



## Agenda Report

20-157

Agenda Date: 4/28/2020

### REPORT TO COUNCIL

#### SUBJECT

Action on Award of Contract for the Agnew and Fuller Street Parks Rehabilitation Project (CE 18-19-04) and Related Budget Amendment [Council Pillar: Enhance Community Sports, Recreational and Arts Assets]

#### BACKGROUND

The Agnew and Fuller Parks Rehabilitation Project (Project) includes rehabilitation of the Agnew Park playground and the construction of sport courts at Fuller Street Park. See Attachment No. 1 for a Project Location Map.

Agnew Park, located at 2150 Agnew Road, was constructed in 1970 and contains a recreation building, restrooms, a basketball court, an open play area, a playground, an amphitheater, and various other park amenities. The park playground was identified in the Parks & Recreation Facility Condition Assessment report (Kitchell) as in need of replacement to meet current building and accessibility codes, and Consumer Product Safety Commission guidelines. In October 2017, the City contracted with David Volz Design, Inc. to solicit community input on preferred park elements, prepare a revised Park Site Plan, and develop plans and specifications for the Project. On July 10, 2018, Council approved the Schematic Design and Park Site Plan Update as recommended by the community and the Parks & Recreation Commission. The Project scope of work includes installation of new age appropriate playground equipment, restroom modifications for accessibility compliance, surfaces and walkway rehabilitation, and irrigation system and landscape improvements, which will meet the criteria for consideration of all three National Demonstration Site certification for "Play-on!," "NatureGrounds," and "Inclusion."

Fuller Park, located at 4614 Fuller Street, was constructed in 1999 and contains a restroom building, an open play area, two playground areas, picnic tables, and various other park amenities. Due to funding levels at the time the park was constructed, the installation of sport courts and other amenities were deferred to a second phase. Since that time, Staff has been able to secure funding for these additional improvements. The Project scope of work includes construction of a volleyball court, a half basketball court, exercise stations, restroom modifications for accessibility compliance, surfaces and walkway rehabilitation, and irrigation system and landscape modifications to facilitate the improvements.

In November 2019, Council authorized by Resolution the City Manager to apply for and accept a California Parks & Recreation Society (CPRS) Statewide Healthy Play Initiative Grant (Grant) to promote play and measurable health outcomes for playgrounds. The application was successful and a matching Grant in the amount of \$90,000 has been awarded and appropriated in 2019 for the Project for purchase of playground equipment at Agnew Park.

**DISCUSSION**

On February 19, 2020, bids were opened for construction of the Project. Two bids were received in the amounts of \$967,000 and \$1,054,950. The Bid Summary is included as Attachment No. 2.

The lowest bid submitted by Suarez and Munoz Construction, Inc. (SMC) was in the amount of \$967,000, which is 5 percent below the Engineer's Estimate of \$1,017,549. SMC's bid was reviewed for compliance with the terms and conditions of the Bid Documents and has been determined to be the lowest responsive and responsible bid. Staff recommends awarding the contract to Suarez and Munoz Construction, Inc.

Award of contract will enable construction of the project to begin in summer 2020, with substantial completion anticipated by early 2021. These dates are subject to change based on the latest issues related to the COVID-19 situation. The contract includes prevailing wage requirements.

**ENVIRONMENTAL REVIEW**

This project being considered is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301, "Existing Facilities," as the activity consists of the repair, maintenance or minor alteration of existing facilities involving no or negligible expansion of the use beyond that presently existing.

**FISCAL IMPACT**

The cost of the construction contract is \$967,000 plus 15 percent contingency, or \$145,050, for any potential change orders for a total not-to-exceed contract amount of \$1,112,050. Staff recognizes the potential unknowns and challenges of working with the existing park facilities and buildings, and therefore recommends the 15 percent construction contingency for this Project. Funding in the amount of \$145,050 is also needed for Project-related items including park furnishing, fixtures, and equipment and items noted in the Park Site Plan Update. This includes the purchase of the playground equipment in the amount of \$90,000 funded by the California Parks & Recreation Society (CPRS) Statewide Healthy Play Initiative Grant (Grant). Total Project budget is \$1,257,100. Funding in the amount of \$400,000 is currently available in the project and additional funding in the amount of \$857,100 is required and available from the Unallocated Quimby Act Fees.

**Budget Amendment  
FY 2019/20**

	<b>Current</b>	<b>Increase/ (Decrease)</b>	<b>Revised</b>
<b>Parks &amp; Recreation Capital Fund</b>			
<u>Expenditures</u>			
Playground Construction	\$1,696,618	\$857,100	\$2,553,718
<u>Fund Balance</u>			
Unallocated Quimby Act Fees	\$2,371,242	(\$857,100)	\$1,514,142

**COORDINATION**

This report has been coordinated with the Parks & Recreation Department, Finance Department, and City Attorney's Office.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

**RECOMMENDATION**

1. Award the Public Works Contract for the Agnew and Fuller Parks Rehabilitation Project (CE 18-19-04) to the lowest responsive and responsible bidder, Suarez and Munoz Construction, Inc. in the amount of \$967,000 and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project;
2. Authorize the City Manager to execute change orders up to 15 percent of the original contract price, or \$145,050, for a total not to exceed amount of \$1,112,050;
3. Approve additional funding in the amount of \$145,050 for the items as noted in the Park Site Plan Update including park furnishing, fixtures, and equipment; and,
4. Approve the related budget amendment in the Parks and Recreation Capital Fund to increase the Playground Construction Project by \$857,100 and decrease the Unallocated Quimby Act Fee Fund Balance by \$857,100.

Reviewed by: Craig Mobeck, Director of Public Works

Reviewed by: James Teixeira, Director of Parks & Recreation

Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Project Location Map
2. Bid Summary