



## Agenda Report

22-1350

Agenda Date: 12/6/2022

### REPORT TO COUNCIL

#### **SUBJECT**

Action on Award of Contract for the Fairway Glen Park Restroom Construction Project to Suarez & Munoz Construction, Inc., Related Budget Amendment, and Adopting a Class 1 CEQA Categorical Exemption

#### **COUNCIL PILLAR**

Deliver and Enhance High Quality Efficient Services and Infrastructure  
Enhance Community Sports, Recreational and Arts Assets

#### **BACKGROUND**

Fairway Glen Park was constructed in 1981 and contains two tennis courts, an open grass play area, playground, picnic tables, and various other park amenities. The park is located in a residential neighborhood at Avenida De Angelina and Calle De Primavera. In 2019, the City received requests from community residents to install a restroom for park users. The requests aligned with City Council's adopted goal to "enhance community sports and recreational assets" and was later brought forward to City Council for the creation of the Restroom at Fairway Glen Park Project (Project).

On April 28, 2020, City Council approved the Design Professional Services Agreement with SSA Landscape Architects, Inc. for the Project. On January 12, 2021, City Council approved the Project schematic design and an ordinance approving the update of the Fairway Glen Park Master Plan to include a restroom building in accordance with City Charter Section 714.1.

The Project scope of work includes all elements identified during the community input process and shown in the Council approved schematic design. The proposed restroom building will include two accessible stalls, a drinking fountain with a water bottle filler and dog bowl, and a maintenance/utility room. The project also includes items such as new utility connections, ADA improvements, security lighting, camera, touchless faucets, hand dryers, modest landscaping, and will comply with current building codes and regulations.

#### **DISCUSSION**

In October 2022, a competitive Request for Bids for construction of the Project was published on the City's bid notification system, BidSync. On November 17, 2022, bids for the Project were opened via video conference. One bid was received for the Project in the amount of \$691,977 from Suarez & Munoz Construction, Inc. The Bid Summary is included as Attachment 1. The bid is 11 percent below the engineer's estimate of \$780,000. The bid was reviewed by Department of Public Works staff and the City Attorney's Office for compliance with the terms and conditions of the contract documents and has been determined to be the lowest responsible bid. Staff recommends awarding the construction contract to Suarez & Munoz Construction, Inc.

Award of contract will enable construction of the Project to begin in summer 2023, with substantial completion anticipated by summer 2024. These dates are subject to change based on the latest issues related to the COVID-19 pandemic and if any unforeseen conditions are discovered during construction. 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 (c), "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 approximate cost of the contract is \$691,977, plus a 15 percent contingency of \$103,797 to address any potential change orders, for a total not-to-exceed contract amount of \$795,774. The Restroom at Fairway Glen Park Project in the Parks and Recreation Capital Fund has a current budget of \$680,115. Additional funding of \$135,467 from received Quimby Act funds is being requested to fully fund the contract and fund \$19,808 towards other miscellaneous costs associated with the Project for a total budget of \$815,582. The use of Quimby Act fees are eligible for the Project as the restroom will expand the capacity of the neighborhood park and expect the development(s), from which fees were derived, to utilize the park and its amenities.

#### **Budget Amendment FY 2022/23**

	<b>Current</b>	<b>Increase/ (Decrease)</b>	<b>Revised</b>
<b>Parks and Recreation Capital Fund</b>			
<u>Fund Balance</u>			
Quimby Act Fees	\$3,704,992	(\$135,467)	\$3,569,525
<u>Expenditures</u>			
Restroom at Fairway Glen Park Project	\$680,115	\$ 135,467	\$ 815,582

### **COORDINATION**

This report has been coordinated with the Parks & Recreation Department, the 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>> or at the public information desk at any City of Santa Clara public library.

### **RECOMMENDATION**

1. Award the Public Works Contract for the Fairway Glen Park Restroom Construction Project to the lowest responsive and responsible bidder, Suarez & Munoz Construction, Inc., in the amount of \$691,977 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. Adopt a Class 1 Categorical Exemption under CEQA Guidelines Section 15301;
3. Authorize the City Manager to execute change orders up to approximately 15 percent of the original contract price, or \$103,797, for a total not to exceed amount of \$795,774; and
4. Approve the following FY 2022/23 budget amendment in the Parks and Recreation Capital Fund to increase the Restroom at Fairway Glen Park Project appropriation by \$135,467 (from \$680,115 to \$815,582) and decrease the Parks and Recreation Capital Fund Quimby Act fund balance by the same amount **(five affirmative Council votes required for the use of unused balances)**.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Rajeev Batra, City Manager

#### **ATTACHMENTS**

1. Bid Summary