



Legislation Details (With Text)

**File #:** 15-468      **Version:** 1      **Name:** Siempre Verde Construction (SR)  
**Type:** Staff Report      **Status:** Filed  
**In control:** City Council  
**On agenda:** 9/8/2015      **Final action:** 9/8/2015  
**Enactment date:**      **Enactment #:**  
**Title:** Staff Report for a Resolution to Award a Construction Contract to Robert A. Bothman Construction for the Siempre Verde Park Rehabilitation Project, Project No. 2015.0270 and authorization for the City Manager or his designee to negotiate and approve change orders to complete the project

**Indexes:**

**Code sections:**

**Attachments:** 1. Bid Summary - Siempre Verde Park Rehabilitation

Date	Ver.	Action By	Action	Result
9/8/2015	1	City Council	Received and Filed	

Staff Report for a Resolution to Award a Construction Contract to Robert A. Bothman Construction for the Siempre Verde Park Rehabilitation Project, Project No. 2015.0270 and authorization for the City Manager or his designee to negotiate and approve change orders to complete the project

**SUMMARY AND RECOMMENDATIONS**

Staff recommends awarding the construction contract including all four of the additive bid items to Robert A. Bothman Construction in the amount of \$2,233,862.50 for the subject project; authorizing individual change orders up to \$200,000.00, and authorizing a total change order amount up to 25% of the original contract, or \$558,465.63.

**BACKGROUND**

A master plan for Siempre Verde Park was completed in 2010 that envisioned the entire park rebuilt and reconfigured with new play structures, picnic tables, barbecues, restrooms, pathways, basketball courts, exercise stations, and a smaller field with a new irrigation system. In late 2014, the City received a grant from the State’s Housing and Community Development Department (HCD) that will fund approximately 25% of the project’s costs. Development of the construction-ready plans was completed during the first half of 2015, the project was advertised for bidding on May 29, 2015, and the bid opening was on August 3, 2015.

**Analysis**

**Contract Award**

For bidding purposes, the project was broken into a base bid plus four additive bid items to help ensure that the base bid would be within the project budget. The additive bid items were:

- Irrigation well

- Curb bulb-out on Park Street
- Shade canopy at the game tables area
- Ping pong tables and shade canopies at the two picnic areas

A total of four bids were received ranging from \$2,233,862.50 to \$3,200,562.60 for the base bid plus all four additive bid items. The pre-bid engineer's estimate was \$2,866,124.59. The low bidder was Robert A. Bothman Construction of Santa Clara, California. None of the bidders have an office in San Leandro that would qualify them as a local business per the Local Inclusion Policy Ordinance. The low bidder provided documentation of good faith efforts towards local inclusion by contacting San Leandro businesses about subcontracting for this project. Despite their efforts, there are no San Leandro businesses included on their project team.

Staff recommends inclusion of all four additive bid items as the project budget allows for the construction of the base bid plus all four additive bid items. This approach will maximize the future functionality of Siempre Verde Park. The irrigation well is of the highest priority, since it will provide cost savings for water and ensures a water source for irrigation that will not be affected by water restrictions during the current drought.

#### Contract Change Orders

As is standard in the construction industry, staff has balanced site investigation costs with the risk of finding unforeseen conditions during construction as well as the design cost with the level of detail on the plans. As a potential result, unforeseen conditions may likely be encountered during construction such that plan details will need to be adjusted accordingly. In order to resolve these issues in a timely fashion and avoid the cost of delaying work, staff requests authorization to issue change orders to the contractor up to 25%, or \$558,465.63 of the original contract and up to \$200,000 each to cover these possible changes.

#### Current Agency Policies

- 2013-15 City Council Goal: Maintain and enhance the City's infrastructure

#### Previous Actions

- On July 20, 2015, by Resolution 2015-136, the City Council approved a consulting services agreement with Harris Design to provide support during the construction phase of the subject project
- On March 2, 2015, by Resolution No. 2015-058, the City Council allocated funds for the design and construction of the Siempre Verde Park Rehabilitation Project and approved a Consulting Services Agreement with Harris Design for the development of construction-ready plans and specifications for the subject project
- On February 17, 2015, by Resolution No. 2015-026, the City Council authorized the City Manager to Submit an Application for Housing-Related Parks Program Grant Funds for up to \$500,000 in Grant Funding to Rehabilitate Siempre Verde Park Based on the Construction of the Marea Alta (formerly The Cornerstone) Family Apartments
- On December 1, 2014, by Resolution No. 2014-132, the City Council authorized the City

Manager to Execute a State Standard Agreement with the California Department of Housing and Community Development for a Housing-Related Parks Program Grant in the Amount of \$1,376,600

- On January 6, 2014, by Resolution No. 2014-004, the City Council authorized the City Manager to Submit an Application for Housing-Related Parks Program Grant Funds

### **Committee Review and Actions**

- The 60% plans were presented to the City Council Facilities & Transportation Committee on April 7, 2015. Distance markers for the pedestrian pathway within the park will be added to the project scope in response to comments received from the Committee.
- The 100% plans were presented to the Facilities & Transportation Committee on May 5, 2015. Recommended changes included making both basketball courts the standard size and height; constructing a mural wall at the new restroom; installation of signs with distances and direction to sister cities; and installation of signs to note species and drought tolerance of plants.

### **Applicable General Plan Policies**

Goal 21 - Rehabilitation of Existing Parks: Maintain and improve San Leandro's existing parks and recreational facilities

### **Environmental Review**

This project is categorically exempt from CEQA per Section 15268 of the CEQA guidelines. The Notice of Exemption was filed with the Alameda County Recorder on December 16, 2010.

### **Summary of Public Outreach Efforts**

A ten foot project sign describing the improvements and schedule will be installed at the park and a notice regarding the project will be posted on Nextdoor, a social network site that targets the neighborhood, one month before construction begins.

The Notice to Bidders was published in the Daily Review and also in the South County Post, Visión Hispana, and World Journal. Staff also notified twenty-one builders exchanges and construction data firms as well as a list of contractors that have asked to be notified of bidding opportunities via email about the advertisement of the subject project.

The project is described on the Engineering and Transportation Department website, was presented at the town hall meeting for Council Districts 1, 2, and 5 held on May 11, 2015, and at a community meeting on July 9, 2015 which was hosted by the Recreation and Human Services Department. Both of these events were posted on Nextdoor before they occurred.

During the development of the master plan, the Recreation and Human Services Department held the following meetings to gather public input on Siempre Verde Park:

- February 3, 2010, 7:00 PM, Recreation and Parks Commission Public Meeting, San Leandro

City Hall South Offices

- February 3, 2010, 9:00 AM, Interactive Meeting with Students, Washington Elementary School
- February 3, 2010, 8:15 AM, Parent-Teacher Association “Coffee Klatch” Meeting, Washington Elementary School
- January 28, 2010, 7:00 PM, Community Meeting/Design Charrette, San Leandro City Hall South Offices
- January 23, 2010, 10:00 AM, Community Meeting, San Leandro City Hall South Offices
- January 21, 2010, 10:00 AM, Senior Commission Meeting, San Leandro City Hall Sister Cities Gallery
- January 20, 2010, 7:00 PM, Community Meeting, San Leandro City Hall Sister Cities Gallery
- January 19, 2010, 6:00 PM, Youth Advisory Commission Meeting, San Leandro City Hall Sister Cities Gallery

**Fiscal Impacts**

The total estimated project cost is \$3,371,784.24 for the base bid plus all four additive bid items as detailed below:

- \$315,089.36 - Design, bid and award
- \$40,000.00 - Utility fees and costs
- \$2,680,635.00 - Construction with contingency costs
- \$336,059.88 - Construction administration and consultant support

The City was recently awarded an additional \$381,200.00 from HCD as a part of their Housing-Related Parks Program for the 2014 Designated Program Year. These funds will be used to more fully support the project with grant funds and reduce the burden on the other fund sources.

**Budget Authority**

Funding allocations for the Siempre Verde Park Rehabilitation Project are as follows, that total \$3,560,194.00:

- 1) \$876,600.00 - Special Grants Fund, Siempre Verde Park Rehabilitation Project, Account No. 150-62-116, allocated in FY 2014-15
- 2) \$1,538,000.00 - Park Development Fees, Siempre Verde Park Rehabilitation Project, Account No. 122-62-116, allocated in FY 2014-15
- 3) \$1,145,594.00 - General Fund, Siempre Verde Park Rehabilitation Project, Account No. 210-62-116, allocated in FY 2014-15

**ATTACHMENT**

- Bid Summary - Siempre Verde Park Rehabilitation

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