



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: April Miller,
Director of Public Works

City Manager Approval: _____

File No.: 22.04.47

TOPIC: SUN VALLEY PARK PLAYGROUND PROJECT

SUBJECT: RESOLUTION AWARDING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT FOR THE SUN VALLEY PARK PLAYGROUND PROJECT, CITY PROJECT NO. 11391, TO BAUMAN LANDSCAPE AND CONSTRUCTION, INC. IN THE AMOUNT OF \$453,709, AND AUTHORIZING CONTINGENCY FUNDS OF \$66,291 FOR A TOTAL APPROPRIATED AMOUNT OF \$520,000

RECOMMENDATION: Adopt the resolution awarding and authorizing the City Manager to execute a construction agreement for the Sun Valley Park Playground project to Bauman Landscape and Construction, Inc. in the amount of \$453,709 and authorizing contingency funds of \$66,291 for a total appropriated amount of \$520,000.

BACKGROUND: Sun Valley Park is known as a beloved and well-used neighborhood park. The playground structure at this park is now more than 20 years old and needs replacement. The project includes the removal and the replacement of the existing playground structures at this park within the footprint of the original play area. In addition, this project includes ADA access improvements, and the removal of the sand surface, which will be replaced with ADA compliant engineered wood fiber.

The City asked design consultant Gates + Associates to create a conceptual design, then final design for the Sun Valley Park Playground project under the city's Master Services Agreement in anticipation of Prop 68 Per Capita Grant Funding.

On [May 16th, 2022](#), City Council approved a Resolution authorizing the City Manager to execute a deed restriction on the city owned parcel (APN 010-071-01) for Sun Valley Park. The California Department of Parks and Recreation requires the deed restriction to be recorded as a condition of receiving Prop 68 Per Capita Grant Program funds. The Deed restriction was executed and recorded at the Marin County Recorder's office on July 1st, 2022.

A public meeting was held on June 18, 2022 and an online survey was sent to collect community input regarding the newly proposed playground area. The response group preferred options from the manufacturer, Ross Recreation Equipment. In anticipation of a 20-24 week lead time for the playground equipment, the City directly purchased within the City Manager's authority the

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

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playground equipment and installation from Ross Recreation to help facilitate construction during the winter when parks are typically less utilized.

ANALYSIS: On September 27th, 2022 the project was advertised in accordance with San Rafael's Municipal Code. On October 18, 2022, the following bids were received and read aloud:

| Business | Bid Alternate Total | Bid Total |
|---|----------------------------|------------------|
| Bauman Landscape and Construction, Inc. | \$700.00 | \$ 453,709.00 |
| Maggiore & Ghilotti, Inc. | \$3,500.00 | \$ 474,000.00 |
| M3 Integrated Services, Inc. | \$2,000.00 | \$ 504,590.00 |
| ERA.CO | \$2,800.00 | \$ 531,886.80 |
| Michael Paul Company, Inc. | \$2,300.00 | \$ 524,407.00 |
| Valentine Corporation | \$6,500.00 | \$ 669,368.00 |
| Ghilotti Bros., Inc. | \$4,400.00 | \$ 647,747.76 |
| CWS Construction Group Inc | \$8,500.00 | \$ 717,923.11 |
| CF Contracting | \$5,000.00 | \$ 848,480.00 |

The construction bids have been reviewed by Public Works staff and the low bid from Bauman Landscape and Construction, Inc. of \$453,709.00 was found to be both responsive and responsible.

City staff recommends awarding the construction contract to Bauman Landscape and Construction, Inc. for the amount bid and recommends the City Council authorize a construction contingency of \$66,291, approximately fifteen percent, for a total appropriated amount of \$520,000.

PUBLIC OUTREACH: Residents living in the Sun Valley neighborhood were notified of the community meeting and online survey through a notice sent by mail on Thursday, June 2, 2022. Posters with information for the survey were posted at the park, and the survey was also made available on our City's website <https://www.cityofsanrafael.org/sun-valley/>.

On June 18, 2022, the Community Meeting was held at Sun Valley Park to gather information from the public regarding their preferred play structures. A total of 196 survey responses were received. 144 responses were received online, and 52 were received in-person at the community meeting. Mayor Kate Colin and Police Lieutenant Todd Berringer were also present at the meeting to discuss other general concerns with the public regarding safety and the park.

ENVIRONMENTAL DETERMINATION:

A CEQA Notice of Exemption was filed with the Marin County Recorder's office on August 26, 2021. The project is determined to be exempt based on CEQA Section 15301, Existing Facilities, which allows exemptions for repair and maintenance projects involving minor alterations of existing public or private structures with no expansion of existing or former use.

FISCAL IMPACT: In 2019, the City submitted the Per Capita Allocation Questionnaire to determine the City's allocation under the grant program. Grant funds are allocated based on population and are one-time funds. In July 2020, the State notified the City of their allocation amount of \$177,952. On November 16, 2020 the City Council approved an application for Per Capita Grant Funds for the Sun Valley Park Playground Project, which verified the City's commitment and ability to implement the project.

Staff proposes to appropriate construction funding for this project in the amount of \$342,048 in Measure A Funds (Fund #241) and \$177,952 in Prop 68 Per Capita Grant Funds.

OPTIONS:

1. Adopt the resolution as presented.
2. Do not award the contract and direct staff to rebid the project. If this option is chosen, rebidding will delay construction by approximately two months.
3. Do not award the contract and provide direction to staff.

RECOMMENDED ACTION: Adopt the resolution awarding and authorizing the City Manager to execute a construction agreement for the Sun Valley Park Playground Project with Bauman Landscape and Construction, Inc. in the amount of \$453,709 and authorizing contingency funds of \$66,291 for a total appropriated amount of \$520,000.

ATTACHMENTS:

1. Resolution awarding the construction agreement to Bauman Landscape and Construction, Inc.

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL AWARDING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION AGREEMENT FOR THE SUN VALLEY PARK PLAYGROUND PROJECT, CITY PROJECT NO. 11391, TO BAUMAN LANDSCAPE AND CONSTRUCTION, INC. IN THE AMOUNT OF \$453,709, AND AUTHORIZING CONTINGENCY FUNDS OF \$66,291 FOR A TOTAL APPROPRIATED AMOUNT OF \$520,000

WHEREAS, having advertised and solicited construction bids in accordance with the City's Municipal Code, sealed bids were received on the 7th day of November 2022, for the project entitled:

“Sun Valley Park Playground Project”

City Project No. 11391

in accordance with the plans and specifications therefore on file in the office of the Department of Public Works; and

WHEREAS, the bid of \$453,709 from Bauman Landscape and Construction, Inc. at the unit prices stated in its bid, was and is the lowest and best bid for said work and said bidder is the lowest responsible bidder; and

WHEREAS, staff has recommended that the project budget include a contingency amount of \$66,291.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL RESOLVES as follows:

1. The plans and specifications for the “Sun Valley Park Playground Project”, City Project No. 11391 on file in the Department of Public Works, are hereby approved.
2. The City Manager is authorized and directed to execute a contract with Bauman Landscape and Construction, Inc. for the bid amount, subject to final approval as to form by the City Attorney, and to return the bidder's bond upon the execution of the contract.
3. Funds for project totaling \$520,000, which includes the construction award amount and contingency, will be appropriated for City Project No. 11391, using \$342,048 in Measure A funds (Fund #241) and \$177,952 in Prop 68 Per Capita Grant Funds.

4. The Director of Public Works is hereby authorized to take any and all such actions and make changes as may be necessary to accomplish the purpose of this resolution.

I, **Lindsay Lara**, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of said City held on Monday, the 7th day of November 2022, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

File No.: 22.04.47

LINDSAY LARA, City Clerk