



**NORTH CLACKAMAS  
PARKS & RECREATION DISTRICT**

Administration

Michael Bork, Director  
North Clackamas Parks and Recreation District  
3811 SE Concord Road  
Milwaukie, OR 97267

June 1, 2023

BCC Agenda Date/Item: \_\_\_\_\_

North Clackamas Parks and Recreation District Board of Directors

**Approval of Amendment #1 to a Contract with Learning Landscapes LLC to continue planning and design services for the play area at the Concord Property. Amendment value is \$82,497, contract value is increased to \$181,977. Funding is through District Capital Asset Funds. No County General Funds are involved.**

<b>Previous Board Action/Review</b>	<p>No action previously on this contract. Previous action related to this project:</p> <p><b>March 23, 2023 Business Meeting, Consent Agenda</b> – Approval to apply for a Local Government Grant from the Oregon Parks and Recreation Department for the play area at the community park at the Concord Property. Briefed at Issues March 21, 2023.</p> <p><b>February 2, 2023 Business Meeting</b>, Approval to recommend to Metro Regional Government that the Concord Community Park be the first NCPRD project to use Metro Local Share Bond Funding. Briefed at Issues January 31, 2023.</p> <p><b>January 14, 2021 Business Meeting, Consent Agenda A.1</b> – Approval of Concord and Gladstone Master Plan Reports and Approval of Staff to work with the community and consultants.</p>		
<b>Performance Clackamas</b>	<ul style="list-style-type: none"> <li>• Build public trust through good government</li> <li>• Honor, utilize, promote and invest in our natural resources</li> <li>• Ensure, safe, healthy and secure communities</li> </ul>		
<b>Counsel Review</b>	5/17/2023 JM	<b>Procurement Review</b>	No
<b>Contact Person</b>	Alex Gilbertson	<b>Contact Phone</b>	(971) 430-0388

**EXECUTIVE SUMMARY:**

The North Clackamas Parks and Recreation District staff seeks approval of Contract Amendment #1 between NCPRD and Learning Landscapes LLC to continue planning and design services for the play area at the Concord Property for \$82,497 of NCPRD Capital Asset Funds.

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This continuation of services is in accordance with LCRB C-046-0500 (4)(f) due to the single candidate having access to factual, technical or statistical information necessary to perform the services requested. NCPRD is coordinating the design for the play area within the larger project planned for the Concord Property.

Estimated project term:	Expires June 30, 2025 (original contract terms)
Original contract amount:	\$98,480
Additional contract amount:	\$82,497
Amended contract amount:	\$181,977
Proposed contractor:	Learning Landscapes Design LLC

Learning Landscapes has completed the conceptual design for the play area, including Phase I and Phase II to allow for up to two phases of development. Learning Landscapes is currently under contract to fully design and develop Phase I only. At the time the contract was approved, NCPRD did not have confirmation of applicable or available funds to support full design and development of Phase II. Now, Metro local share funds NCPRD applied for would allow NCPRD to construct most of Phase I of play area, and state grant funding would allow NCPRD to develop the remainder. Both funding sources would be available in time to develop Phase I and II together, allowing for cost savings compared to developing Phase II separately.

The Concord project, including the library, community center and park is anticipated to begin construction on October 1, 2023. The design of the play area will need to be completed this summer in order to submit and obtain necessary building permits for construction in early 2024. This makes it necessary to begin this additional design promptly, as it is not possible to stay on schedule if starting a new procurement process for design services. Learning Landscapes Design has the capacity to fully design, engineer and detail Phase II, and meet the quickly approaching construction ground breaking. The contractor has prior knowledge and it is most advantageous to continue working with Learning Landscapes Design.

**RECOMMENDATION:**

Approval to authorize the North Clackamas Parks and Recreation District to execute Contract Amendment #1 between NCPRD and Learning Landscapes LLC to continue planning and design services for the play area at the Concord Property for \$82,497 of NCPRD Capital Asset Funds.

**ATTACHMENTS:**

1. Contract Amendment #1 – to the Contract Documents with Learning Landscapes LLC (Contract #7561).

Respectfully submitted,



Michael Bork  
NCPRD Director

**AMENDMENT #1  
TO THE CONTRACT DOCUMENTS WITH Learning Landscapes Design, LLC  
Contract #7561**

This Amendment #1 is entered into between **Learning Landscapes Design, LLC** (“Contractor”) and North Clackamas Parks and Recreation District (“District”) and shall become part of the Contract documents entered into between both parties on **February 9, 2023** (“Contract”).

The Purpose of this Amendment #1 is to make the following changes to the Contract:

1. ARTICLE I, Section 2. **Scope of Work** is hereby amended as follows:

Contractor will provide construction documents and construction support for the “phase 2” of the Concord Park Playscape, further described in attachment A of this Amendment #1.


2. ARTICLE I, Section 3. **Consideration** is hereby amended as follows:

In consideration for Contractor performing the additional Work outlined above, the District shall pay Contractor an amount not to exceed \$82,497.00. The total Contract compensation shall not exceed \$181,977.00.

ORIGINAL CONTRACT	\$ <b>99,480</b>
<u>AMENDMENT #1</u>	<u>\$ <b>82,497 + Scope</b></u>
<b>TOTAL AMENDED CONTRACT</b>	<b>\$ 181,977.00</b>

Except as expressly amended above, all other terms and conditions of the Contract shall remain in full force and effect. By signature below, the parties agree to this Amendment #1, effective upon the date of the last signature below.

**Learning Landscapes Design, LLC**

 5/23/23  
Authorized Signature                      Date

\_\_\_\_\_  
Printed Name

**North Clackamas Parks and Recreation District**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Recording Secretary

**Approved as To Form**

\_\_\_\_\_  
County Counsel



Alex Gilbertson, Principal Planner  
North Clackamas Parks and Recreation District  
150 Beaver Creek Road, Oregon City, OR 97045  
Primary: (971) 430-0388  
www.ncprd.com

5/17/23

Dear Alex Gilbertson –

Thank you for the opportunity to provide you with this proposal for continued professional services. The proposal is based on our conversation with you and our experience with similar projects. It is our understanding that you would like to move forward with the construction documents and construction support for the phase 2 of the Concord Park Playscape. We are currently completing the CD's for phase one. This proposal assumes that we are completing construction documents and construction support for all elements shown in phase 2 of the current concept plan. We have assumed both phases with move through construction documentation and construction at the same time. If the timelines are out of sync this estimate would change.

Our original proposal outlines the tasks and process for the completion of the design. The only difference in the fee is that the design work will not also include the phase 2 elements of the turf hills and sliding area and the water play feature. During construction we assumed 3 additional visits for hill and water system review. For a project total of 9 visits.

We are available to start working on the project as soon as we receive this signed agreement.

Sincerely,

Michelle Mathis – Principal Designer  
Learning Landscapes Design LLC

**This is an amendment to our original contract dated (2-9-23) and includes all the original contract understanding and assumptions.**

**Accepted by:**

\_\_\_\_\_  
Name / Signature

\_\_\_\_\_  
Date

## Proposed Services

### Task Four: Construction Document Phase 2 Elements

#### Task 3.1 Draft Construction Documents

The CD set will include additional sheets to supplement the Phase 1 CD set. We have assumed that these will be created in the same timeframe and reviewed with the phase 1 documents. In the concept design, we placed most of the custom and detailed components into phase 2.

We will deliver the following for 70% and 100% CDs.

Enlarged plans for the play area zone including:

- Materials Plan – for the phase 2 area
- Grading Plan – for phase 2 area – that considers the park grading and drainage of the surrounding areas.
- Layout Plan – for the phase 2 area
- Planting Plan – for the phase 2 area
- Construction Details – Almost all of these details are custom for the project.
  1. Water source and supply lines, mechanical support piping and valving.
  2. Raised water tables placement, connection to surfacing, ADA compliance, layout and proximity to water channel.
  3. Concrete water play channels, details of gate valves, different cross-sections of concrete and drainage channels and overflow. These will also cover any specialty concrete surface, seeding, treatment or color in the creek channels.
  4. Turf Hills – Main section with slope stability, ADA ramping and edging, expected slopes and edging at top and bottom.
  5. Slide and sit-down platform on turf hills
  6. Tiles and small climber on top of hill including edge conditions and grading to meet ADA
  7. Concrete retaining wall, boulder, turf hill railing, and bridge connection where phase 2 bridges into phase 1.
  8. Turf hill details for tunnel sections, log climber and unique sloped areas.
  9. Surfacing details for turf to tile connection, concrete, and other edging as needed.
- Specifications: For additional play equipment, water play and water system, playground surfacing (adding turf and turf. We assume other team members will be doing (site prep, grading, planting, soil prep, irrigation, and concrete)

*Deliverables – A draft set of the above items.*

### Task 3.2 CD Review Meeting

Assumed this is covered in the same meeting as phase 1. Minor hours increase for extended meeting and prep for staff.

### Task 3.3 95% Construction / Permit Set

We will review your comments and the items we discussed at the CD review meeting and create a final set of construction documents that can be used for permitting.

*We will deliver: Permit Construction Documents and Specifications as outlined in 3.1.*

### Task 3.4 Review Meeting

Assumed this is covered in the same meeting as phase 1. Minor hours increase for extended meeting and prep for staff.

### Task 3.5 Permit Set

This task includes time to make any final adjustment to the plan before we submit for permit. It is our understanding that you will take this set of drawings to the permit review and facilitate permit review and permit research.

*We will deliver: Permit Set*

### Task 3.5 Bid Set

This task includes time to make any final adjustment to the plan from permit comments. It is our understanding that you do any permit research and coordination.

*We will deliver: Bid Set*

## **Task Four: Construction Services**

We have assumed construction of both phase 1 and 2 will run concurrent. All hours in task 4 are additions to cover the new features in phase 2.

### Task 4.1 Bidding Support

No new fee was added.

### Task 4.2 Clarifications and Questions

We have included 10 principal hours and 32 staff hours. This is to cover the extended complexity of the grading, hills, edging or play surfacing and water play.

*We will deliver: RFI's and communication responses.*

#### Task 4.3 Construction Site Meetings

We have included 3 additional site meetings. This included hills rough grading, surfacing installation and water play. It is our assumption that some of these visits can overlap the existing included visits. This is about a visit every other week.

*We will deliver: Site Visit Notes*

#### Task 4.4 Playground Maintenance and Risk Approach

This was removed from the original phase 1 proposal. As the project has natural features like trees, water, and logs the maintenance and risk assessment helps support facilities staff in maintaining and inspecting these new features.

*We will deliver: Playground Maintenance and Risk Approach Document*

### **Fees for Construction Documents**

Task 3	Construction Documents	\$ 69,727.00
Task 4	Construction Support	\$ 12,770.00
<b>Total Phase 2 Design Fee</b>		<b>\$ 82,497.00</b>

### **Additional Services**

Any time spent past the projected scope or on future tasks will be billed as additional services at the following rates. We will not perform additional services without your written approval.

Hourly at \$130.00/hr staff and \$150/hr principal.