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Staff Report

Date: November 29, 2016

To: City Council

From: Valerie J. Barone, City Manager

Reviewed by: Victoria Walker, Director of Community and Economic Development
Robert Ovadia, City Engineer

Prepared by: Mark Migliore, Associate Civil Engineer
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Subject: **Considering award of a construction contract in the amount of \$337,351 to McNabb Construction of Lafayette for the Ellis Lake Park Playground and Park Improvements, Project No. 2349; approve a related budget transfer; and authorize staff to utilize the available project contingency for contract change orders up to 10% of the contract amount. (Parkland Funds, Measure WW Grant Funds)**

The project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act Guidelines Sections 15303, New Construction, and 15304, Minor Alterations to Land.

Report in Brief

The Ellis Lake Park Playground and Park Improvements Capital Improvement Program project (Project No. 2349) provides for the construction of an expanded playground facility at Ellis Lake Park. The playground equipment for children from 2 to 5 years of age and the equipment for the area containing swings were previously selected via community input. This contract will construct a new playground area at Ellis Lake Park, including site grading and paving, installation of a concrete seat wall, accessible ramps, perimeter fencing, irrigation and planting, procure and install the playground equipment and provide an engineered wood fiber playground surfacing.

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The bid documents included a Base Bid plus Additive Bids 1 through 7 for consideration based on budget availability. McNabb Construction of Lafayette (McNabb) was the low bidder and submitted a responsive and responsible bid. The total bid from McNabb (Base Bid plus all 7 Additive Bids) is \$395,451.00.

The available project funds are insufficient to cover the full costs of the designed improvements, the estimated construction management and inspection services and an appropriate construction contingency. Staff recommends that the contract award be limited to the Base Bid plus Additive Bids 1, 3, 5, and 6 for site lighting, benches, root barriers, and the wharf fencing respectively. The total cost for the recommended contract award, construction management and inspection services, administrative costs, and a ten percent construction contingency totals approximately \$443,000. Approximately \$40,000 in additional monies will be needed to fully fund the recommended contract award.

If approved by the City Council, it is anticipated that the playground equipment will be ordered in December 2016, and that site preparation will begin in Spring 2017 in anticipation of equipment delivery. Construction will be completed in May 2017, weather permitting.

Recommended Action

Staff recommends that the City Council take the following actions:

1. Award the construction contract (Base Bid plus Additive Bids 1, 3, 5, and 6 only) in the amount of \$337,351 to McNabb Construction of Lafayette for Ellis Lake Park Playground and Park Improvements (Project No. 2349), and authorize staff to utilize the available project contingency for contract change orders up to 10% of the contract amount.
2. Approve a budget transfer of \$40,000 from Parkland funds to Ellis Lake Park Playground and Park Improvements Installation Project (Project No. 2349) to fully fund the project.

Background

The project was first developed as a result of site assessments and surveys by the Monument Community Park Assessment Committee and was identified by this Committee as a priority project.

The Ellis Lake Park Playground and Park Improvements project was approved by the City Council with the adoption of the Fiscal Year 2015-2016 Capital Improvement Program Budget. At that time, only partial funding of \$390,000 was available to be allocated to the project. On March 1, 2016, the City Council authorized staff to seek additional funding of \$220,000 to support implementation of the project from the East

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Bay Regional Parks District (District) through Reallocation of Measure WW funds. These additional funds along with \$25,000 of Measure Q funds were added to allow for the expansion of the playground to include relocation of the swings and to construct pathway improvements at Ellis Lake Park. Staff submitted the reallocation application in March 2016 and the District approved the funding reallocation request in June 2016, adding \$220,000 to the project funding for a total available amount of \$510,000 in Measure WW funds and an overall project budget of \$635,000.

The pathway improvements are not part of this consideration item and will be constructed separately. \$180,000 from the project budget has been reserved for bidding and construction of the pathway improvements.

The contract under consideration will construct a new playground area for children ages 2 to 5 years old, and will add an area with swings. These new play areas will be adjacent to an existing playground area for children ages 5 to 12 years old. The overall project Base Bid work includes grading and paving, the procurement and installation of playground equipment, accessible ramps, concrete seat wall, drainage structures, perimeter fencing, irrigation, and playground surfacing. The new playground equipment was selected with significant input from the community. (See Attachment 1 for project location map.)

The bid documents also include several additive alternates that could be awarded depending on the results of the bids when compared to the budget. These additive alternates included: 1) Site Lighting; 2) Shade Structure, 3) Additional benches, 4) Rubber Poured-in-Place Playground Surfacing, 5) Root Barriers, 6) Wharf Fencing at Ellis Lake, and 7) Lake Perimeter Light Upgrades.

The determination of the lowest bidder is based on the lowest Total Bid, which includes the Base Bid work described above plus the seven Additive Alternate items.

Analysis

Construction Contract

Bids for the project were solicited as required by State law and City policy. Bids were opened on October 13, 2016. Five (5) bids were received with total bids ranging from \$395,451.00 to \$463,412.64 for the Total Bids as shown on Attachment 2. The Engineers Estimate for the Total Bid was \$401,905.50. McNabb Construction was the low bidder and submitted a responsive and responsible bid of \$395,451 for the Total Bid. A summary of the three lowest bids by Bid Schedule is as follows:

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Table 1 - Bid Summary Table

BID SCHEDULE	Engineer's Est.	McNabb Construction	Hauser Construction	G&G Builders
BASE BID – GRADING, PURCHASE AND INSTALL PLAY EQUIPMENT, SEATWALL, FENCING, SURFACING, IRRIGATION, DRAINAGE, RAMPS	\$260,209.00	\$265,363.00	\$308,182.40	\$248,354.01
ADDITIVE BID 1 – SITE LIGHTING	\$30,000.00	\$42,000.00	\$18,250.00	\$65,402.65
ADDITIVE BID 2 - SHADE STRUCTURE	\$15,000.00	\$10,500.00	\$6,800.00	\$9,241.89
ADDITIVE BID 3 – BENCHES	\$7,200.00	\$8,400.00	\$14,400.00	\$5,859.06
ADDITIVE BID 4 – RUBBER POUR-IN-PLACE SURFACING	\$28,000.00	\$28,000.00	\$9,650.00	\$29,180.02
ADDITIVE BID 5 – ROOT BARRIER	\$1,680.00	\$1,176.00	\$1,680.00	\$617.40
ADDITIVE BID 6 – WHARF FENCE	\$40,216.50	\$20,412.00	\$10,400.40	\$20,380.41
ADDITIVE BID 7 – LAKE PERIMETER LIGHT UPGRADE	\$19,600.00	\$19,600.00	\$16,499.98	\$25,901.26
TOTAL	\$401,905.50	\$395,451.00	\$400,982.78	\$404,936.70

Staff contacted the low bidder (McNabb) to obtain confirmation of their bid amount. McNabb confirmed that they are ready to perform the work as bid. Staff completed an analysis of McNabb's bid, determining that they possess an appropriate and valid license, and are not on any debarred list. Additionally, they and all of their subcontractors are registered with the Department of Industrial Relations as required by SB 854, have satisfactory references and have successfully completed CIP projects before for the City of Concord including the Bocce Courts at Baldwin Park (Project No. 2177); and the ADA Barrier Removal at Baldwin Park (Project No. 2179). Additionally, the City Council awarded the contract for the installation of the Meadow Homes Park Playground on November 1, 2016 to McNabb Construction.

As noted above, the Total Bid includes the Base Bid and Additive Bids 1 through 7. The City reserved the right to award the Additive Bids depending on the available project budget.

The project budget is not sufficient to award the Base Bid and all seven Additive Bids. Upon review of the available budget, as well as the anticipated costs of construction management, inspection, contingencies and project management, and assessment of the project priority items identified by the community, staff recommends awarding the

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Base Bid and Additive Bids 1, 3, 5 and 6 for site lighting, benches, root barrier, and wharf fencing, respectively. After reserving funds for the construction of pathway improvements in the park, additional funding in the amount of \$40,000 is required to award the contract as recommended.

Environmental Review

The project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act Guidelines Sections 15303 - New Construction or Conversion of Small Structures and 15304 – Minor Alterations to Land. A Notice of Exemption will be filed with the County Clerk's office subsequent to the Council award of the contract.

Financial Impact

The available funds in the project account after allocations for the project design and bidding is approximately \$562,000 (\$30,000 in General Fund, \$22,000 in Measure Q funding and \$510,000 in Measure WW funds that have been appropriated by the East Bay Regional Parks District for Construction). After reservation of \$180,000 for the bidding and construction of the pathway repairs approximately \$382,000 is available to fund this work as shown in Attachment 4.

To award the Base Bid and recommended Additive Bids, provide for construction management, inspection and testing services, staff oversight, and an appropriate contingency of 10%, a total available budget of \$422,000 is required. Therefore, additional funding in the amount of \$40,000 is needed to fully fund the construction of this project as recommended, as shown in Attachment 4.

Staff recommends that the City Council approve a budget transfer of \$40,000 from the Parkland Dedication fund balance (Fund 450) to the Ellis Lake Park Playground and Park Improvements project (Project No. 2349) to cover the funding shortfall.

Public Contact

The City Council Agenda was posted.

Attachments

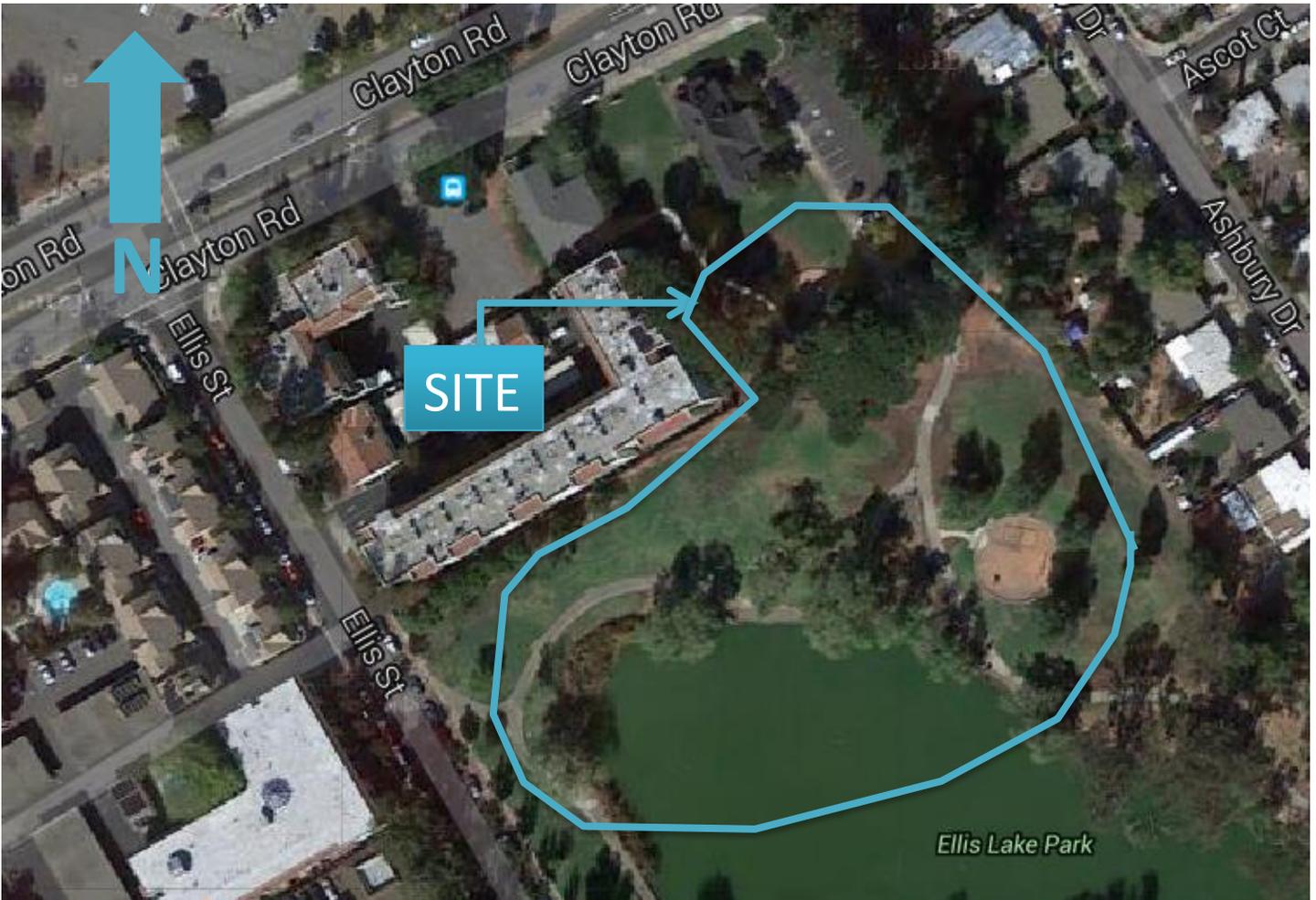
1. Site Plan
- 3 Bid Summary
3. Playground Layout
4. Budget Summary

SITE PLAN

ELLIS LAKE PARK PLAYGROUND AND PARK IMPROVEMENTS

PROJECT NO. 2349

ELLIS LAKE PARK, CONCORD, CA



**City of Concord
Bid Sheet**

PROJECT #2349

**Ellis Lake Park Playground and Park
Improvements**

Bid Opening:

**Thursday,
October 13, 2016
2:00 p.m.**

City Manager's Conference Room

Engineer's Estimate: \$260,209 (Base Bid)

To be awarded:

COMPANY	TOTAL BID
McNabb Construction 3527 Mt. Diablo Blvd. #306 Lafayette, CA 94549	\$395,451.00
G&G Builders 4542 Contractors Place Livermore, CA 94551	\$404,930.92
Hauser Construction 1580 Oakland Rd. C213 San Jose, CA 95131	\$420,000.00
Grace Construction 1480 Wharton Way Concord, CA 94524	\$454,798.00
Community Playgrounds, Inc. 200 Commercial Street Vallejo, CA 94589	\$463,412.64

Contact: Mark Migliore x3422



BUDGET ANALYSIS
Ellis Lake Park Playground and Park Improvements
PROJECT NO. 2349

Project Funding

Initial Budget -General Fund	\$100,000	
Initial Budget - Measure WW	\$290,000	EBRPD Grant Funds
Additional Allocation* - Measure WW	\$220,000	EBRPD Grant Funds
Additional Allocation* - Measure Q	\$25,000	
Total Funding	\$635,000	

* Additional allocations approved to include expansion of the play area to include relocation of the swings and for park pathway improvements.

<u>Project Expenditure Allocations</u>	<u>Allocation</u>	<u>Expended/Encumbered</u>	<u>Reserved*</u>	<u>Available</u>
Administrative Costs	\$ 20,000	\$ 3,000	\$ 2,000	\$ 15,000
Project Design	\$ 55,000	\$ 70,000	\$ 3,000	\$ (18,000)
Construction	\$ 455,000	\$ -	\$ 135,000	\$ 320,000
Construction Engineering	\$ 50,000	\$ -	\$ 20,000	\$ 30,000
Contingencies	\$ 55,000	\$ -	\$ 20,000	\$ 35,000
Total Expenses	\$ 635,000	\$ 73,000	\$ 180,000	\$ 382,000

*Reserved for bidding and construction of pathway improvements at Ellis Lake Park

Playground and Park Improvement Construction Allocations

	<u>Available</u>	<u>Projected Cost left</u>	<u>Shortfall</u>
Administrative Costs	\$ 15,000	\$ -	\$ 15,000
Project Design	\$ (18,000)	\$ -	\$ (18,000)
Construction	\$ 320,000	\$ 338,000	\$ (18,000)
Construction Engineering	\$ 30,000	\$ 50,000	\$ (20,000)
Contingencies	\$ 35,000	\$ 34,000	\$ 1,000
Total	\$ 382,000	\$ 422,000	\$ (40,000)

Additional Allocation Required to fund Base Bid and Additives 1, 3, 5 &6 **\$40,000**