TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER

DEPARTMENT: PUBLIC WORKS

DATE: FEBRUARY 19, 2008

CMR:142:08

SUBJECT: ADOPTION OF AN ORDINANCE APPROVING AND ADOPTING A PARK IMPROVEMENT PLAN FOR ALEXANDER PEERS PARK; ADOPTION OF A BUDGET AMENDMENT ORDINANCE AMENDING THE BUDGET FOR THE FISCAL YEAR 2007-08 TO PROVIDE AN ADDITIONAL APPROPRIATION OF $71,556 TO CAPITAL IMPROVEMENT PROGRAM (CIP) PROJECT PE-08002, PEERS PARK IMPROVEMENTS AND APPROVAL OF A CONTRACT WITH SANTA CLARA CONSTRUCTION & ENGINEERING, INC., IN THE AMOUNT OF $444,326 FOR CONSTRUCTION OF ALEXANDER PEERS PARK IMPROVEMENTS – CIP PROJECT PE-08002

RECOMMENDATION

Staff recommends that Council:

1. Adopt the attached Park Improvement Ordinance (Attachment A) authorizing substantial landscape maintenance improvements at Alexander Peers Park (Peers Park).

2. Adopt the attached Budget Amendment Ordinance (BAO) in the amount of $71,556 (Attachment B) to provide an additional appropriation for the Peers Park Improvements, Capital Improvement Program (CIP) project PE-08002.

3. Approve and authorize the City Manager or his designee to execute the attached contract (Attachment C) with Santa Clara Construction & Engineering, Inc., in the amount of $444,326 for construction of the Peers Park Improvements; and

4. Authorize the City Manager or his designee to negotiate and execute one or more change orders to the contract with Santa Clara Construction & Engineering, Inc., for related, additional but unforeseen work that may develop during the project, the total value of which shall not exceed $22,250.
BACKGROUND
Peers Park improvements were included in the Infrastructure Management Plan (IMP) approved by the City Council in 1998. Funding for improvements to Peers Park was included in the 2007-08 Adopted Capital Budget. The existing play area equipment is past due its cycle for replacement, and the neighborhood input that was solicited during the design development phase was strongly in favor of the proposed improvements. Special attention was given by members of the public to the design of the play areas.

DISCUSSION
Peers Park improvements will consist of: removal and replacement in kind of most children’s play equipment, some pathways and the entire picnic area, including replacement of site furniture and paving surfaces; replacement of play area safety surfacing; and miscellaneous landscape improvements including new trees, shrubs and decorative boulders. The proposed project includes three add alternate bid items, including replacement of the basketball court fence, repairs to the tennis court fence and installation of an additional bench in the south end of the park. The Alexander Peers Park Improvement Plan (Attachment A, Exhibit A-1) summarizes the Park Improvement Ordinance.

Bid Process
A notice inviting formal bids for the Peers Park Improvements Project was posted at City Hall on December 11, 2007 and sent to 10 builder’s exchanges and 25 general contractors. The bidding period was 28 days, and bids were received from 14 qualified contractors on January 15, 2008 (see Attachment E for a summary of all bids received on the project). Base bids ranged from a low of $431,788 to a high of $596,520.

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<tr>
<th>Summary of Bid Process</th>
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<tr>
<td>Bid Name/Number IFB #</td>
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<td>Proposed Length of Project</td>
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<td>No. of Bids Mailed to Contractors</td>
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<tr>
<td>No. of Bids Mailed to Builder’s Exchanges</td>
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<td>Total Days to Respond to Bid</td>
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<td>Pre-Bid Meeting?</td>
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<td>Number of Company Attendees at Pre-Bid</td>
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<tr>
<td>Number of Bids Received:</td>
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<td>Bid Price Range with no add alternates</td>
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*Detailed bid summary provided in Attachment E.

Staff has reviewed the bids submitted and recommends that the bid of $431,387 and three add alternates totaling $12,939, submitted by Santa Clara Construction & Engineering, Inc., be accepted and that it be declared the lowest responsible bidder. This contractor has satisfactorily completed similar projects for the City in the recent past. Staff also checked references supplied by the contractor and found no significant complaints. Staff also checked with the Contractor's State License Board and found that the contractor has an active license on file. The required Certification of Nondiscrimination is included as Attachment F.
The low bid is 18% percent above the engineer's estimate of $365,500. Although the amount of this contract exceeds the original budget due to higher than expected costs for site preparation and the children’s play structures, it is recommended that the project move forward. The three add alternates totaling $12,939 involve needed repair and replacement of fencing adjacent to the children’s play area, and given the relatively low cost of these improvements staff recommends their inclusion in the contract.

Contingent upon additional funds becoming available for the project through the proposed Budget Amendment Ordinance, staff recommends awarding the base bid and three add alternate bid items in the amount of $444,326 to Santa Clara Construction & Engineering, Inc. The contingency amount of $22,250, which equals 5% percent of the total contract, is requested to resolve unforeseen problems and/or conflicts that may arise during the construction period.

**RESOURCE IMPACT**
In fiscal year 2007-08, the City Council appropriated $444,000 for CIP Project PE-08002, Peers Park Improvements (Project) to cover the costs of the design and construction. After completion of the design, $397,020 is left from the original appropriation for the construction cost of the Project. Additional funds totaling $71,566 are needed to award the construction contract. A Budget Amendment Ordinance is necessary to increase the appropriation for the Project (Attachment B).

There is sufficient balance in the Infrastructure Reserve to provide the funding for the additional appropriation.

**POLICY IMPLICATIONS**
The proposed Peers Park Improvements project is consistent with existing City policies.

**ENVIRONMENTAL REVIEW**
This project is exempt as defined by the California Environmental Quality Act (CEQA) pursuant to the provisions of Sections 15201 and 15302 of the CEQA Guidelines.

**ATTACHMENTS**
Attachment A: Park Improvement Ordinance
Attachment B: Budget Amendment Ordinance
Attachment C: Contract
Attachment D: CIP Page
Attachment E: Bid Summary
Attachment F: Certification of Nondiscrimination

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