Insurance:** In the performance of services under this Contract, the Contractor shall obtain and keep in force during the term of this Contract or any amendment hereof a policy of liability insurance covering personal injuries, death, and property damage deemed adequate by Owner in the amount of \$1,000,000 which policy includes Owner as an additional insured. Evidence of any such insurance shall be furnished by the Contractor on the date of execution hereof by delivering to Owner a copy of said policy and a certificate evidencing such insurance. Failure to maintain such insurance during the period of the contract shall be cause for termination of the contract. Such Insurance shall provide that it may not be cancelled unless Owner first received 30 days written notice of such cancellation.
6. **Bond:** Contractor shall furnish a Faithful Performance and Payment Bond in a form acceptable to Owner (if required).

IN WITNESS WHEREOF, the parties have executed this Agreement in three (3) parts, each of which shall be deemed as original, in the year and day first written above.

PENINSULA METROPOLITAN PARK DISTRICT, a municipal corporation

Ally Bujacich
Ally Bujacich (Jan 18, 2024 16:13 PST)
Ally Bujacich, Executive Director

CONTRACTOR

Paul Orth
Paul Orth (Jan 18, 2024 15:21 PST)
(Signature)

Paul Orth
(Name, Printed)

Partner/Senior Project Manager
(Title)

J.A. Morris Construction LLC
(Company)

PO Box 12645
(address)

Olympia Washington 98508
(city, state, zip code)

(SSN if Self Employed)

91-1943729
(Federal Tax No)

(L&I Account Number)

601-922-977
(UBI Number)