



London N. Breed, Mayor
Philip A. Ginsburg, General Manager

Date: March 29, 2023

To: Recreation and Park Commission
Capital Committee

Through: Philip A. Ginsburg, General Manager
Stacy Bradley, Director of Capital and Planning Divisions

From: Keri Ayers, Project Manager

Subject: Herz Playground Renovation Project – Contract Amendment

Agenda Wording

Discussion and possible action to amend the construction contract with Treaty Construction for the Herz Playground Renovation Project (Contract No. 0000006355) to increase the contract amount to \$1,770,000, reflecting an increase of \$170,000 since last approved by Commission; and amend the construction contract to increase the contract duration to 256 days, reflecting an increase of 43 days since last approved by the Commission.

Strategic Plan

Strategy 1: Inspire Public Space: Keep today's parks safe, clean, and fun; promote our parks' historic and cultural heritage; and build the great parks of tomorrow.

- Objective 1.2: Strengthen the quality of existing parks and facilities.
- Objective 1.3: Steward and promote good park behavior.

Strategy 2: Inspire Play: Promote active living, well-being, and community for San Francisco's diverse and growing population.

- Objective 2.2: Strengthen and promote the safety, health, and well-being of San Francisco's youth and seniors.

Background

Herz Playground is a 6+ acre facility within John McLaren Park. It features a children's playground, clubhouse, two basketball courts, a ballfield, Coffman Pool and open space. Located in Supervisorial District 10, the site is near the intersection of Visitacion Avenue and Hahn Street. The existing playground consists of two distinct areas for different age groups, and it was last renovated in 1998 with new play equipment.



This project is one of 13 playgrounds being renovated across the City as part of the Let'sPlaySF! Initiative that will serve 20,000 children. Let'sPlaySF! is a partnership between San Francisco's Recreation and Park Department and the San Francisco Parks Alliance, a capital campaign dedicated to raising sufficient funds to ensure that all 13 playgrounds, identified by a Citizen Task Force as most in need of renovation, can be reimagined for San Francisco's children. The Citizen Task Force prioritized these 13 playgrounds based on four criteria: (1) the presence of Chromated Copper Arsenate (CCA) Pressure Treated Wood, (2) low Household Median Income, (3) high Youth Density and (4) low Parks Alliance Playground Report Card Grades.

The renovation of Herz Playground, as part of the Let'sPlaySF! Initiative, is driven by the transformative power of play:

- Wellness: playgrounds encourage kids to get outside, away from screens. Outdoor play burns calories and helps develop muscle strength, and coordination and can foster a lifelong love of outdoor activities.
- Creativity: Playgrounds nurture growing brains by promoting imaginative and cooperative play that can foster advanced cognitive skills in young brains
- Community: Playgrounds bring people together. They allow people to connect across social, economic and age group divides.

Behest Impact

This project has been vetted by the City Attorney and can move forward because all private funding in the project was agreed to before the recent Behested Payment regulations took effect. The financial commitment of the Parks Alliance to the Department on this project is codified in a Related Agreement executed in 2019 and recently amended to allow the Parks Alliance to convert previously agreed upon cash grants into an in-kind grant.

Community Process

RPD held in-person community meetings at the Herz Clubhouse on June 22, 2019, and August 17, 2019. RPD then held a virtual community meeting on October 13, 2020. The meetings had between 15-25 people in attendance. Additionally, staff conducted one online survey at the project initiation and one multi-lingual online survey for the project during Summer 2020. The second survey garnered over 150 responses. Staff performed additional outreach during various community events and meetings such as Family Day, an annual community celebration held at Herz Playground, and Neighbor-Up Night, a Sunnydale Housing residents' meeting led by Mercy Housing.

RPD maintains a dedicated webpage for this project on its website and provides monthly updates via the project blog. Additional updates are sent via e-mail to those who have participated in outreach events or expressed interest in this project.

During the remainder of the project, the public will be informed through our project webpage, e-mails to stakeholders, and announcements in the RPD E-Newsletter.

Throughout the outreach process, community members have been eager for the project to happen, and for the neighborhood to have a fun, challenging and safe space for families and children to gather and play.

Concept Design

The Recreation and Park Commission approved the concept design for the playground on March 18, 2021. The final playground design will feature two areas: one for younger children (2-4) and one for older children (5-12). The large interior concrete walkway and site walls that currently bisect the two areas will be removed and replaced by a sweeping pathway and the site will be re-graded to minimize the use of retaining walls and ramps. The playground's color palette is inspired by the McLaren's green grasses, the native California Poppy, and bright blue of the clubhouse mural. The young children's area will have a play structure with slides and activity panels. There will be toddler swings, a bobble rider and harmony flower chimes. The older children's area will have a large play tower with two slides, a track ride, climbing wall, swings, and steel drums. Boulders and landscaping will be incorporated to foster the natural park setting.

Other upgrades to the site will include replacing worn site furnishings such as picnic tables and benches, upgrades to the existing clubhouse bathrooms for code compliance and a new drinking fountain. Four existing trees will be removed due to their age and condition; they will be replaced at a 2:1 ratio per Department policy.

Description of Proposed Changes

The project site work improvements commenced on October 24, 2022. As demolition work progressed, it became apparent that existing infrastructure and site elements needed repair. It was identified through the BSM excavation permitting process that the sewer line at Visitacion Avenue needed to be 6' deeper to align with existing manhole pipe outfall. The additional depth required engineered calculations and trench shoring. BSM also recommended that the eroded asphalt paving around the manhole be patched to prevent further damage, and a sand trap was required where the sewer line exited the site. Many of the clubhouse roof drain subsurface pipes were damaged and required replacement. A conflict that became evident at the ball field irrigation system was that pipes needed to be rerouted to make room for the path of the new sewer line. At the clubhouse courtyard we observed that tree roots had cracked and uplifted the concrete which resulted in the needing to replace the paving. This will eliminate tripping hazards and to comply with ADA for accessible paths of travel. Additional demolition costs occurred where unforeseen rebar was found in concrete paving and where low site retaining walls were uncovered and needed to be removed. Playground sand was recycled and reused at Louis Sutter Playground. The contractor provided delivery but needed equipment and labor to spread the sand at two play area sites. Lastly, we anticipate adding poured in place rubber surfacing at the high use areas in the children's play area. This will offer longevity under the slides and swings.

Justification for Contract Increase

This project is fully funded, and this is not a request for additional funds. A contract value increase in the amount of \$170,000 is requested to pay for the following change orders:

1. Install sewer line in deepened trench along Visitacion Avenue to meet existing manhole invert. The 6' increased trench depth required shoring and compaction inspection. BSM/PUC utility excavation review also required the addition of a sand trap and replacement of an existing 8" clogged line. This work was not part of the base contract.
2. Replace cracked concrete paving clubhouse courtyard and ADA ramp. This work was not part of the base contract.
3. Additional cost for unforeseen rebar in paving during demolition. This work was not part of the base contract.
4. Reuse existing sand from Herz Playground at Louis Sutter Playground. The cost of having the contractor spread the sand at Louis and Sutter Playground was not part of the base contract.
5. Potholing around new sand trap to confirm no utility conflicts. This work was not part of the base contract.
6. Replace clubhouse roof drain lines that tie into sanitary sewer line around the perimeter of the building. This work was not part of the base contract.
7. Repair asphalt around manhole at Hahn / Visitacion intersection. This work was not part of the base contract.
8. Reroute existing irrigation lines in conflict with the new sewer trench. This work was not part of the base contract.
9. Demolish existing wall and grade beam at northeast corner of play area in conflict with new fencing and design. This work was not part of the base contract.
10. A \$20,000 allowance to address any remaining unknown items that may arise during project construction.
 - a. Replace broken light fixtures in restrooms. This work was not part of the base contract. Cost to be determined.
 - b. Add poured-in-place rubber surfacing at heavy use areas under swings and slides. This work was not part of the base contract. Cost to be determined.
 - c. Other unforeseen items that may arise during project construction.

Change Orders in this request are outlined below totaling \$150,000:

1. Sewer trench work & sand trap at Visitacion	\$57,995.26
2. Replace concrete paving in clubhouse courtyard	\$45,989.41
3. Unforeseen rebar in demolition of hardscape	\$4,486.00
4. Spread sand at Louis Sutter Playground	\$2,817.98
5. Pothole roadway to confirm no utility conflicts at new sand trap	\$2,464.52
6. Tie existing clubhouse roof drains into new sewer line where damaged	\$8,278.44
7. Repair asphalt at manhole in intersection of Visitacion & Hahn (10' sq. patch)	\$5,079.99
8. Reroute existing ballfield irrigation that was in conflict with new sewer main	\$15,136.69
9. Demo wall and grade beam in conflict with playground design	\$7,751.71

*(Change order allowance of \$20,000 is in addition to known change orders.
Any unused funding will be returned to the program funding source accounts.)*

Revised Project Budget and Construction Contract Cost:

Project Source of Funding:	
General Fund	\$1,195,000
RPD 2012 Bond Playgrounds Program	\$532,178
San Francisco Parks Alliance Grant	\$1,262,822
Visitacion Valley Developer Impact Fees	\$310,000
RPD 2012 Bond Forestry Program	\$80,000
Total Sources	\$3,380,000

The total project budget is \$3,380,000. Hard and soft costs are budgeted as follows:

Soft Costs (35% of total budget)	\$1,185,890
Hard Costs (including contingencies) (63% of total budget)	\$2,123,583
Soft Cost Reserve (2% of total budget)	\$70,000
Total Budget	\$3,380,000

Construction Contract Summary:

Base Contract	\$1,600,000
(Original 10% Change Order Amount \$160,000)	
Augmentation of Base Contract	\$170,000
Revised Construction Contract Total	\$1,770,000

Funding Sources, Budget and Schedule:

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General Fund	\$1,195,000
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San Francisco Parks Alliance Grant	\$1,262,822
Visitacion Valley Developer Impact Fees	\$310,000
RPD 2012 Bond Forestry Program	\$80,000
Total Sources	\$3,580,000

The total project budget is \$3,580,000. Hard and soft costs are budgeted as follows:

Soft Costs (32% of total budget)	\$1,148,229
Hard Costs (including contingencies) (62% of total budget)	\$2,203,582
Soft Cost Reserve (6% of total budget)	\$228,189
Total Budget	\$3,580,000

Phase	Start	End
Planning	March 2019	March 2021
Design	April 2021	March 2022
Bid/Award	April 2022	July 2022
Construction	October 2022	July 2023
Close-Out	August 2023	October 2023

Environmental Evaluation

On February 12, 2021, the project received a Categorical Exemption from environmental review pursuant to California Environmental Quality Act (CEQA) guidelines Sections 15304, Class 1 Existing Facilities and Class 3 New Construction (Case No. 2020-012176ENV).

Staff Recommendation

Staff recommends that the Commission amend the construction contract with Treaty Construction for the Herz Playground Renovation Project (Contract No. 0000006355) to increase the contract amount to \$1,770,000, reflecting an increase of \$170,000 since last approved by Commission; and amend the construction contract to increase the contract duration to 256 days, reflecting an increase of 43 days since last approved by the Commission.

Supported by

Recreation and Park Department Operations staff
Board of Supervisors President Shamann Walton
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Wu Yee Children's Services
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Steven R. Depont-Kalani
Jennifer Hamlin
Larry C. Jones Jr.
Linda Stark Litehiser
Joe J. Litehiser
Fran Martin
Russel Morine
Lafu Seumanu

Opposed by

None known.