



SPECIAL BOARD MEETING


**November 20, 2017
12:00 p.m.
Polk County Administration Building, Room 120
111 Court Ave., Des Moines**

AGENDA

- 1) Roll Call**
- 2) Public Hearing** approving plans, specifications, form of contract documents, engineers estimate and designating lowest responsible bidder for Jester Park Golf Course Clubhouse. Cost: \$1,215,500.
- 3) Approving** joint season golf badge agreement with the City of Des Moines and C-Corporation and badge fee schedule.

ADJOURNMENT

For more information on agenda items or to receive an accommodation to participate in a meeting, hearing, service, program or activity conducted by this office, please contact Polk County Conservation Office at 515-323-5300 or visit the office (11407 NW Jester Drive, Granger, Iowa). The information identified on this agenda may be obtained in accessible formats by qualified persons with a disability. PCCB meeting agendas are available to the public at the Polk County Conservation Office on Monday afternoon preceding Wednesday's Board meeting. Citizens can also view the Board agenda on Agency's website at www.leadingyououtdoors.org or request to receive meeting notices and agendas by email by calling the office or sending their request via email to pccb_info@polkcountyiowa.gov

	Date	November 20, 2017
	Item No. Roll Call No. Submitted by:	ACTION 17-S1101 Douglas C. Romig Deputy Director

AGENDA HEADING:

Public Hearing approving plans, specifications, form of contract documents, engineers estimate and designating lowest responsible bidder for Jester Park Golf Course Clubhouse. Cost: \$1,215,500.

INFORMATION:

As a part of the overall golf management Request For Proposals, staff identified several capital projects to enhance the Jester Park Golf Course operations and golfer experience. Capital improvement projects include replacement of the aging irrigation system, renovations to holes number 11 and 17 to improve playability and safety; and renovation/expansion of the clubhouse.

Polk County Conservation hired Melee Studio, Jamie Malloy to design the renovation and addition to the existing clubhouse. Improvements include installation of a commercial kitchen for full-service menu options, renovations of rest rooms and an addition with underground cart storage and the capability to seat 145. This expansion will allow the Golf Course Management company to host outings on-site, which has been a challenge in the past. The initial engineer estimate was \$826,000. Bids were opened on Tuesday, November 14, 2017 with 7 submittals:

- Henkel Construction: \$1,215,500 (lowest compliant bidder)
- Lang Construction Group: \$1,247,000
- GTG Construction: \$1,250,300
- Edge Commercial: \$1,340,999
- Lansink Construction: \$1,355,000
- Henning Construction: \$1,405,699
- Rochon Corporation: \$1,407,000

While the Architects estimate was significantly off, receiving seven bids all within \$200,000, illustrates that the designed project was competitive in the market place. Should the Board choose to award this contract, the architecture firm has agreed to cap their fees based on their estimate. Under the terms and conditions of the contract, interior work shall be completed no later than March 15, 2018 with final completion of the overall project no later than May 20, 2018. The Contracts does call for a \$500.00 per day liquidated damage clause. Upon Board approval, staff will issue the Notice to Proceed to the awarded contractor.

The overall updated budget for the irrigation replacement, golf course renovations (hole number 11 and 17) and the clubhouse renovations/expansion is \$3,976,000 with \$400,000 coming from bond funds and debt financing of \$3,576,000.

FISCAL IMPACT:

Amount: \$1,215,500
 \$ 815,000 Golf Enterprise Fund
 \$ 400,000 Polk County Water and Land Legacy Bond

Funding Source: Debt financing from Polk County General Fund at 1% interest rate to be repaid by Golf Enterprise Revenues over twelve-year term.

PREVIOUS BOARD ACTION(S):

Date: October 11, 2017

Roll Call Number: 17-1011

Action: Approving plans, specifications, form of contract documents, engineers estimate and designating Midwest Irrigation as lowest responsible bidder for course improvements and irrigation replacement at Jester Park Golf Course & Learning Center for the amount of \$2,760,800 plus a 5% contingency and designating the Board Chair or his designee to sign said agreement. (4-Yea; 1-Absent)

Date: December 14, 2016

Roll Call Number: 16-1212

Action: Recommendation to award the private management agreement for Jester Park Golf Course to C-Corporation. (4-Yea; 1-Absent)

RECOMMENDATION:

Option I.

Approving plans, specifications, form of contract documents, engineers estimate and designating Henkel Construction as lowest responsible bidder for the improvements and addition to the Jester Park Golf Course Clubhouse for the amount of \$1,215,500 plus a 5% contingency and designating the Board Chair or his designee to sign said agreement.

Option II.

Reject all bids and not award the contract and direct staff to modify the clubhouse renovations and rebid.

Staff recommends approving Option I due to the competitive bid response; the ability to generate more revenues from the enhanced operations of the clubhouse; uncertainty of future bidding climate; and minimal extension of the debt service payment.



Date

November 20, 2017

Item No. **ACTION**
Roll Call No. **17-S1102**
Submitted by: **Douglas C. Romig**
 Deputy Director

AGENDA HEADING:

Approving joint season golf badge agreement with the City of Des Moines and C-Corporation and badge fee schedule.

INFORMATION:

When C-Corporation submitted their Golf Course Management Proposal for the management of Jester Park Golf Course, they recommended creating a joint season badge pricing system that would allow season badge holders to have access to the City of Des Moines' three golf courses (Blank, Grandview and Waveland) in addition to the City of Des Moines badge holders having access to Jester Park Golf Course.

An agreement was created that would allow for specific badges to be used at all three golf courses with a revenue sharing arrangement based on the amount of play at each individual course. The table below shows the badge type and joint uses. The Par Pass is a new unrestricted badge with a cart that would be implemented beginning in 2018. Badge rates for all existing badge types are recommended to remain the same for the 2018 golf season.

Badge Types and 2018 Pricing:

Season Pass	City of Des Moines	Polk County Conservation
Par Pass (Unrestricted w/cart) - NEW	\$2,200	\$2,200
Individual (Unrestricted + Par 3)	\$1,300	\$1,300
Couples (Unrestricted)	N/A	\$1,725
Couples (Restricted)	\$1,150	\$1,150
Family (2 Adults / 2 Kids)	N/A	\$1,950
Seniors (62+) (Restricted)	\$550	\$550
Senior Couples (62+) (Unrestricted)	\$800	\$800
High School (High School Golf Season)	N/A	\$125
Juniors (17-) (Restricted)	\$250	\$250
Par 3 Adult (Unrestricted)	N/A	\$210
Par 3 Family (Unrestricted)	N/A	\$375
Par 3 Senior (Unrestricted)	N/A	\$160

Junior and Senior rates apply Monday – Thursday anytime and Friday before Noon only.

Unrestricted Season badge play is valid 7-days a week and Restricted Season Badge play is available Monday – Thursday all day; Fridays before noon and Saturdays and Sundays after 2:00 p.m.

FISCAL IMPACT:

Amount: TBD

Funding Source: Revenues from sale of season golf badges based on the number of rounds played at each golf course.

PREVIOUS BOARD ACTION(S):

Date: December 14, 2016

Roll Call Number: 16-1212

Action: Recommendation to award the private management agreement for Jester Park Golf Course to C-Corporation. (4-Yea; 1-Absent)

RECOMMENDATION:

Approving joint season golf badge agreement with the City of Des Moines and C-Corporation and badge fee schedule subject to Legal review and approval as to form.

**AGREEMENT
FOR THE SHARED USE AND FEES FOR GOLF BADGES AT
CITY OF DES MOINES MUNICIPAL GOLF COURSES AND
JESTER PARK GOLF COURSE
BETWEEN
CITY OF DES MOINES
POLK COUNTY CONSERVATION BOARD
AND
C CORPORATION**

THIS AGREEMENT is made and entered into this ____ day of _____, 2017 by and between the City of Des Moines, Iowa (“the City”), Polk County Conservation Board (hereinafter referred to as “PCCB”), and C Corporation.

WHEREAS, the City owns three municipal golf courses, Blank Municipal Golf Course, Grandview Park Municipal Golf Course, and Waveland Municipal Golf Course and PCCB operates Jester Park Golf Course, which is owned by Polk County, (collectively “the Golf Courses”), which are all operated under a management agreement by C Corporation; and

WHEREAS, the City and PCCB both offer and sell a golf course season pass, commonly referred to as a “season badge”, which allows unlimited play at their respective Golf Courses, for the pass holder (“Season Badge”); and

WHEREAS, the City and PCCB desire to provide enhanced golfing opportunities to the citizens of the City of Des Moines and Polk County by allowing use of their respective Season Badges at any of the Golf Courses during their respective golf seasons.

NOW, THEREFORE, the parties agree as follows:

CITY AND PCCB RESPONSIBILITIES

1. During the golf seasons, which time period will be the same for the Golf Courses and mutually agreed to by the parties, the City agrees to accept all Season Badges for regulation season for each Season Badge play at City Golf Courses and PCCB agrees to accept for the regular season for each Season Badge play at Jester Park Golf Course. The parties agree that the Season Badges as identified in Exhibit A shall follow the same requirements and restrictions at their respective Golf Courses. PCCB agrees that the Season Badge prices sold at Jester Park Golf Course will be at the same price and the same restrictions will apply as found in City of Des Moines Municipal Code Section 74-181. However, each entity has the right to establish Season Badges for the exclusive use of their golf course.

2. The term of this Agreement shall be from January 1, 2018 until December 31, 2019. The Agreement will automatically renew for up to 4 additional one year terms unless any party provides written notice to the other two parties at least 30 days prior to the expiration of the then current term of its desire not to renew. In addition, any party may terminate this Agreement

with a minimum of 60 days' written notice to the other two parties.

3. The parties agree that by January 15th of each calendar year, the Season Badge gross revenue from the previous calendar year golf season will be determined and reported and divided between the City and PCCB as follows:

For each category of Season Badge sold, the total revenue due to the City and PCCB will be allocated by the number of rounds played at each Golf Course. All allocated Season Badge revenue will be totaled by individual Golf Course which will represent the revenue due to each individual Golf Course for Season Badge play per category. The allocated Season Badge revenues will be collected by the City or PCCB from C Corporation per compensation formulas outlined in the party's respective current operating agreements with C Corporation. This reconciliation will be performed at the end of the calendar year by C Corporation and will be payable by C Corporation to the City and PCCB per the terms of the current operating agreements. See Exhibit B for an example of the reconciliation that will be performed.

4. PCCB and the City agree to provide daily access to view information on Season Badge purchases and use through the Point of Sale software system at each other's respective golf courses.

5. The City or PCCB may terminate this Agreement prior to its termination date in the event that any party materially breaches its obligations under this Agreement and fails to cure such breach within 10 days written notice.

If to the City:

Park and Recreation Director
Parks and Recreation Department
City of Des Moines
1551 E. Martin Luther King Jr. Parkway
Des Moines, IA, 50317
Attention: Ben Page
brpage@dmgov.org

If to Polk County Conservation Board:

Polk County Conservation
11407 NW Jester Park Drive
Granger, IA 50109
Attention: Doug Romig
doug.romig@polkcountyiowa.gov

All Notices shall be deemed given on the day of mailing (U.S. Postal Service or electronically). Any party to this Agreement may change its address for the receipt of Notices at any time by giving notice thereof to the others as herein provided. Any Notice given by a party hereunder must be signed by an authorized representative of such party.

The termination of this Agreement shall not relieve any party to this Agreement of any obligations or liability arising during the term of this Agreement.

C CORPORATION RESPONSIBILITIES

C Corporation agrees to the following:

1. To offer and sell Season Badges and accept Season Badges at all of the Golf Courses during the term of this Agreement.
2. To keep records of the sale and use of each Season Badge category for the Golf Courses.
3. Information from Season Badge sales and use will be included in the annual golf report provided to the City and PCCB for all courses.
4. To provide daily access to view information on Season Badge purchases and use of City and PCCB Season Badges through the Point of Sale software system.
5. At the direction of the City and PCCB, to determine the payment owing and to pay the Season Badge payment described in Section 3 above to the City and PCCB by no later than January 31 of each year that this Agreement is in effect, beginning January 31, 2019.

GENERAL TERMS

1. In the event of a breach by Des Moines, C Corporation, or the Conservation Board of this Agreement, that breach shall not be considered to affect any remaining terms or conditions of this Agreement. If any terms or conditions of this Agreement are held to be invalid or illegal, those remaining terms or conditions shall not be construed to be affected.
2. This is the entire Agreement between the parties regarding sharing of Season Badges between the City and PCCB and it may be amended only upon the agreement of all parties and only in writing.

IN WITNESS THEREOF, the City of Des Moines, Polk County Conservation Board, and C Corporation have caused this Agreement to be executed by an authorized representative of such party.

CITY OF DES MOINES, IOWA

T. M. Franklin Cownie, Mayor

Approved As To Form:

Attest

Ann DiDonato
Assistant City Attorney

Diane Rauh
City Clerk

STATE OF IOWA)
) ss:
COUNTY OF POLK)

On this ____ day of _____, 2017, before me, a Notary Public in and for said County, personally appeared T. M. FRANKLIN COWNIE and DIANE RAUH to me personally known, and who being duly sworn, did say that they are the Mayor and City Clerk, respectively of the City of Des Moines, Iowa, a Municipal Corporation, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of said Municipal Corporation, and that said instrument was signed and sealed on behalf of said Municipal Corporation by authority and resolution of its City Council, as contained in the Resolution adopted under Roll Call No. 17- _____, and said Mayor and City Clerk acknowledged said instrument to be the free act and deed of said Municipal Corporation by it voluntarily executed.

Notary Public for Iowa

POLK COUNTY CONSERVATION BOARD

Lance Northway, Chairperson

Approved As To Form:

Attest:

Dave Hibbard, Polk County Attorney Office

Cynthia Lentz,. Board Clerk

STATE OF IOWA)
) ss:
COUNTY OF POLK)

On this ____ day of _____, 2017, before me, a Notary Public in and for said County, personally appeared Lance Northway and Cynthia Lentz, to me personally known, and who being duly sworn, did say that they are the Chairperson and Board Clerk, respectively of the Polk County Conservation Board, created and existing under the laws of the State of Iowa, and that the seal affixed to the foregoing instrument is the seal of Polk County Conservation Board, and that said instrument was signed and sealed on behalf of said entity by authority and resolution of its Board as contained in Resolution No. _____ adopted on _____, 2017, and said Chairperson and Board Clerk acknowledged said instrument to be the free act and deed of the Polk County Conservation Board by it voluntarily executed.

Notary Public for Iowa

C CORPORATION

Jeff Chiodo, President

STATE OF IOWA)
) ss.
COUNTY OF POLK)

On this _____ day of _____, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared JEFF CHIODO, to me personally known, who, being by me duly sworn, did say that he is the PRESIDENT, of the corporation executing the foregoing instrument; that (no seal has been procured by)(the seal affixed thereto is the seal of) the corporation; that the instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors; that JEFF CHIODO acknowledges the execution of the instrument to be the voluntary act and deed of the corporation and of the fiduciary, by it, by him and as the fiduciary voluntarily executed.

Notary Public in the State of Iowa

Exhibit A

Unrestricted Season badge play is valid 7-days a week and Restricted Season Badge play is available Monday – Thursday all day; Fridays before noon and Saturdays and Sundays after 2:00 p.m.

Badge Types and 2018 Pricing

Season Pass	City of Des Moines	Polk County Conservation
Par Pass (Unrestricted w/cart)	\$2,200	\$2,200
Individual (Unrestricted + Par 3)	\$1,300	\$1,300
Couples (Unrestricted)	N/A	\$1,725
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Family (2 Adults / 2 Kids)	N/A	\$1,950
Seniors (62+) (Restricted)	\$550	\$550
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High School (High School Golf Season)	N/A	\$125
Juniors (17-) (Restricted)	\$250	\$250
Par 3 Adult (Unrestricted)	N/A	\$210
Par 3 Family (Unrestricted)	N/A	\$375
Par 3 Senior (Unrestricted)	N/A	\$160
<i>Junior and Senior rates apply Monday – Thursday anytime and Friday before Noon only.</i>		

Exhibit B – Reconciliation Example

Badge Sales	Bright-				Total Badge
	A.H. Blank	Grandview	Waveland	Jester Park	Sales
- Junior Season Pass	\$ 2,000.00	\$ 1,000.00	\$ 4,000.00	\$ 2,200.00	\$ 9,200.00
- Par Season Pass	\$ 15,000.00	\$ 14,000.00	\$ 22,000.00	\$ 17,000.00	\$ 68,000.00
- Restricted Season Pass H/W Wkday	\$ 3,000.00	\$ 2,000.00	\$ 1,000.00	\$ 1,500.00	\$ 7,500.00
- Restricted Season Pass Wkday	\$ 8,000.00	\$ 5,000.00	\$ 16,000.00	\$ 10,000.00	\$ 39,000.00
- Senior Season Pass H/W Wkday	\$ 1,000.00	\$ 3,000.00	\$ 1,000.00	\$ 2,000.00	\$ 7,000.00
- Senior Season Pass Unlimited	\$ 2,000.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	\$ 7,000.00
- Senior Season Pass Wkday	\$ 20,000.00	\$ 15,000.00	\$ 31,000.00	\$ 22,000.00	\$ 88,000.00
- Unrestricted Season Pass Unlimited	\$ 2,000.00	\$ 1,000.00	\$ 2,000.00	\$ 3,000.00	\$ 8,000.00
Total Badge Sales	\$ 53,000.00	\$ 42,000.00	\$ 79,000.00	\$ 59,700.00	\$ 233,700.00

Badge Rounds	Bright-				Total Badge
	A.H. Blank	Grandview	Waveland	Jester Park	Rounds
- Junior Season Pass	100.00	160.00	100.00	130.00	490.00
- Par Season Pass	200.00	110.00	190.00	150.00	650.00
- Restricted Season Pass H/W Wkday	300.00	220.00	140.00	220.00	880.00
- Restricted Season Pass Wkday	1,200.00	560.00	1,000.00	920.00	3,680.00
- Senior Season Pass H/W Wkday	100.00	70.00	20.00	60.00	250.00
- Senior Season Pass Unlimited	200.00	150.00	375.00	200.00	925.00
- Senior Season Pass Wkday	2,700.00	2,300.00	3,100.00	2,900.00	11,000.00
- Unrestricted Season Pass Unlimited	850.00	650.00	900.00	600.00	3,000.00
Total Badge Rounds	5,650.00	4,220.00	5,825.00	5,180.00	20,875.00

Badge Rounds as Percent of Total Rounds	Bright-				Total Badge
	A.H. Blank	Grandview	Waveland	Jester Park	Rounds as Percent of
- Junior Season Pass	20%	33%	20%	27%	100%
- Par Season Pass	31%	17%	29%	23%	100%
- Restricted Season Pass H/W Wkday	34%	25%	16%	25%	100%
- Restricted Season Pass Wkday	33%	15%	27%	25%	100%
- Senior Season Pass H/W Wkday	40%	28%	8%	24%	100%
- Senior Season Pass Unlimited	22%	16%	41%	22%	100%
- Senior Season Pass Wkday	25%	21%	28%	26%	100%
- Unrestricted Season Pass Unlimited	28%	22%	30%	20%	100%

Allocated Badge Revenue	Bright-				Total
	A.H. Blank	Grandview	Waveland	Jester Park	Allocated Revenue
- Junior Season Pass	\$ 1,877.55	\$ 3,004.08	\$ 1,877.55	\$ 2,440.82	\$ 9,200.00
- Par Season Pass	\$ 20,923.08	\$ 11,507.69	\$ 19,876.92	\$ 15,692.31	\$ 68,000.00
- Restricted Season Pass H/W Wkday	\$ 2,556.82	\$ 1,875.00	\$ 1,193.18	\$ 1,875.00	\$ 7,500.00
- Restricted Season Pass Wkday	\$ 12,717.39	\$ 5,934.78	\$ 10,597.83	\$ 9,750.00	\$ 39,000.00
- Senior Season Pass H/W Wkday	\$ 2,800.00	\$ 1,960.00	\$ 560.00	\$ 1,680.00	\$ 7,000.00
- Senior Season Pass Unlimited	\$ 1,513.51	\$ 1,135.14	\$ 2,837.84	\$ 1,513.51	\$ 7,000.00
- Senior Season Pass Wkday	\$ 21,600.00	\$ 18,400.00	\$ 24,800.00	\$ 23,200.00	\$ 88,000.00
- Unrestricted Season Pass Unlimited	\$ 2,266.67	\$ 1,733.33	\$ 2,400.00	\$ 1,600.00	\$ 8,000.00
Total Allocated Badge Revenue**	\$ 66,255.02	\$ 45,550.02	\$ 64,143.32	\$ 57,751.64	\$ 233,700.00

** Total allocated badge revenue to be used to calculate compensation due to the City of Des Moines or Polk County Conservation Board from C Corporation per compensation formulas outlined in existing operating agreements.