

May 22, 2018

Item 7. 18-124

# City of Santa Clara

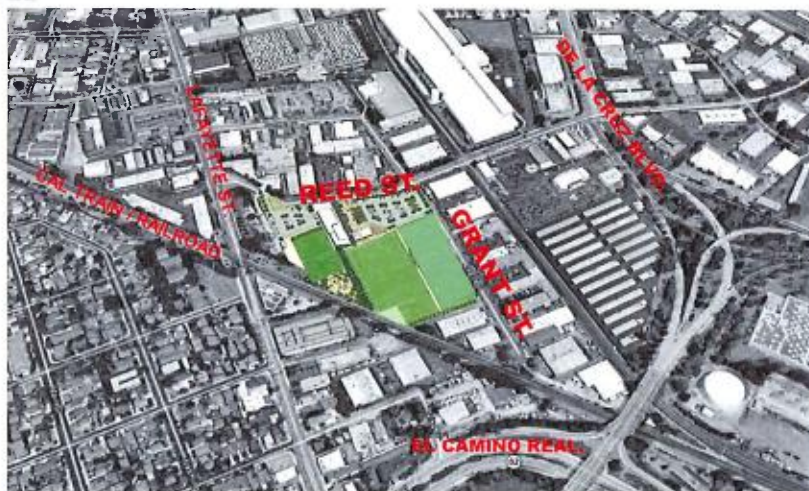
## City Council

### Item 7. 18-124 Award of Contract for the Reed Street-Grant Street Sports Park



City of  
Santa Clara  
The Center of What's Possible

## Location





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## Outreach & Input

- September 2013: Council Goal-Enhance Community Sports and Recreational Assets
- March 2014: Parks & Recreation completed Youth Sports Needs Assessment
- March - May 2015: LPA hired, completed program and reviewed multiple sites
- October 2015: Council authorized additional stakeholder input, design, engineering, surveying, environmental work
- January 2016: Council Ad Hoc Committee Meetings-Conceptual Design Update/ Parks & Recreation Commission Meeting
- February 2016: Parks & Recreation Commission Schematic Design Update, Recommendation of Preferred Schematic Design to Council



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## Site Plan



### LEGEND

- Field #1 - U13  
• 112yd X 75yd Synthetic Turf Soccer Field  
• (2x) 75yd X 47yd
- Field #2 - U11  
• 75yd X 47yd Natural Grass Soccer Field  
• (2x) 47yd X 30yd
- Field #3 - U11  
• 75yd X 47yd Synthetic Turf Soccer Field  
• (2x) 47yd X 30yd
- Field #4 - U11  
• 75yd X 47yd Synthetic Turf Soccer Field  
• (2x) 47yd X 30yd
- Field #5 - U9  
• 47yd X 30yd Synthetic Turf Soccer Field  
• (2x) 30yd X 20yd
- Parking Lot A  
• 128 Stalls: 7 Electrical Vehicle Charging Stalls, 3 ADA Stalls & 11 Clean Air & Van Pool Stalls
- Parking Lot B  
• 74 Stalls: 4 Electrical Vehicle Charging Stalls, 3 ADA Stalls & 6 Clean Air & Van Pool Stalls
- Multipurpose Building w/ Male & Female Restrooms, Community Room, Office and Storage
- Maintenance Building w/ Male & Female Restrooms
- Main Entry Drive
- Bicycle Parking
- C3 Infiltration Basin
- C3 Bio-Filtration
- Playground & Tot Lot Area
- Promenade
- Entry Plaza
- Team Gathering and Viewing Area
- Maintenance Yard
- Trash Enclosure and Electrical Enclosure





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## City Council Meetings

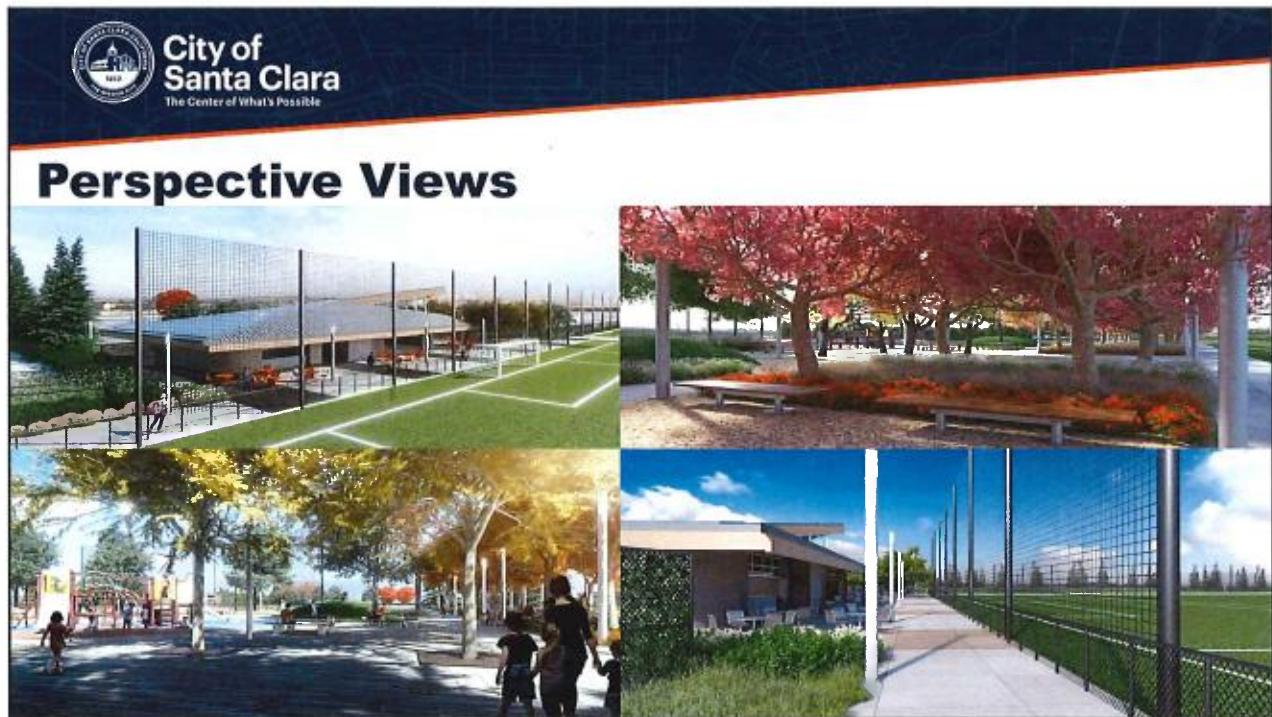
- April 2016: Council Meeting – Final Schematic Design Approval
- October 2016: Council Meeting – 1750 Grant Street Purchase & Design Update
- March 2017: Council Meeting – Mitigated Negative Declaration, Mitigation Monitoring or Reporting Program, Notice of Determination Resolution Approval




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## Perspective View





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## Bidding

- February 14, 2018: Bid Advertisement
- February 21, 2018: Pre-Bid Conference
- Contractor Outreach: Extensive Outreach to contractors
- March 28, 2018: Bid Opening



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## Bid Results

- Three (3) Bids Received:
  - O. C. Jones & Sons, Inc.: \$20.195M
  - McGuire & Hester: \$20.907M
  - Robert A Bothman Const.: \$21.000M



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## Budget

### Funding Need:

- Construction Contract: \$20.195M
- Const. Contingency: \$ 2.020M
- Total: \$22.215M

### Funding Sources:

- CIP 532-3177, Youth Soccer Field & Athletic Facilities:
  - \$12.000M
- Loan from Capital Project Reserve :
  - \$10.215M
- Total: \$22.215M





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## **Staff Recommendations**

- Transfer Loan from Capital Project Reserve: \$10.215M
- Award Contract to O. C. Jones & Sons, Inc.: \$20.195M
- Authorize City Manager:
  - Execute all associated Documents for award, completion, and acceptance of this Project
  - Execute Change Orders (up to): \$2.020M

**City of  
Santa Clara**

**City Council**

**Item 7. 18-124 Award of Contract for  
the Reed Street-Grant Street Sports  
Park**



**City of  
Santa Clara**  
The Center of What's Possible

05/22/18

#7

**Lynn Garcia**

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**From:** Mayor and Council  
**Subject:** FW: Agenda Item 7 (18-124)  
**Attachments:** AGENDA ITEM 7 (18-124) Ltr to City Council - City of Santa Clara - 22MAY2018.pdf

**From:** Prochko, Tim [<mailto:Tim.Prochko@tarkettsports.com>]  
**Sent:** Tuesday, May 22, 2018 2:14 PM  
**To:** [lgillmoor@santaclaraca.org](mailto:lgillmoor@santaclaraca.org)  
**Cc:** Kathy Watanabe; Debi Davis; Dominic Caserta; Patricia Mahan; Patrick Kolstad; Teresa O'Neill; Mayor and Council  
**Subject:** Agenda Item 7 (18-124)

Mayor Gillmoor and Distinguished Members of City Council:

Please see attached correspondence relative to Agenda Item 7 for tonight's meeting.

Thank you for your consideration of this matter.

Regards,

**Tim Prochko**  
Senior Legal Counsel



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Auburn Hills Michigan 48326  
United States  
Tel: +1 248-977-4388 ext 102  
Other:  
Mobile: +1 248-302-1570  
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Email: [Tim.Prochko@tarkettsports.com](mailto:Tim.Prochko@tarkettsports.com)

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May 22, 2018

By Email to [lgillmor@santaclaraca.gov](mailto:lgillmor@santaclaraca.gov)

Lisa M. Gillmoor  
Mayor  
City of Santa Clara  
City Hall  
1500 Warburton Avenue  
Santa Clara, CA 95050

**Re: MAY 22, 2018 CITY COUNCIL AGENDA ITEM 7 (18-124):  
ACTION ON A CONTRACT FOR THE REED STREET – GRANT  
STREET SPORTS PARK PROJECT AND RELATED BUDGET  
AMENDMENT**

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Dear Mayor Gillmoor and the Distinguished Members of City Council:

As Senior Legal Counsel for FieldTurf USA, Inc. ("FieldTurf"), I respectfully submit this letter of concern to you in advance of this evening's meeting of the City Council ("Council"), especially as it concerns the referenced Agenda Item 7 (18-124). Thank you in advance for your consideration of this matter as we appreciate your time and that of the City of Santa Clara's ("City") retained consultants in furtherance of this important project.

As you may be aware, FieldTurf has successfully installed several fields within the City and, in fact, its Revolution 360 product is the amenity and design standard for the City's Park and Recreation Department. FieldTurf has also worked with and greatly respects LPA, Inc. ("LPA"), the landscape architect working on behalf of the City for this project. FieldTurf is an interested party to this award and agenda item as it submitted multiple bids to the bidding prime contractors, including the intended awardee, O.C. Jones and Sons, Inc. ("O.C. Jones").

With respect to the project at issue, FieldTurf's Revolution 360 was specified as the basis of design, including many product characteristics surrounding the type of infill, depth of infill, composition of infill, backing and drainage capabilities. Specifically, the synthetic turf surface specification mandated FieldTurf's "CoolPlay" infill mix – an infill recipe comprised of 58% silica sand (3.65 lbs/square foot), 32% cryogenic rubber (2.0 lbs/square foot) and 10% encapsulated extruded cork cap (0.6 lbs/square foot). The CoolPlay infill system is specific and involves three distinct layers of high-quality infill materials.

On March 23, 2018 (just five days before the March 28 bid date), the City issued Addendum Number 05 which, among other things, broadly added "Astroturf SR" as an



“accepted ‘as equal’” to FieldTurf’s Revolution 360 product. FieldTurf is unaware of the reason behind the approval of the AstroTurf product, but is concerned with the action for a couple of reasons. First, AstroTurf submitted an LPA Substitution Request Form dated March 13, 2017 and which references “AstroTurf Rhino M with coolplay” as an alternate equal to the specified synthetic turf system. See, Exhibit 1. Addendum Number 05, however, explicitly accepted AstroTurf SR as an equal to FieldTurf’s Revolution 360 base bid product. See, Exhibit 2. As such, the approved product differs from the product submitted by AstroTurf for review and approval by the City. Accordingly, the approval of the AstroTurf product is flawed and should be rejected by the City and its Council.

Even assuming approval of the AstroTurf product was procedurally proper, which FieldTurf submits it was not, the City generally approved AstroTurf SR, but this product, in all cases, is required to meet all material elements of the synthetic turf specifications. FieldTurf respectfully submits, upon information and belief, that AstroTurf and/or the AstroTurf product cannot meet the following specified areas:

1. **Fiber Denier** (specified at 14,500) – upon information and belief, the AstroTurf product has a fiber denier of 12,000.
2. **Fiber Thickness** (specified at 380 microns) - upon information and belief, the AstroTurf product has a fiber thickness of 365 microns.
3. **Stitch Gauge** (specified at ¾ inch) – upon information and belief, the AstroTurf product has a stitch gauge of ½ inch.
4. **Carpet Permeability** (specified at 40 inches per hour) – upon information and belief, the AstroTurf product has a carpet permeability of 30 inches per hour.
5. **Infill Materials** - as previously noted, the synthetic turf surface specification mandated FieldTurf’s “CoolPlay” infill mix – an infill recipe comprised of 58% silica sand (3.65 lbs/square foot), 32% cryogenic rubber (2.0 lbs/square foot) and 10% encapsulated extruded cork cap (0.6 lbs/square foot). The CoolPlay infill system is specific and involves three distinct layers of high-quality infill materials. Upon information and belief, the AstroTurf product utilizes different infill material and a lower volume/weight of infill materials.

As can be seen above, several aspects of the AstroTurf product fall short of the specified characteristics. Ultimately, any approved “equal” product must conform to all material elements of the project specifications. This is important to ensure fairness and the integrity of the procurement process. If the City and its Council accept a product that does not meet all of the synthetic turf specifications, including the above-referenced characteristics, the City has afforded a bidder a competitive advantage through product leniency and/or pricing favorability. This compromises the bid process. To the extent the City was inclined to approve the AstroTurf product just days before the bid, it should have afforded FieldTurf (and other vendors/manufacturers) the opportunity to seek approval of another more competitive product from its portfolio.

As such, the City and its Council should not permit the installation of the Astroturf product as part of this project. Rather, the City and its Council should require the installation of the FieldTurf Revolution 360 product through its contract with O.C. Jones or the ultimate awarded prime contractor.

We appreciate your review and attention to this matter as you prepare for the upcoming City Council meeting.

Regards,



Tim Prochko  
Senior Legal Counsel  
Tarkett Sports  
tim.prochko@tarkettsports.com

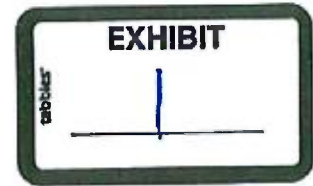
Encl.

cc: Vice Mayor Kathy Watanabe (by email to kwatanabe@santaclaraca.gov)  
Council Member Debi Davis (by email to ddavis@santaclaraca.gov)  
Council Member Dominic J. Caserta (by email to dcaserta@santaclaraca.gov)  
Council Member Patricia Mahan (by email to pmahan@santaclaraca.gov)  
Council Member Patrick Kolstad (by email to pkolstad@santaclaraca.gov)  
Council Member Teresa O'Neill (by email to toneill@santaclaraca.gov)  
Andrew Rowley (by email)

DOCUMENT 00490

ADDENDA

City of Santa Clara  
Public Works Department



**Addendum Number: 05**

**Project: REED STREET – GRANT STREET SPORTS PARK PROJECT**

Invitation Number: CE 16-17-13  
Date: **March 23, 2018**  
Bid Date: **March 28, 2018**  
Bid Opening: 3:00 P.M.

**TO ALL BIDDERS:**

The following changes, deletions, additions, and/or clarifications shall be made to the drawings and specifications for the work of the above Project:

**SPECIFICATIONS:**

1. **Specifications Document 00400, Bid:**  
Replace this Document in its entirety with the attached. Please note the following changes:  
Synthetic Turf System Clarifications and Options are added to Bid Item No. 20.
2. **Specifications Section 02071, Water Mains and Services:**  
Replace this Section in its entirety with the attached.
3. **Specifications Section 26 31 00, Photovoltaic Collectors:**  
Replace Part 2.01 B. in this Section in its entirety with the following Part:  
"B. Photovoltaic Modules, Crystalline Silicon:  
1. SunPower X21-345."
4. **Specifications Section 32 15 00, Decomposed Granite:**  
Replace this Document in its entirety with the attached.
5. **Specifications Section 32 93 00, Landscape Work:**  
Replace this Document in its entirety with the attached.
6. **Specifications Section 33 42 11, Stormwater Gravity Piping:**  
Replace this Document in its entirety with the attached. Please note the following changes:  
HDPE clarifications are made.

**DRAWINGS:**

7. **Sheet C0.02:**  
Replace this Sheet in its entirety with the attached. Please note the following changes:  
Soil Management Notes are updated.



**8. Sheet C1.01:**

Replace this Sheet in its entirety with the attached. Please note the following changes:  
Key Note 17 is updated to provide more information about abandoned well.

**9. Sheet A2.01:**

Replace this Sheet in its entirety with the attached. Please note the following changes:  
Height, depth, and length of CMU block is clarified.

**10. Sheet A3.11:**

Replace this Sheet in its entirety with the attached. Please note the following changes:  
Height, depth, and length of CMU block is clarified.

**11. Sheet A4.01:**

Replace this Sheet in its entirety with the attached. Please note the following changes:  
Height, depth, and length of CMU block is clarified.

**12. Sheet E7.08:**

Replace this Sheet in its entirety with the attached. Please note the following changes:  
Detail 3: the PV model number is replaced with the specified model number.

**13. Sheet P2.02:**

Replace this Sheet in its entirety with the attached. Please note the following changes:  
Keynote P-22 is updated to reflect reclaimed water crossing information.

**CLARIFICATIONS:**

**Q1:** Substitution Request: Please review Astroturf Substitution Request (SR) for alternate equal to specified FieldTurf for synthetic turf system in this Project.

**A1:** Astroturf SR is accepted "as equal" to the product specified for the Project and attached.

**Q2:** Section 32 93 00, Landscape Work: Part 2.06 G.3.a and 4. Bark and Bio-Filtration Mulch specifies "small" Mini Mulch Fir Bark. This product is extremely expensive and is easily kicked or blown from planter beds. Please clarify if a more environmental conscious mulch product such as recycled wood chips is acceptable.

**A2:** This is standard product used by the City Parks and Recreation Department.

**Q3:** Section 33 11 00, Site Recycled Water Utility Distribution Piping: Part 2.01 B. states pipe shall be Class 315 PVC and Sub-Part B.2 states joints with push-on gaskets. Class 315 water lines are not manufactured with push-on gaskets. The typical pipe material is C-900 either Class 200 or Class 150 with push-on gasket joints, connected with ductile iron fittings. Please clarify pipe to be used for water the larger water lines.

**A3:** See Addendum No. 3.

**Q4:** Section 33 31 13, Site Sanitary Sewerage Gravity Piping: Part 2.01 A. states to use pipe that comply with City of Santa Clara Standard Specifications for Public Works Construction. Sub-Part H. states Plastic Pipe (PVC): ASTM D3034, SDR 35, Poly Vinyl Chloride, which conflicts with City standards. Please clarify the type of sewer pipe to be used.

**A4:** See Addendum No. 3.

**Q5:** Section 33 42 11, Stormwater Gravity Piping: Part 2.01 A. states to use pipe that comply with City of Santa Clara Standard Specifications for Public Works Construction. City standards only address RCP for storm water pipe, which would apply to the off-site storm drain line. Plan Sheets C3.01 – C3.04 indicate HDPE for on-site storm drain pipe. Please clarify that this pipe is intended to CHDPE, dual wall pipe such as ADS N-12 with water tight gasket joints.

**A5:** See Sheet C3.01 – C3.04 for onsite storm drain pipe.

SECTION 01601

LPA

## SUBSTITUTION REQUEST FORM

- For use during BIDDING period -

Project Name: Reed Street - Grant Street Sports Park		LPA Inc. Job No. 14168.10	
To: LPA, Inc.		Date: Mar 13, 2017	
Contractor: Astroturf			
Specified Item: Synthetic Turf Surfacing			
Specification Section	Paragraph No.	Drawing No.	Detail No.
32 18 13	2.02		
Contractor's Proposed Substitution: <u>Astroturf Rhino M with Coolplay</u>			
Reason For Request: <u>Alternate Equal to specified base bid Synthetic turf system</u>			
Manufacturer: <u>Astroturf</u>			
Manufacturer Contact: <u>David Digeronimo</u>			
Manufacturer Telephone: <u>760-613-4313</u>			
Trade Name and Model: <u>Astroturf Rhino M 38 oz with Coolplay infill</u>			
History:		<input type="checkbox"/> New Product <input type="checkbox"/> 5-10 years in market <input type="checkbox"/> 1-4 years in market <input checked="" type="checkbox"/> over 11 years in market	
Mandatory for Consideration:		<input type="checkbox"/> Drawings <input checked="" type="checkbox"/> Product Data <input checked="" type="checkbox"/> Test Data <input type="checkbox"/> Reports <input type="checkbox"/> Samples <input checked="" type="checkbox"/> Other	
APPROVED BY: <u>[Signature]</u> DATE: <u>3/19/12</u> CITY OF SANTA CLARA - ECONOMIC DEVELOPMENT			

Attach a Point-by-Point comparison against detailed and specified products with complete data, including product / material descriptions, specifications, drawings, photographs, performance, MSDS data sheet and test data adequate for evaluation of the request. Clearly annotate applicable portions of the data. Include ICC Evaluation Service (ICC ES) Evaluation Report, if applicable.



The Undersigned certifies:

- Proposed substitution has been fully investigated and determined to be equivalent or superior in all respects to specified product.
- Proposed substitution complies with applicable Codes, ordinances and standards.
- Same warranty will be furnished for proposed substitution as for specified products.
- Same maintenance service and source of replacement parts, as applicable, are available.
- Proposed substitution will have no adverse effect on related Work and will not affect or delay progress of the Work.
- Proposed substitution does not affect dimensions and functional clearances.
- Payment will be made for changes to building design, including A/E design, detailing, and construction costs caused by the substitution.

Submitted by (name): David DiGeronimo Title: Director Regional Operations  
Signed: [Signature] Date: March 13, 2018

Architect's Recommended Action:

- ☒ **Approved.** Refer to Addendum # 04
- ☐ **Approved As Noted.** Refer to Addendum # \_\_\_\_\_
- ☐ **Proposed substitution SUBJECT to receive approval by Division of the State Architect (DSA) for compliance with applicable provisions of California Code of Regulations (CCR), Title 24 of the California Building Standards Code (CBCS).**
- ☐ **Rejected - Use specified product / materials.**
- ☐ **Request received too late - Use specified product / materials.**
- ☐ **Request does not have DSA approval - Use specified product / materials.**

Name: Corrie Lindsay Date: 03/17/2018

Remarks: Amorim Ice 450 extruded Cork System is equal to the specifications provided for the cool play system.

The Rhino M monofilament synthetic turf system is equal to field turf Revolution 360.

END OF SECTION



May 22, 2018

RE: Agenda Date 5/22/2018 City Council Agenda Item 18-124: Current Year Budget Amendment for ~\$22M Youth Soccer Park at Grant and Reed Streets

Honorable Mayor and City Council Members,

I have questions about the financing of this project.

My questions are around the recommendation #3 that \$10.2M be repaid to the city's land reserve fund with **future** Mitigation Fee Act revenue.

1. What are the Mitigation Fee Act revenues collected to date in the City?
2. Which current and planned projects will generate MFA fees that will apply to this site?\*
3. Can and should this Council pre-commit future neighborhood park fees?

\*Because these mainly soccer facilities are on the northeastern side of the RR tracks there are limited crossing points for neighborhood citizen access and much of the adjacent land is not zoned residential. I looked at the 43 sites in the Development Project list online and found projects for about 10 residences at 917 and 967 Warburton as well as the 40 unit residences in the 1525 Alviso St. project which may or may not meet the Mitigation Fee Act site qualifications. What are the estimated Mitigation Act Fees for these existing projects? Are there other MFA projects known to qualify for this site? If so, what are they?



Thank you,  
Clysta Seney, Santa Clara