



**PUBLIC WORKS DEPARTMENT**

CITY HALL

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**PUBLIC WORKS BID REPORT**

February 18, 2020

Subject

Project update, report on bids, and contract award for the McClellan Ranch Preserve Community Garden Improvement Project (Project No. 2017-15).

Recommended Action

1. Receive project update and report of bids; and
2. Authorize the Director of Public Works to award a construction contract to GradeTech, Inc., the apparent low bidder, for the base bid and additive alternates 1 – 3 in the total amount of Six Hundred Forty-Nine Thousand Three Hundred Dollars (\$649,300); and
3. Authorize a 10% construction contingency budget of Sixty-Four Thousand Nine Hundred Thirty Dollars (\$64,930) to address unforeseen conditions during construction; and
4. Authorize up to Ten Thousand (\$10,000) for the purchase of one 16 cubic yard enclosed rolloff container for green waste and manure disposal.

Description

The Community Garden at McClellan Ranch Preserve (Community Garden) was built in 1974 and became a popular and sought-after amenity in the City. Over the years, the garden fell into disrepair with local wildlife such as rodents proliferating. As a result, the gardeners resorted to extensive measures, such as installing wire cages and screens, to protect their plots and produce. The original Community Garden was closed in October 2018 and all improvements removed in April 2019.

Prior to removal, the old fence around the Community Garden was failing in many places and was unreliable as a secure enclosure. The impact of rodents on the garden produce was pervasive and persistent. The garden irrigation system was old, maintenance-intensive and insufficient to meet the needs of the garden.

This project will rebuild the Community Garden with: new perimeter fencing designed to secure the garden, underground wire mesh protection against burrowing animals such as moles and gophers, new irrigation, eight ADA-accessible raised beds and five Master Gardener raised beds with decomposed granite paving, six in-ground plots and space for 93 raised planter beds.

The new Community Garden will have regularly scheduled open hours on both weekdays and weekends for the public to view the beds and hear from the gardeners, and for school groups to visit. Outside of the regularly scheduled hours, the Community Garden will be closed to the public. One of the requirements for gardeners who wish to secure a plot in the garden will be a commitment to be present during some of the open hours in order to supervise the garden and assist the public. A set schedule will be established and made available to the public.

In response to the City Council's interest in lower construction costs and increased community involvement in the project, the scope of work has been structured so that the raised planter beds will be built by volunteers alongside City forces after the general contractor has completed their scope of work.

#### Discussion

This project is included in the FY 2019-20 CIP budget. The initial vision for the new Community Garden was the result of several meetings conducted from September 2017 through January 2018 with the gardener community to solicit input on features in a new community garden that were most important to the users. The City Council provided additional input and direction at the October 15, 2019 City Council meeting.

The Proposed Site Plan, included as Attachment A, represents a synthesis of the input received from City Council, gardeners and the community.

#### Bid Results

The bid opening for the Community Garden Project was conducted on January 21, 2020. Four bids were received as follows:

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	<b>Engineers Estimate</b>	<b>GradeTech, Inc.</b>	<b>O'Grady Paving</b>	<b>Innovate Concrete, Inc.</b>	<b>Suarez &amp; Muñoz</b>
Base Bid	\$ 608,445	\$ 584,500	\$ 860,000	\$ 897,846	\$ 818,800
Add. Alt. 1 (AA1) – Shade Structure	93,600	40,000	30,000	48,132	87,000
Add. Alt. 2 (AA2) – Interior Fence and Gate at Master Gardener Area	8,800	15,400	15,000	12,738	17,300
Add. Alt. 3 (AA3) – Picnic Table with Concrete Pad	8,000	9,400	7,500	8,561	8,400
<b>Total Bid (Base Bid + AA1 + AA2 + AA3) =</b>	<b>\$ 718,845</b>	<b>\$ 649,300</b>	<b>\$ 912,500</b>	<b>\$ 967,277</b>	<b>\$ 931,500</b>
Add. Alt. 4 (AA4) – <i>Hardware Cloth beneath Site</i>	115,825	120,000	75,000	86,733	174,000
Add. Alt. 5 (AA5) – <i>Unit Price to Build Raised Planter Bed)</i>	1,470 each	3,000 each	5,000 each	3,240 each	6,000 each

The notice inviting bids was posted on the City's bid webpage, advertised in the Courier newspaper, and distributed to required outlets and to construction firms who have asked

to be notified of bidding opportunities with the City. The low bidder was determined using the sum of the base bid plus additive alternates 1 through 3. The apparent low bidder is GradeTech, Inc. with a bid amount of \$718,845. This is approximately 9% below the Engineer's Estimate of \$718,845.

It is recommended that Council authorize award of the base bid and additive alternates no. 1 through no. 3 to GradeTech, Inc., plus a 10% contingency allowance for a total contract award in the amount of \$714,230.

Bid Alternate No. 4, which is not being recommended for contract inclusion, is for installing hardware cloth approximately one-foot underneath the entire garden. This hardware cloth would be in addition to the hardware cloth to be installed under each raised planter bed. After further research by staff, this measure is now considered redundant and not necessary. Alternate rodent-prevention measures such as an entrapment program appropriate for this area will be developed and implemented.

Bid Alternate No. 5, which is also not recommended for contract inclusion, is for unit pricing for building 93 raised planter beds. GradeTech's unit price for this item is \$3,000 each. In lieu of having GradeTech construct this item, available project funds will be used to purchase the materials (estimated at \$900 per raised planter bed). Public Works staff will lead on the construction of the beds with volunteers providing most of the labor. Should the City Council wish to include the construction of some or all the raised planter beds in the contract, in lieu of using volunteer and City forces, Council will need to authorize up to an additional \$200,000 to the project budget.

As gardeners resume activities at the Community Gardens, green waste and manure from the 4-H animals will be deposited in one 16 cubic yard open roll-off container provided by Recology. The contents of these containers attract and support a large population of various rodents. To restrict access to these contents and to limit the rodent population from also affecting the Community Gardens, it is recommended that the open container be replaced with an enclosed container.

Following City Council authorization of the contract award for the Community Garden project, a Notice to Proceed will be issued in early March 2020. However, since bird-nesting season began on February 1<sup>st</sup>, a biologist will be hired after contract award to conduct a bird-nest survey to ensure that no nesting pairs are present around or near the job site. Should nesting pairs be found, start of construction may be delayed until the nesting pairs vacate their nests. End of bird nesting season is August 31, 2020.

### Satellite Community Gardens

Initial findings and recommendations for the satellite community gardens were brought before the Parks and Recreation Commission on February 6, 2020. As part of this process, the Commission is using a wide variety of criteria, including; parcel size, water availability, location, security, drainage, lighting, costs, parking, and site condition. The Commission will receive feedback from both the public and master gardeners. This process will be complete in late spring or early summer. Staff will report back to Council later this year with specific satellite community garden projects.

### Sustainability Impact

Supporting community gardens is consistent with the Cupertino Climate Action Plan. Community-wide measure C-G-1-E is to assess opportunities to expand Cupertino's network of community gardens, demonstration gardens, and edible schoolyards. Community gardens can provide access to fresh, nutrient-rich produce that localizes the traditional commodity chain, reducing associated transportation emissions and eliminating packaging lifecycle impacts. Community gardens strengthen our environmental legacy, which in turn can transform other climate-tied emissions reductions activities among those engaged.

### CEQA

The City of Cupertino's Department of Public Works and Planning Division previously determined that the Project is exempt from the requirements of the California Environmental Quality Act of 1970, together with related State CEQA Guidelines (collectively, "CEQA") and thus filed a Notice of Exemption for this Project with the County of Santa Clara on July 29, 2019. The Notice of Exemption is based on CEQA Guidelines Section 15302, which exempts projects that will replace or reconstruct existing structures or facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. In this circumstance, the Project is exempt because it is a reconstruction of the old community garden where the new Community Garden will be located at the same site as the old one and will have substantially the same purpose and capacity as the facility replaced. Thus, no further CEQA action is required for this Project.

### Fiscal Impact

At the June 18, 2019 City Council meeting, a \$1,500,000 budget was proposed for this project. Of the \$1,500,000 City Council authorized \$1,200,000 (budget unit 420-99-004) for the Community Garden Project and redirected \$300,000 (budget unit 420-99-083) towards exploring the feasibility of building smaller community gardens at other locations in the City. Of the \$1,200,000 authorized for the Community Garden Project \$900,000 was budgeted for construction contract award and \$300,000 was budgeted for soft costs. Soft

costs include design fees, construction management, environmental services and staff time. Unless Council opts to authorize construction of some or all of the raised planter beds in the project by GradeTech, Inc., no additional appropriation is needed.

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Approved for Submission By:	Deborah Feng, City Manager

#### Attachments

A – Proposed Site Plan

B – Draft Agreement