



# PORTLAND PARKS & RECREATION

Healthy Parks, Healthy Portland

## Gabriel Skate Park Final Evaluation

### PROJECT DESCRIPTION

In 2002 Portland voters approved an Operating Levy, which dedicated funding for development of additional neighborhood skate park opportunities. Thereafter, the City completed a site study, which helped determine the most suitable locations for public skate parks. To that end, 19 locations were recommended by the Skate Park Leadership Advisory Team and approved by City Council. Of the 19 park sites identified, one site had been completed while two others are under construction. The original Pier Park skate park was built using a traditional design process and was constructed by volunteer community labor from the National Guard. This skate park suffered from design and construction flaws, and a professional design/build skate park company ultimately rebuilt this park in the summer of 2006.

Gabriel Park and Ed Benedict Park were identified as the next parks to receive development funding for skate park facilities. Because of the experience with the Pier skate park, and research by the Advisory Team which indicated the very best skate parks were designed and built by specialized contractors, PP&R proposed a **design-build contracting** approach for Gabriel Skate Park instead of the traditional low bid contracting method. In concept, the design build firm would provide all labor and materials necessary to produce a conceptual design, final design, construction documents and construction of a non-supervised, reinforced concrete skate park at Gabriel Park. In February 2007 Council approved an exemption from traditional contracting method and an RFP process was initiated. Airspeed Skate Parks was the successful proposer out of a field of five. Airspeed was awarded the design-build contract which included public outreach to achieve a design acceptable to the committee composed of neighbors, skaters, designers, and Parks staff.

Design commenced in October of 2007 and construction was completed and accepted September 30, 2008. The park is comprised of 8400 square feet of deck, snake run, and bowls with two manual ledges and is fully ADA accessible.

### **Actual Project Cost Compared with Original Project Estimate**

The original estimated costs were projected to be \$398,286 for construction. The actual construction project cost was \$421,370. This is 5.8 % over the original project estimate.

### **Amount of Any Guaranteed Maximum Price**

this was awarded as a lump sum contract and there was no GMP in the contract. The contractor's bid was \$335,000 to design and build the skate park. It was anticipated that any unforeseen conditions would be compensated through change orders, per the contract. In this case, the final contract amount was \$421,370. This is 25.8% over the original contract amount.

## **Project Change Orders**

There were a total of six change orders on the project. The first three changes were implemented to add storm water design and construction as required by the permit and to make the Park design a sustainable project. These three change orders totaled \$42,775.00 with no additional time requested to implement the infiltration basin and trench drains to eliminate all run-off to the storm sewer.

The remaining three change orders were issued as a direct result of the timing of the start of construction in early March of 2008. The soil was unable to be compacted due to the rain. The saturated clay soil could not reach the required 95% compaction. Consequently, the soil had to be exported to the adjacent hillside and gravel fill material was imported. The costs for labor, equipment and import/export material were \$43,595.

The total amount of the six change orders was \$86,370.

## **Successes and Failures**

On this project we were able to successfully design and build a snake run; a new type of feature for our skate park system. Another success was that the final cost, at \$50 per square foot of skate park was within the \$40-\$60 per square foot standard for conventional bowl type skate parks. Schedule was adhered to and the project met the anticipated opening date.

While there were no major failures in the construction of this project, the timing of construction was not optimal and resulted in an increase in cost due to change orders for the soil compaction problem. Additionally, not anticipating the design for the stormwater was a problem for the design phase.

### **Objective Assessment of the Contracting Process as Compared to the Findings**

A summary of The Findings were:

- Cost effective
- time saved
- value engineering
- leverage specialized technical expertise
- safer project through better end result
- less favoritism, market conditions
- budget is more stable, better cost control

Through the competitive RFP process, Parks was able to engage the most creative skate park designer/builders, without the constraint of cost, while still achieving a cost effective park. This is demonstrated by evaluating the known cost per square foot for skate parks which averages between \$40 to \$60 per square foot. This pricing is based on a 40 to 60 percent mix of flat work to transition or ramp type concrete work. While this project was all transition and was expected to be at the high end of the range at \$60/square foot, it actually cost less than that. Final cost was \$50 per square foot.

In addition, the design/build contracting process allowed Parks to use the designer's specialized expertise to work through complex design ideas and translate them into a project that could actually be constructed. Budget for both Design and Construction was known at the beginning of the project which helped to plan for and control the budget. In this scenario, there is a cost savings in the design phase because the designer is not prone to adding lots of features that

later get value engineered out. The value engineering should be inherently part of design, not something that comes up after it has been designed as a cost cutting measure. The designer knew the budget and was bound to keep the design consistent with the construction budget they had committed to. There were change orders but they were a result of changes to the design made after the scope was developed and the contract was awarded.

Time as well as cost was saved in this process by reducing the bidding and contracting to one instead of two phases. Despite the significant addition of on-site stormwater treatment, Gabriel Skatepark was built within the time anticipated and met the schedule.

It was also clear that for this specialized type of installation, having the designer and builder as one team, Parks was able to leverage the specialized expertise of the design/build company. Throughout the process, Parks was able to develop a more complex design that met the specific desires voiced by the community.

It was in the construction of the skate park that it became clear that the skilled and knowledgeable craftsmen could actually build a facility that was safer to use and more enjoyable for the users. The sport requires a smooth surface while riding at higher speeds and maneuvering around others. The transitions and complex curves of the surface are highly critical to maintaining a safe environment. From a public safety standpoint, this project is highly successful and time has proven that the end product is both durable and enduring. Riders come from all over to use this facility.

Based on the fact that there were 5 proposers in response to the RFP, it is clear that the contracting process was no less competitive or limiting than a conventional low bid contracting approach.

By knowing the entire project budget for both design and construction, at the beginning of the project allowed more flexibility in the design and less unknowns about the cost to construct. The ability to get answers from the contractor right away concerning design changes was also very helpful in controlling costs.

In Summary, the use of the Alternative, Design/Build form of contracting, was beneficial for this highly specialized project. It was of benefit to not only Parks, but the park users as well as the public in general, through cost savings and the realization of a better product.

# EXHIBIT "A"

## GABRIEL PARK SKATE PARK DESIGN-BUILD PROJECT

### FACTUAL FINDINGS PROPOSED EXEMPTION FROM COMPETITIVE BIDDING

#### **1. Project Background:**

Portland, Oregon has a strong demand for safe, legal places for action sport enthusiasts to recreate. Using national estimates, Portland Parks & Recreation (PP&R) has determined that by 2020, an estimated 40,000 skateboarders, free-style BMX bike riders, and in-line skaters will live in Portland.

In spite of the demand, there are only currently two facilities in Portland which offer free, public access for skateboarders and free-style BMX bike riders. These skate parks are Pier Park, located in North Portland, and 'Burnside' Skate Park, located under the east side of the Burnside Bridge head. Burnside is considered by some to be the most famous skate park in the world and the newly redeveloped Pier Park is fast gaining an international reputation as one of the very best as well. The original Pier Park skate park was built using a traditional design process and was constructed by volunteer community labor from the National Guard. Unfortunately, this skate park suffered from design and construction flaws to the extent that a professional design/build skate park company was required to rebuild this park in the summer of 2006.

In 2002 Portland voters approved an Operating Levy, which dedicated funding for development of additional neighborhood youth skate park opportunities. Thereafter, the City completed a siting study, which helped determine the most suitable locations for public skate parks. To that end, 19 locations were recommended by the Skate Park Leadership Advisory Team and approved by City Council. Of the 19 park sites identified, one site had been completed while two others are under construction. Gabriel Park has been identified as one of the next skate parks to receive development funding. As part of this project, PP&R proposes that a design-build skate park team to provide all labor and materials necessary to produce a conceptual design, final design, construction documents and construction of a non-supervised, reinforced concrete skate park at Gabriel Park.

In researching this issue PP&R discovered that the builders of what skateboarders consider some of the best skate parks in the United States are design-build firms. These design-build firms are comprised of experienced skateboarders and concrete artisans who understand the needs and demands of skateboarding and are thus able to construct the most successful skate parks.

#### **2. Competitive Bid Exemption under Oregon Statute**

Oregon law requires all public improvement projects to be procured by competitive low bid, unless an exemption is granted by the State or the local contract review board for agencies other than the State. The City Council is the local contract review board for Portland. ORS 279C.335 requires the Council to adopt two findings in order to exempt a project from traditional low bid requirements: (1) that the exemption is unlikely to encourage favoritism in the awarding of

public contracts or substantially diminish competition; and (2) that the exemption will result in substantial cost savings to the public agency.

For public improvement projects, ORS 279C.330 provides that the agency findings must include information regarding the following:

- a. Operational, budget, and financial data.
- b. Public benefits.
- c. Value engineering.
- d. Specialized expertise required.
- e. Public safety.
- f. Market conditions.
- g. Technical complexity.
- h. Funding sources.

### **3. Design-Build Contracts under Portland City Code**

The Design-Build form of contracting, as defined in PCC Section 5.34.810 C, has technical complexities that are not readily apparent. In order to use the Design-Build process as provided in PCC Section 5.34.870 A, the City must be able to reasonably anticipate the following types of benefits:

1. Obtaining, through a Design-Build team, engineering design, plan preparation, value engineering, construction engineering, construction, quality control and required documentation as a fully integrated function with a single point of responsibility;
2. Integrating value engineering suggestions into the design phase, as the construction Contractor joins the project team early with design responsibilities under a team approach, with the potential of reducing Contract changes;
3. Reducing the risk of design flaws, misunderstandings and conflicts inherent when construction Contractors build from designs in which they have had no opportunity for input, with the potential of reducing Contract claims;
4. Shortening project time as construction activity (early submittals, mobilization, subcontracting and advance Work) commences prior to completion of a "Biddable" design, or where a design solution is still required (as in complex or phased projects); and
5. Obtaining innovative design solutions through the collaboration of the Contractor and design team, which would not otherwise be possible if the Contractor had not yet been selected.

PP & R believes that use of the design-build process will produce all the benefits contemplated by the City Code in regard to the proposed project.

### **4. Critical Factors**

This project contract will provide design services for, and construction of, a concrete skate park through a single contractor. Critical factors for success of this project are: 1) final design/fabrication that incorporates high quality, economically sustainable features that address professional design, safety and maintenance and 2) a price for design and construction consistent with the City's budget.

## 5. Findings

The findings are summarized below.

### A. OPERATIONAL, BUDGET, AND FINANCIAL DATA:

The goal of this project is to create safe, legal recreational opportunities for skateboarders, free-style BMX bikes, and in-line skaters. In addition to the creation of a quality skate park experience, public safety, life cycle costs of the structure, and ease of maintenance are essential factors. Use of the design-build alternative contracting method will allow PP&R to minimize overall project costs by taking advantage of a contractor's design innovations and technical construction efficiencies.

By utilizing design-build, PP&R would be able to hire a professional design-build skate park company which focuses on the delivery of a quality user experience while offering low construction and operating costs. This process allows for the selection of a company which benefits from direct knowledge and experience of skateboarding and skate park construction.

The budget for this construction is fixed and has limited contingency for project cost overruns. If PP&R were to procure final design through a traditional quality-based selection process, and construction and installation through a traditional low bid process, it is likely that the overall cost of the project would exceed the budget. Use of a design-build negotiated procurement method will eliminate the potential, on the construction and installation side, that the low initial bid would not reflect the final construction price for the project, due to change orders, claims or construction document disputes. In addition, use of a single design-build contractor, rather than two separate entities for design and construction/installation, would eliminate PP&R's exposure to increased cost risks associated with coordination between the designer and the contractor and related contractual interface issues.

In addition, PP&R must minimize the risk of misinterpretation of construction documents, quality control disputes, construction delays, and claims in order to control the project budget. Given the unique nature of this work, there is no necessity for PP&R to directly control the design work or take on the interface risks as between designer and installer. As such, PP&R considers the design-build project delivery method to be operationally and financially the best option for this project.

It is important that the contractor have a thorough understanding of the nuances of skateboarding and the requirements of design, construction, and maintenance of public skate parks. Alternative contracting will allow the contractor proactive involvement in design to develop construction approaches and methods to minimize impacts on the park, park users, and Parks Bureau operations. Such involvement in the design phase would not be possible using the traditional "low bid" contracting method.

With one contractor responsible for both design and construction, there is a lower chance of misinterpretation between the construction documents and the desired end result. Potential field modifications, if necessary, can occur very quickly, without having to go

back through the City to the design professional and then back to the construction contractor.

For this project, the public will benefit directly from the lowest cost project that satisfies the project requirements. This benefit will be derived by allowing for innovation within an established framework of project delivery requirements. Typical costs for public design contracts are 15-20% of the total project. Skate park design-build teams often offer reduced design rates when the design work is coupled with the construction contract. Costs for the City to administer this procurement method are also less than a traditional design-bid-build approach. The money that is saved can be spent on the end product, thereby offering more square feet of finished product.

The design-build alternative contracting method will provide value engineering and constructability reviews well before the final construction documents are completed. This will result in fewer change orders and significant savings for the City over conventional contracting. Employing the contractor during the design phase will allow the contractor to assist in selecting appropriate construction methods and sequencing. This allows for the development of a realistic comprehensive construction schedule, well before the construction phase begins.

As discussed above, budget for this contract is fixed and has limited contingency funds. PP&R needs to utilize a project delivery method that will provide the greatest opportunities for cost savings in both design and construction.

**Summary:** PP&R's experience is that it would be more costly to use an independent quality-based selection process to accomplish the final design, followed by a traditional low bid procurement to accomplish the construction, than it would be to use a single design-build negotiated procurement process to accomplish both the final design and the construction. Design-build will allow each interested contractor to tailor its design and construction based on its most efficient installation process. By issuing performance requirements in lieu of detailed final design specifications and drawings, PP&R will put itself in the best position to capture cost savings that result from efficiencies in design and fabrication.

Use of a single design build contractor will reduce risks of costs associated with coordination of design, fabrication and installation, and change orders. Use of design-build will ensure PP&R received the lowest possible price for design and construction, resulting in cost savings that cannot be achieved by the traditional low bid process.

## **B. PUBLIC BENEFITS:**

Over the past four years, PP&R has begun to meet the demands of the City of Portland's estimated 28,000 skateboarders, in-line skaters, and free-style BMX riders. To deliver on the obligations of the City Council's one-time general fund appropriations during the winter 2006 Budget Management Process (BuMP), it is necessary that construction of the

project proceed with a minimum of interruptions, delays, claims and cost over-runs.

Following the award of a design-build contract, PP&R will not have to invest time and money coordinating and arbitrating between separate design and construction contracts. The project timeline is also shortened by utilizing a design-build approach because the bidding process for the construction is eliminated. It is even possible, if allowed by PP&R, that construction of the skate park could even begin before the design has been finalized.

By electing to adopt an alternative contracting method to meet its fund appropriation commitments, PP&R maintains its fundamental mission of providing safe, high quality parks for public enjoyment.

Finally, alternative contracting will allow construction of the proposed improvements at the lowest life-cycle cost. Design-build skate park companies understand, design and construct for the impacts and excessive wear of skateboarding and free-style BMX bikes on these types of public facilities. These companies focus on critical areas to mitigate for excessive wear to assure longevity of design and safety. Alternative contracting will thus allow the public to receive the benefits of timeliness, lowest cost, and quality assurance.

There is also a public benefit to constructing a skate park that will be used by the public for recreational purposes. A poorly designed and/or poorly constructed skate park is less likely to attract the persons most likely to use it.

**Summary:** By placing design responsibility with the contractor, PP&R provides maximum opportunity for cost effective design innovations and avoids costs of coordination issues in project delivery. This, in turn, directly benefits the public. Moreover, a well designed and constructed skate park will attract users and be more likely to achieve the City's goal to have a safe, legal, place for users to assemble and recreate.

### **C. VALUE ENGINEERING:**

A high degree of efficiency as well as effective value-engineering can be achieved by utilizing a design-build contracting method. This procurement method saves time and money because of its synergistic efficiencies.

As noted above, the budget for this construction is fixed and has extremely limited contingency. The alternative contracting method will give the contractor an opportunity to partner with PP&R's design and construction staff in performing value engineering and constructability reviews. In contrast, contractor input into the project while it is being designed is not possible using the conventional "low bid" design-bid-build construction process. Early involvement will reduce overall project costs and more efficiently attain the project objectives. In a design-build contract, the same contractor provides the design as well as constructs the skate park, thus permitting increased opportunities for input and communication between the designers and the construction personnel.



The contractor can review conditions while design is ongoing and thus has the opportunity for input. The contractor's construction experience and knowledge will also help identify and resolve issues prior to construction and will aid in early identification of effective measures to minimize disruption. This partnering will likely reduce the need for change orders, claims, and delays, resulting in significant cost savings and delivery of quality facilities on time. In contrast, the "low bid" process, which does not permit significant contractor input during the design phase, would not allow the contractor to see actual conditions while design is ongoing and would probably lead to increased costs.

A design-build skate park team is hired with an established project budget and they work backwards from there. Because the design team is simultaneously estimating construction costs, the final construction total can be calculated almost immediately. If needed, the design and construction team can modify the design and/or evaluate alternative engineering or material solutions. This approach allows for identification of potential cost over-runs during the design phase. Constructability and value engineering are addressed constantly and most efficiently by having the design team and the construction team work in concert with each other.

During the construction phase, the reality of the skate park design is validated daily. Because potential flaws in a conceptual design only appear at construction time, potential modifications are made as needed, addressed by the contractor, and annotated through communications with a city liaison. Change orders due to drawing and specification errors are eliminated because the correction of such issues is the responsibility of the design-build contractor and not the Owner.

**Summary:** A design-build construction approach has the inherent advantage that the contractor works side by side with the designer, which reduces costs. In contrast the same value engineering and cost reduction is unlikely through the traditional low bid method of construction. PP&R plans to allow as much flexibility as possible in the design. This will encourage the successful contractor to maximize cost savings ideas and methods.

#### **D. SPECIALIZED EXPERTISE:**

The ability to successfully design and construct a public skate park is highly specialized work that requires a great deal of experience with the art of skateboarding, skill progression, user conflict foresight and attention to detail. In addition, construction of this skate park will occur within a constricted work zone and must take into account adjacent park activities.

Well-designed and built concrete skate parks can be sculptural elements that enhance public spaces and/or parks. Skate parks are focal points for recreation for a large segment of our population. Skate parks can become outdoor community centers drawing skateboarders, free-style BMX riders, inline skaters, and spectators to safe, legally sanctioned areas. The City of Portland strives to create skate parks that are viewed as valuable resources within their communities. Accomplishing this goal depends greatly upon the marriage of innovative design and quality construction.

Skateboarding and free-style BMX bike riding builds self-esteem, determination, balance, coordination, social skills and may open the way to life-changing opportunities. Skate park design-build teams understand these attributes and incorporate skill progression into their work by designing and building not only for the novice but for the highly skilled athlete as well. A quality concrete skate park designed and built by an experienced skate park design-build team, will ensure that local users will be engaged and challenged for years to come. Many skate park design-build teams have the benefit of drawing upon years of active skateboarding to drive design and construction methodologies. Such a team would draw upon their creativity and experience to ensure a long-term return on investment for the City. By involving experienced skateboarders, the City benefits from the time these athletes have spent on their skateboards. They will design and construct challenges for the full range of abilities. They will challenge not only young skateboarders' current abilities but also offer challenges as their skills develop and progress. Exceptional skate parks allow for children to set goals for themselves and to learn the endless number of skating tricks that exist only between them, their skateboard, and their imagination.

The alternative contracting method will provide the best opportunity to select not simply a qualified contractor, but the most knowledgeable contractor available with the necessary expertise for this project. In addition, the alternative contracting method provides the only realistic way to ensure that expertise is available throughout the entire project. In contrast, the conventional "low bid" method does not permit the City to use the contractor's expertise to help design the project nor does it permit the City to exercise judgment about who may be the most qualified contractor to perform this work. Therefore, specialized expertise on this project requires use of the alternative contracting method to maximize the project's success.

**Summary:** For this project, special expertise is needed for creating a skate park that is highly valued by both its users as well as the local community. By selecting a firm skilled in design and construction of skate parks the City can bring its unique and specialized expertise to bear to build Portland's next public skate park, and the youth of Portland can feel certain that the City has their best interest in mind.

#### **E. PUBLIC SAFETY:**

Using the City of Portland's current design-bid-build process, the skate park design is subject to the low-bid contracting method. Unfortunately, the award of skate park construction contracts to low bid contractors has resulted in dangerous, unused public skate parks throughout the United States. Not all companies have proven they have the skills necessary to produce a quality concrete skate park. Separating the design team from the construction team often results in unmet expectations by the park user and the park provider. Skate park design-build teams work through a public process to create a conceptual design. From there they can create full construction documents for public bidding purposes but in the end it is the concrete that is skated, not the drawings.

User safety is of paramount concern with the creation of a skate park. Skateboarding is highly sensitive to surface finish and flaws in the concrete. A skateboard's contact with

the ground is through extremely hard wheels made of urethane, typically 1-1/2 to 2-3/8" in diameter. As one navigates the skate park, often exceeding 20 MPH, construction flaws can mean the difference between remaining on the skateboard, and dangerously falling off, often leading to injuries. The surface of the park is critical to being able to not only maintain speed but in the event of a fall, the user is able to slide out of it or 'tear their knees and elbows up' on improperly finished concrete. Understanding the needs of a skateboarder, the sport's precise requirements, and knowing how to factor for and prevent common flaws distinguishes skate park design-build companies from the more traditional concrete construction companies.

The single point of responsibility implicit in a design-build process serves as motivation for design-build teams to deliver high quality skate parks. With both design and construction of a concrete skate park being delivered by a single team, there is a single point of responsibility for project delivery. This single team is responsible for addressing community expectations, cost adherence, form-work, concrete finish quality, and meeting the high standards of the end users. With documented performance requirements, it is the design-build team's responsibility to produce results expected by the community and Portland Parks & Recreation.

The design-build contracting method enables the selected contractor to provide input during the design process, enabling them to create safe, realistic designs that reflect community input, user expectations and project budget. Therefore, this process is more likely than the low bid process to assist the Bureau in meeting the demands for a safe, legal skate park. This will result in community acceptance, ownership of the user group and decreased maintenance.

**Finding:** In order for a concrete skate park to be effective, it must be installed in a manner that ensures safety, protection and ownership by the multiple user groups that will recreate there. Since the design-build process is designed to select a highly qualified contractor with knowledge of skate park use, design and construction, it is likely that this process will maximize public safety and promote user group ownership and acceptance.

## **F. MARKET CONDITIONS:**

The alternative contracting method reaches the same or greater market of construction contractors who would be interested in building a skate park as the conventional bidding process would accomplish. The specialized skills and major components of work necessary for the Gabriel Park Skate Park Project reach the state and national market place. Competitive contracting to this market will be obtained during the solicitation for proposals. Other key elements of work for the project that are not completed by the selected contractor will be subcontracted out. These include stormwater drainage structures, potable water line installation, and planting improvements.

The alternative contracting method will not limit competition or encourage favoritism in the selection process when compared to the standard "low bid" process. The Bureau of Purchases and Portland Parks & Recreation will formally advertise and issue a Request for Proposals (RFP) for a contractor, consultant and/or team for this project. This will be

in accordance with established RFP procedures that will attract competition for this contract from numerous contractors in the construction community. Potential contractors will submit RFP's which will be evaluated by a Selection Committee. This Committee will consist of staff from PP&R, Bureau of Purchases, and others from the user communities and neighborhoods at large. The Selection Committee will then select a contractor based on evaluation of the proposals and subsequent interviews, if necessary. The evaluation process will be based on predefined criteria, which will include demonstrable technical qualifications, relevant project experience, proposed conceptual design and the proposed fixed fee. Subcontracted portions of the work will be contracted by the contractor through a competitive bidding process. The RFP solicitation and consultant selection process will be completed under the guidance and direction of the Bureau of Purchases.

**Summary:** A design-build construction process will reach the same market of contractors interested in the construction of skateboard parks as would the traditional low bid process. Therefore, that process will not encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts.

#### **G. TECHNICAL COMPLEXITY:**

Several elements of this project require specialized expertise, as described above in Section D. Therefore many of the same reasons that support use of an alternative contracting process that were described in that section are equally applicable because of the technical complexity of this project.

In times of tight municipal budgets and increasing public scrutiny there is the potential, in concrete skate park construction, for making serious and costly mistakes. Mistakes made in concrete are often very expensive to correct and remedies result in the compromised integrity of the structure.

Professional standards have yet to be established for concrete skate park design, construction materials, and site requirements. While construction standards for the selection of materials, forming of obstacles and surface finishes have been developed by skaters, at the same time enforceable construction specifications are non-existent. Construction specifications can dictate the desired compressive strength of concrete, the size of rebar, etc. but currently, there is no enforceable specification language for surface finishing. There is no way to say "trowel it until you get it right". Skate park design-build companies understand the nuances of skateboarding and they know what it takes to create a proper skate park surface. They do "trowel it 'til they get it right".

The forming of concrete, surface finishing, and coping details all need the touch of a hands-on builder/skater who knows what it will be like to skate the finished product. A multitude of errors in material selection, construction performance, and design adherence are quite possible. Errors such as these can be found in skate parks around the world. The original Pier Park, in North Portland, was designed by a qualified skater but built by an inexperienced construction crew that did not understand the nuances and critical tolerances of skate park construction. Despite the good intentions of the City and the

skateboarders responsible for the creation of Pier Park, this skate park was demolished and removed only three years after it was completed. Even with a poor design, a qualified construction company can literally save the day as they benefit from having the insider's knowledge, experience and understanding of skateboarding. Neither our City Inspectors nor typical concrete construction companies benefit from this experience. The marriage of great design talent, skateboarding experience, and construction knowledge is a rare blend. Today's skate park design-build teams consist of skaters who are involved throughout the process and share their experiences and build what are considered to be the very best skate parks in the world.

In addition, the complexity of the elements of work requires the contractor to understand and be able to manage all aspects of work. The alternative contracting method permits selection of the most qualified contractor to perform this work, rather than requiring the City to accept a contractor based on the lowest bid. Nonetheless, selection of the most qualified contractor is likely to yield substantial cost savings because the contractor's additional expertise will likely identify problems and solutions during the design phase that a less qualified contractor may not identify.

The conventional "low bid" process, based strictly on the initial price, will not necessarily produce the contractor best able to address the technical complexity of this process and thus may well cause the City additional costs by the time the project is complete. This is less likely to happen if the most qualified contractor is selected through an alternative contracting method and participates in the design process.

**Summary:** The alternative contracting procurement method for selecting a design-build skate park company is the best choice for this project because it allows PP&R to evaluate a contractor's technical experience and past project references.

#### **H. FUNDING SOURCES:**

PP&R will fund the projects out of the Bureau's 2006 Winter BuMP. The design and construction budget is estimated to be \$330,000.00 for Gabriel Park Skate Park project. No additional funding sources are available at this time and funding is capped.

**Summary:** A negotiated procurement is a better method than low bid for PP&R to achieve necessary cost control and assure that final close-out costs for this work will meet budget.

### **6. Conclusion**

The success of Portland's skate park program is contingent upon the satisfactory delivery of three components - proper siting, creative design, and quality construction. Following an extensive two-year siting process, PP&R has developed tremendous support for its skate park program. We have worked with the neighborhoods to identify the best sites for Portland's public skate parks. We have opened the newly rebuilt Pier Park and are excited to bring these types of facilities to Gabriel and Ed Benedict parks as well. The next steps for each of these two sites include

addressing the critical issues of design and construction. By utilizing the design-build alternative contracting method, Portland can take advantage of an innovative procurement method that has a proven track record for delivering high quality, competitive skate parks. In this situation, design-build is the most appropriate procurement method for delivering innovative design, coupled with quality installation that incorporates the necessary technical and safety considerations.

Use of the design-build procurement method takes into account the market realities and innovative contracting and purchasing methods which are also consistent with the public policy of encouraging competition. This method of delivery has been used across the nation to bring projects on-line quickly, absent of change orders, and resulting in the most successful skate parks in the world. Skateboarders, free-style BMX riders, and aggressive in-line skaters worldwide look forward to the completion of the next design-build skate park.