



Legislation Details (With Text)

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Type: Agenda Item **Status:** To Be Introduced
File created: 9/22/2023 **In control:** City Council
On agenda: 10/10/2023 **Final action:**
Title: Recommendation to receive and file an update on the progress of the Belmont Beach and Aquatics Center Project;

Authorize City Manager to proceed with the design, permitting, and bidding for the revised Project design "Option 1" recommended by City staff; and

Authorize City Manager, or designee, to execute all documents necessary to amend Contract No. 33388 with Harley Ellis Devereaux (HED) Corporation, Inc., of Los Angeles, CA, for design services for the Belmont Beach and Aquatics Center Project, to increase the contract amount by \$6,000,000, for a revised contract amount not to exceed \$18,664,576, and extend the term of the contract to December 31, 2027, with an option to renew for two additional one-year periods, at the discretion of the City Manager. (District 3)

Sponsors: Public Works

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Attachments: 1. 10102023-R-28sr&att, 2. 10102023-R-28 PowerPoint, 3. 10102023-R-28 Corresp. LBAPN.pdf

Date	Ver.	Action By	Action	Result
10/10/2023	1	City Council	approve recommendation	Pass

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City Council approval is requested to amend Contract No. 33388 with Harley Ellis Devereaux (HED) Corporation, Inc., to continue to provide design services for the Belmont Beach and Aquatics Center Project (Project).

The City of Long Beach (City) has been engaged in the design, entitlement and permitting for the rebuild of the Belmont Pool. The original Belmont Pool opened in 1968 and served over

200,000 visitors annually before closing in 2013 due to seismic concerns. The City worked expeditiously to construct and open the existing temporary pool and support facilities to continue serving the aquatic community. Simultaneously in 2013, the City released two Requests for Proposals (RFP) for both a project manager and a design team to begin the design and entitlement process for the replacement Project.

On March 4, 2014, the City Council awarded a contract to HED as part of its adoption of RFQ CM14-020 for architectural and engineering consulting services for the design of the rebuild/revitalization Project in an amount not to exceed \$7,858,731. Additionally, on November 16, 2021, the City Council approved an amendment to Contract No. 33388 with HED to increase the contract amount by \$4,805,845 for additional services to address design changes prompted by the regulatory review for a total not-to-exceed contract amount of \$12,664,576, with the option to review for two additional one-year periods, at the discretion of the City Manager.

Over the years following the contract award, HED, the project management team, and City staff completed the concept design, environmental impact report (EIR), and EIR Addendum and received the necessary approvals, entitlements, and local regulatory permits for the work. On February 11, 2021, the California Coastal Commission (CCC) approved the Coastal Development Permit (CDP) subject to five standard conditions and nineteen special conditions of approval. On September 8, 2021, the CCC certified the Local Coastal Program Amendment required by the Project.

Following the CCC approvals, the project delivery team proceeded with implementing the community outreach and public access program and conducted stakeholder meetings, focus groups, and community meetings to address the Project's CDP Special Condition 3 and continued with the development of a Sea Level Rise Monitoring and Adaptation Plan (MAP) pursuant to Special Condition 13. Concurrently with these efforts to address the CCC's Special Conditions, the project delivery team focused on completing various design phase deliverables that would lead to the completion of 100 percent construction documents for the Project.

In anticipation of finalizing the 100 percent construction documents and completing the design phase, the City issued a Request for Proposals (RFP) for Construction Management and Inspection Services (RFP PW22-042) and awarded a Contract to Arcadis U.S. Inc., on August 2, 2022. The City also issued a Request for Qualifications (RFQ) to prequalify prospective general contractors for the work (RFQ PW22-053) pursuant to Public Contract Code Section 20101. As a result of the RFQ, five General Contractors were prequalified and are eligible to Bid on the Project.

Funding Challenges

The City made two commitments related to the Project. The first was to complete the design and 100 percent Construction Documents. The second commitment was to develop a funding strategy to close the funding gap on the Project before the end of 2022. At the conclusion of

the 100 percent Construction Documents phase, what was previously expected to be a \$25 million gap grew to \$50 million, even with significant phasing and value engineering strategies employed. While significant, staff developed a financing plan. Although the plan was feasible, it would have required the City to make difficult decisions to complete the Project (See Attachment A, December 9, 2022, Memorandum to City Council). Furthermore, with rising energy costs and other cost escalations, the projected annual operations and maintenance (O&M) costs for the previously designed facility also increased significantly.

On August 31, 2022, the California State Legislature passed Senate Bill (SB) 1137, which would have a significant impact on the City's oil-related revenue, particularly in the Tidelands area. SB 1137 establishes a 3,200-foot health and safety zone around new and reworked existing oil wells and prohibits drilling of new wells and improvements to existing wells within that radius, which affects a significant portion of the City's oil operations in the Tidelands and Uplands areas. SB 1137 accelerates the City's transition away from oil production, which was planned for 2035. Simply put, as a result of SB 1137 the resulting oil operations cannot support either the operating or the capital requirements of the previously approved Project without significant modifications. As such, staff worked with Project architects, engineers, and aquatics experts to reduce the Project's costs and align it with expected revenues moving forward.

The new law was slated to take effect in January 2023; however, private interests qualified the bill for a veto referendum on the Statewide ballot scheduled for November 2024. Whether upheld or repealed, and despite the challenges encountered, the City is steadfast and committed to delivering an inspiring facility for all age groups that will engage, instruct, and train our public aquatics users, while providing equitable access to recreational water space for the larger Long Beach community in a fiscally sustainable way.

Revised Project Design and Alternatives

The project management team and City staff have spent considerable time this year with the project architects and aquatics design professionals to develop a project plan that maintains the spirit of the aquatics complex in a fiscally sound manner. The design team prepared three design options that reduce the footprint of the future aquatics center, combine bodies of water and programming, while still maximizing the programmatic value of the facility.

The following aquatic program alternatives were developed and considered along with their anticipated capital construction and annual O&M cost. O&M costs are currently estimated to be in the range of \$3.6M to \$3.8M across the three presented options. The cost range is preliminary and is subject to several variables including labor/staffing expenses and utility rates at the time of operation.

Option 1 Estimated cost	Option 2 Estimated cost	Option 3 Estimated cost
\$74.2M	\$74.4M	\$73.5M
50m Pool with one bulkhead including:	50m Pool with one bulkhead including:	70m Pool with two bulkheads including:

Four (4) springboards Two (2) ziplines Two (2) climbing walls	Four (4) springboards 2-centerline dive tower	Four (4) springboards 2-centerline dive tower Instructional Pool (within 70M pool)
Recreational / Instructional Pool including:	Instructional Pool Only including:	
Vortex Activity Tower Spray Features with Floatables and Water Volleyball	(3) 60 ft lanes 4 ft deep	

Based on program goals, fiscal constraints, Special Conditions, and public access requirements from the CCC, Staff recommends the Revised Project Design as presented in Option 1 (Attachment B, Preferred Revised Design). Option 1 features an aquatics center with two bodies of water, a 50M pool and an instructional and recreational pool. The 50M pool will be designed to depths that allow spring board diving, and will support local competitions and events. The pool will also having the ability to accommodate ziplines and climbing walls, as appropriate. Option 1 also features a joint instructional and recreational pool that will allow the City to provide a variety of programming including a vortex, activity tower, floatables, spray features, and swimming instruction for pool patrons.

The delivery and completion of the preferred Revised Project Design would create a Citywide amenity within the coastal zone that can broadly and equitably serve the public and offer low-cost aquatic programming and provide recreational access to users of all skills and abilities, including seasoned and recreational lap swimmers and those just learning to swim.

The CCC's Special Conditions require a significant amount of the Project's water bodies to be available for general public use during operating hours (e.g., not solely for competitive events, private instruction or extensive use by clubs, or temporary events). Staff believes the preferred Revised Project Design as presented in Option 1 is more consistent with this Special Condition than Option 2 or Option 3 would provide.

The City is at capacity for funding with the estimated funding gap at around \$8 million. This amount does not include other enhancements estimated at \$3.7 million which includes additional restroom capacity, permanent bleachers/seating and shade. Private support and philanthropy may be needed to fund these enhancements. While Option 1 is the preferred Revised Project Design, Staff recognizes it does not meet every user's need. Additional work will be required to ensure the Project conforms to the previously issued Special Conditions, and Staff has begun to engage the CCC to ensure the conditions remain relevant given the proposed design changes.

Public Engagement

On June 27, 2023, the Department of Public Works held a community meeting, which was advertised Citywide, to present the status of the Project, discuss the work completed to date,

and review the challenges encountered around cost growth and escalation. At the meeting, the City Manager and project team addressed all questions from the public related to the proposed changes, the need for balance between recreational and competitive uses, constraints within the Project's regulatory framework, and discussed the resources and needs to complete the work. After the meeting, the pool's stakeholder list and attendees were invited to submit virtual comments and feedback for the project team's consideration.

The public engagement conducted revealed that the community broadly supports rebuilding of the BBAC facility in the proposed project location and supports completing the project as presented (Attachment C, Public Comments). Of the over 160 respondents who provided written comments and feedback, approximately 84 percent supported moving the Project forward. Approximately 16 percent of respondents opposed the project largely indicating the pool is the wrong priority or at the wrong site. Approximately 13 percent of the supporters indicated they would prefer the facility without recreational equipment, and 11 percent of the project's supporters emphatically indicated that seating and shade are a must to support a variety of uses. Other sentiments that permeated the feedback included a desire to build quickly to avoid further project risks, delays, and cost increases.

Public comments were received that suggested Option 1 be modified to reorient the support buildings to the southern bound of the site and to place the 50M pool and recreational and instructional pools on the northern edge of the development area (i.e. flipping the support building and pool where the buildings are placed closer to the beach and the pools would be placed closer to E Olympic Plaza) for wind protection, sand mitigation, and for shading benefits. The following feedback was considered by the architectural design and project team, but were found to run counter to a few of the programmatic and design goals of the Project.

From an operational and design standpoint, maintaining the building at the northern edge of the project site allows for the consolidation of entry and access points to the entire aquatics center. This enables the creation of an arrival point and formal front door, whether a patron is arriving by private automobile and parking at the adjacent lot, arriving by transit, walking or using micro-mobility solutions. In addition, reorienting the building to the south would block direct views of the ocean for pool users and guests, altering the experience while on site. Further, the architectural team found that while reorienting the location of the building to the southern edge of the site could assist with pool shading, it would also inadvertently create barriers to cooling ocean breezes. While a southern oriented building could reduce sand, it doesn't entirely eliminate it as blown sand would wrap around the building.

As proposed, the aquatics center would be constructed on an elevated deck or plinth, with perimeter glass fencing to assist with wind and sand control, while still being low enough to maintain cooling ocean breezes. The glass will be further studied as part of the revised design efforts. Any proposed perimeter glass would feature the appropriate environmental design mitigations to ensure protection of local species through the inclusion of bird safe glass (frit or tinted), as required by the Project's standard permit conditions, but the technical team will further explore opportunities for the perimeter glass system to assist in cooling.

Next Steps

The project delivery team has engaged the Long Beach Planning Bureau and the CCC and anticipates submitting an amendment to the existing Project approvals. The application for an amendment to the CCC will convey the Revised Project Design and document the reduction to the overall development, including the reduced site plan and footprint impacts, reduced occupancy, and square footage, and building height and massing reductions. The project team will continue with its progress on satisfying the various CCC Special Conditions for the work and update required programs and plans to reflect a reduced-sized facility.

The project delivery team will advance the work to an updated schematic level for a Coastal Commission permit amendment, and anticipates proceeding with various design milestone phases, including design development, construction documentation, plan check, building permitting, and constructability review. Concurrently, as the project moves forward, the project delivery team will enlist the support of an independent cost estimation firm to perform cost analyses to track the market forces and factors to support the delivery of this large capital project.

This matter was reviewed by Deputy City Attorney Vanessa Ibarra on September 20, 2023, Purchasing Agent Michelle Wilson on September 22, 2023, and by Revenue Management Officer Geraldine Alejo on September 25, 2023.

City Council action is requested on October 10, 2023, to authorize the City Manager to proceed with revised project design "Option 1" as recommended by City staff, and to amend Contract No. 33388 to ensure the contract amendment is in place expeditiously to complete design documents, permitting, and bidding of the Project.

The requested action increases the contract authority with HED by \$6,000,000, for a revised total contract amount not to exceed \$18,664,576. Sufficient funding to support the contract amendment is budgeted in the Tidelands Operations Fund Group in the Public Works Department.

While sufficient funds are budgeted to support the contract amendment for project design services, additional funding will be required for project completion. The funding gap associated with Option 1 is currently estimated at \$8 million. Furthermore, private and philanthropic support may be needed for other projects and programmatic enhancements estimated at \$3.7 million to address users' needs such as seating, shade structure, and additional restroom capacity. The Project is included in the City's Elevate '28 Infrastructure Investment Plan as one of three major projects to be completed prior to 2028. As the Project moves forward, staff will return to the City Council with funding strategies and requests for appropriations as funding is identified. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

Approve recommendation.

ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

APPROVED:

THOMAS B. MODICA
CITY MANAGER