



## ARLINGTON COUNTY, VIRGINIA

### County Board Agenda Item Meeting of March 12, 2011

**DATE:** February 15, 2011

**SUBJECT:** Authorization to proceed with Amendment No. 5 to Agreement No. 178-07 between the County Board and Donald R. Hoover, transacting as "OCULUS", for Architectural and Engineering (A&E) design services for the Phase I park improvements at Mosaic Park.

#### **C. M. RECOMMENDATION:**

1. Authorize County staff to proceed with Amendment No. 5 to Agreement No. 178-07 between the County Board and OCULUS (Donald R. Hoover, sole proprietor) for A&E design services at Mosaic Park based on a sole-source determination.
2. Appropriate funds in the amount of \$425,080, plus a contingency allocation in the amount of \$64,920, for a total contract appropriation of \$490,000; and
3. Authorize the Purchasing Agent to execute Amendment No. 5 to Agreement No. 178-07, and related contract documents, subject to the review and approval of the Amendment and those other documents by the County Attorney.

**ISSUES:** County Board approval is required for the award of a design services contract or amendment thereto. There are no outstanding issues.

**SUMMARY:** County staff recommend that Agreement 178-07, the County's existing agreement with Donald R. Hoover, transacting as "OCULUS", a District of Columbia sole proprietorship, be amended to address, based on a sole-source determination, the design of the Mosaic Park Phase I improvements. The improvements will include urban plazas, an interactive water feature, a children's play area, a multi-purpose court, rain garden, flexible use lawn areas, walkways and sidewalks, site furnishings and landscaping. The design will also include sustainable features and innovative stormwater management techniques. Expeditiously awarding Amendment No. 5 to Mr. Hoover, transacting as "OCULUS", for the tasks of final park design, construction drawings and specifications, final cost estimate and design support during construction of the park will make use of Mr. Hoover's and his staff's knowledge, and save the County time and costs in delivering the new park.

**BACKGROUND:** The County Board appointed a citizen planning team as part of the Board's consideration of a Site Plan for the Founders Square development that adjoins the Mosaic Park site. As part of this process, the Board authorized the County Manager to evaluate the feasibility

County Manager:

*BMD/mjs*

County Attorney:

*[Signature]*

Staff: Scott McPartlin, Park Development Division, PRCR

19.

of transferring density from the County-owned property on the east side of North Quincy Street onto the Founders Square property in exchange for improvements to Mosaic Park by the Shooshan Company, the developer of Founders Square. From fall 2008 through spring 2009, County staff worked with members of the community and the OCULUS consultant team to develop the master plan for Mosaic Park. The plan, which was adopted by the County Board in September 2009, shows the general location and approximate size of the park elements.

The County Board approved amendments to the Founders Square Site Plan (# 413) on January 22, 2011. The amendments include the transfer of development rights from the County-owned Mosaic Park parcels as the “sending” property to portions of the Founders Square project as the “receiving” property. The purpose of the transfer was to acquire funding to develop Mosaic Park in exchange for the increase of density on the receiving parcels. Condition #87 of the Site Plan specifies that the Shooshan Company will contribute \$6,661,785 toward the design, administration and improvements to Mosaic Park in exchange for the transfer of density. That condition also specifies the dates on which the developer will make payments to the County, which payments are to be made in three installments during the development of the Founders Square north office building.

**DISCUSSION:** Mr. Hoover, transacting as “OCULUS”, is the only practicable source to provide final design services for Mosaic Park Phase I because Hoover and his staff developed the approved master plan for Mosaic Park, have familiarity with the conceptual design, cost estimates, and park site, and developed a relationship with the community during 13 meetings over seven months. During those months the community developed a rapport with the OCULUS team and a perceived expectation that the OCULUS team would complete the design of the project. In order to be prepared to implement the Phase I improvements for Mosaic Park when the funds become available from the developer, County staff would like to be able to move forward immediately with the final design and construction drawings for the park. As noted above, the OCULUS team has provided conceptual planning and design services since the inception of the park project, and it possesses intimate knowledge of the program requirements, community desires and project budget. This procurement will involve design services wherein the OCULUS team has already worked on and produced the initial concept design and associated documents that will be used for the final design of the park. As such, staff believes that Mr. Hoover, transacting as “OCULUS”, is the most cost-effective and practicable source to provide these final design services and construction drawings. The County’s Purchasing Agent recommends that the Board authorize staff to proceed with Amendment No. 5 to Agreement 178-07 on a sole-source basis under these circumstances.

**FISCAL IMPACT:** Funds in the amount of \$490,000 are available in the PRCR Pay-As-You-Go (Pay-Go) Capital Funds account number 313.80001.FSMP. These expenses will be fully reimbursed to the County by the Shooshan Company pursuant to the Site Plan, and the reimbursement revenue will be appropriated when the funds for the transfer of development rights are received from Shooshan.