



## PUBLIC WORKS DEPARTMENT

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### CITY COUNCIL STAFF REPORT

Meeting: January 17, 2023

#### Subject

Consider award of a construction contract for the Wilson Park Basketball Court Project (Project No. 2022-11) for the construction of a new full-size outdoor basketball court, including associated improvements.

#### Recommended Action

1. Award a construction contract for the Wilson Park Basketball Court Project and authorize the City Manager to execute the contract in the amount of \$299,474.00 with Guerra Construction Group;
2. Authorize the Director of Public Works to execute any necessary change orders up to a construction contingency amount of \$29,947.40 (10%) for a total authorized contract amount of \$329,421.40; and
3. Adopt Resolution No. 23-xxx approving budget modification #2223-248 increasing appropriations in the Capital Improvement Program Capital Projects Fund (budget unit 420-99-252) and the Capital Reserve (budget unit 420-99-001) by \$160,000 including construction, contingency, construction management, inspection, and testing services.

#### Background

On February 18, 2020, the City Council approved the Parks and Recreation System Master Plan (Master Plan.) The Master Plan helps guide the City of Cupertino in enhancing recreation opportunities for all residents. The Master Plan started in 2015 with a robust community outreach and engagement process. Residents, stakeholders, partners, businesses, elected officials, and youth were invited to share their ideas for the park and recreation system. More than 2000 community members provided input and feedback through online and in-person activities.

One of the key themes of the Master Plan is recreation variety. The community recommended adding varied facilities such as outdoor exercise equipment and moveable seating to City parks, as well as traditional elements, such as basketball courts. Approximately 74% of questionnaire respondents believe that having a greater variety of facilities and programs is important.

The outreach and engagement process also helped develop Master Plan goals. There are seven major Master Plan goals. Master Plan Goal #4 is enhancement, which emphasizes revitalizing parks and recreation facilities and diversifying offerings to support broad and inclusive recreation interests. It also emphasizes adding “new features and facilities at existing parks to create variety and respond to diverse recreation interests” and prioritizing “the addition of basketball courts, especially full-size courts, to provide multiple basketball venues.” The Master Plan identified Wilson Park as a potential location for a full-size basketball court.

On April 8, 2021, the Parks and Recreation Commission recommended Wilson Park as the ideal location for a full-size outdoor basketball court. Currently, the park has two baseball fields, one soccer and baseball joint use field, and a playground. There are no basketball facilities at this park. This will be the only outdoor regulation size basketball court in the City’s park system.

#### Discussion

The Wilson Park Basketball Court Project will construct a new full-size outdoor basketball court at Wilson Park. The proposed improvements would provide enhancement and variety to the facilities offered at the park. The basketball court will be located at the current site of an underutilized picnic area and separate but complimentary to other park facilities. The concurrent construction of the community gardens will not impact this project.

On December 6, 2022, the City received 12 bids for the project. The low bid was from Guerra Construction Group, which was approximately 14% below the Engineer’s Estimate.

<b>Bidder</b>	<b>Total Bid Amount</b>
Guerra Construction Group	\$299,474.00
Central Pacific Engineering	\$314,495.00
Galeb Paving, Inc.	\$334,183.60
Tyman Construction, Inc.	\$342,131.00
Terocons, Inc.	\$346,743.75
<i>Engineer’s Estimate</i>	<i>\$349,935</i>
Silicon Valley Paving, Inc.	\$358,166.60
Frontline General Engineering Construction	\$388,483.19
Tri Valley Excavating Co., Inc.	\$427,032.00
Redgwick Construction Company	\$463,471.70
Villalobos & Associates	Non-responsive
VNH Builders	Withdrawn
Michael Glynn Construction Services, Inc.	Withdrawn

Villalobos & Associates submitted a bid, but it was for another project and was deemed non-responsive. Both VNH Builders and Michael Glynn Construction Service, Inc. have withdrawn their bids.

The bid submission from Guerra Construction Group was thoroughly reviewed for completeness and the contractor's experience and qualifications are confirmed. It was determined that this bid is the lowest received, that the bid is responsive, and that the contractor is a responsible entity per the Instruction to Bidders and municipal code. The project is scheduled to begin construction in February or March.

The authorized contract amount requested for the project construction includes a 10% contingency. Contingency amounts are a typical contracting best practice. A contingency of between ten and twenty percent is normal, with more complicated or large projects justifying a higher percentage contingency amount, whereas a more straightforward or smaller projects can be managed with a smaller contingency. Staff recommends a ten percent contingency for this project as it is straight forward.

#### Sustainability Impact

No sustainability impact.

#### California Environmental Quality Act (CEQA)

This project is exempt from the CEQA under 14 C.C.R. Section 15301 (minor alterations to existing facilities).

#### Fiscal Impact

The Fiscal Year 2022-2023 Capital Improvement Programs budget for the Wilson Park Basketball Court Project (budget unit 420-99-252) is \$350,000, which includes \$214,549 of grant funding. The budget is not adequate to implement the project due to overall increases in the cost of goods and services since the grant application was received. An additional appropriation of funds is requested in the amount of \$160,000. The additional appropriations are to be funded by the Capital Reserve Fund through a transfer out of funds from (budget unit 420-90-001) and a transfer in to (budget unit 420-99-252.) In addition, revenues in the grant fund revenue category will increase by \$36,597 to account for additional grant funds that were not included in the final budget. If approved, the total project budget will be \$510,000 and the balance of the Capital Reserve is estimated at \$9.6 million.

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Prepared by: Ayano Hattori, Project Manager

Reviewed by: Susan Michael, Capital Improvement Programs Manager

Reviewed by: Matt Morley, Director of Public Works Department

Approved for Submission by: Pamela Wu, City Manager

Attachments:

A – Draft Contract

B – Draft Resolution

C – Bid Document Project Manual

D – Bid Document Project Drawings

E – Bid Document Addendum 1