



## **PUBLIC WORKS DEPARTMENT**

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### **CITY COUNCIL STAFF REPORT**

Meeting: September 21, 2021

#### Subject

Consider Approval of a Contract between the City of Cupertino and Miracle Play Systems, Inc. for the Purchase and Installation of Themed Playground Equipment at Creekside Park Tot Lot.

#### Recommended Action

Authorize the City Manager to execute a contract between the City of Cupertino and Miracle Play Systems, Inc., using pricing established through the National Cooperative Purchase Program, in the amount of \$222,194.96.

#### Background

The Annual Playground Equipment Replacement Project (Project) was authorized for \$300,000 in the FY 2020-2021 Capital Improvement Budget (Account # 420-99-085). The purpose of the Project is to replace older playground equipment that is dated and worn. The Creekside Park Tot Lot Playground was selected to be among the first of the replacement projects due to its age and condition. Photos of the playground are attached (Attachment A). Due to scheduling impacts caused in part by the COVID-19 pandemic and the solicitation of community input, this project has just now progressed to the proposed award of contract, which will enable construction of the Project.

#### Discussion

Prior to selecting replacement playground equipment, input was gathered from the public and the Parks and Recreation Commission regarding the users of the equipment and whether a “theme” was desired to compliment the area where the playground is located.

The Parks and Recreation System Master Plan calls for support of all-inclusive and universal play by providing a destination for an all-inclusive play area and by adding additional inclusive elements at existing play areas (Attachment B.) Inclusive elements allow users with special needs or sensory challenges to have access to enjoyable recreation opportunities. The playground equipment that will be installed in this project exceeds the Americans with Disabilities Act (ADA) requirements. It also meets the Master Plan goal to build new parks and to repair existing parks, which will increase the level of service

while allowing a specific demographic to have an equal opportunity to play using specialized equipment.

Various themed playground equipment was considered. Via an online community survey in November of 2020, a “creek” theme was selected by popular vote. The themed playground equipment works to address the Master Plan recommendation to incorporate thematic play areas as part of an identified opportunity for outdoor recreation diversity.

On July 1, 2021, the proposed layouts, inclusive elements, and themes were presented to the Parks and Recreation Commission for input. At that meeting the Commission selected two inclusive pieces, which are included in the design. Attachment C is an illustrative depiction of the proposed playground equipment.

Competitive pricing for playground equipment purchases and installation for this Project was provided via the National Cooperative Purchase Program. This program allows State and local agencies to contract with qualified suppliers without further competitive bidding. Miracle Play Systems Inc. (Miracle Play) is a qualified supplier for this program and best offers the type and themed equipment desired. Work to be completed by Miracle Play includes design, manufacturing, installation of all playground equipment, plus the installation of the play area and ground surfacing.

Award of this project using the National Cooperative Purchase Program pricing meets all public contract code requirements. As an option, the City could decide to bid the project through the typical Request for Proposal (RFP) process, which would take additional time and is unlikely to result in increased savings.

Accessibility improvements to the pathway from the playground and accessible parking spaces will be required as work on this Project progresses. This additional work will be contracted out and implemented separate from this Project.

#### Sustainability Impact

This Project increases the level and diversity of services within walking distance of many homes. Increasing amenities that are accessed by walkers, people with strollers, and having wheelchair access is consistent with the Climate Action Plan Goal 2 – Encourage Alternative Transportation.

#### Fiscal Impact

No additional funding is needed, as allocated funds in FY21 have been carried forward to FY22 as part of the year-end closing process. All carryovers will be presented to City Council as part of the First Quarter Financial Report in November 2021. Approving this item will expend \$222,194.96 of the \$300,000 budgeted for playground equipment in the FY 2020-2021 Capital Improvement Budget (Account # 420-99-085). Additional accessibility improvements completed under a separate agreement are expected to be less than \$50,000.

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Prepared by: Evelyn Moran, Project Manager

Reviewed by: Roger Lee, Public Works Director

Reviewed by: Dianne Thompson, Assistant City Manager

Approved for Submission by: Greg Larson, Interim City Manager

Attachments:

A – Existing Creekside Tot Lot Playground Site Plan and Photos

B – Parks and Recreation System Master Plan Appendix F, Table F-3

C – Representation of Proposed Playground Equipment

D - Draft Contract