

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **April 19, 2022**

TO: Honorable Mayor and City Council

VIA: Bob Nisbet, City Manager

FROM: John Doughty, Public Works Director
Maz Bozorginia, City Engineer
Jonathan Woo, Assistant Engineer

TITLE: AWARD OF CONSTRUCTION CONTRACT AND PROFESSIONAL SERVICES AGREEMENTS FOR THE JOHN L. CARTER PARK IMPROVEMENTS PROJECT (CIP NO. 0611)

RECOMMENDATION:

Adopt the following resolutions authorizing the City Manager to:

- 1) Authorize the Administrative Services Director to transfer \$700,000 from General Fund to Capital Improvements Project No. 0611 (John L. Carter Park Improvements Project); and
- 2) Award and execute a construction contract to the lowest responsive and responsible bidder, Wickman Development and Construction of San Francisco, CA, in the bid amount of \$4,971,000 and approve a construction contingency not exceeding an amount of \$745,650 (15 percent); and
- 3) Execute a professional services agreement with SWCA, Inc. for Biological and Environmental Services in the amount of \$35,079; and
- 4) Execute a professional services agreement with Bay Area Geotechnical Group (BAGG) for Material Testing and Special Inspection services in the amount of \$115,415.

FISCAL IMPACT:

This project has an existing budget of \$954,121, including the original FY 21-22 budget of \$44,121 for completion of design, \$410,000 in amendments for construction management support (Reso-C-2021-84) and architectural support services (Reso-C-2021-91), and a \$500,000 general fund transfer as part of the mid-year budget request in anticipation of upcoming construction. Upon execution of the funding agreement with the State, the City will receive \$4,750,000 from the State Department of Parks and Recreation towards the construction of the project. The current request of \$700k from the General Fund will cover the remaining balance needed to complete the project. The total cost of construction is \$6,360,000.

Anticipated Project Expenditures:

The following are the estimated project construction expenditures:

| | |
|--|--------------------|
| Construction | \$4,971,000 |
| Architectural Support Services | \$165,000 |
| Project/Construction Management Support | \$245,000 |
| Biological and Environmental Services | \$35,079 |
| Material Testing and Special Inspection Services | \$115,415 |
| Construction Contingencies (15%) | \$745,650 |
| Non-Construction Contingencies | \$82,856 |
| Total | \$6,360,000 |

STRATEGIC ELEMENT:

This action supports the Infrastructure and Environment and Healthy Communities and Public Safety Elements of the Strategic Plan.

BACKGROUND:

The Parks Master Plan adopted by the City Council on February 5, 2019, identified John L. Carter Memorial Park (Carter Park) as an opportunity to increase community recreation at an underutilized City Park. The Park Master Plan specifically identified Carter Park’s potential to become a “well utilized cultural events park with performances and summer day camps.” While preparing the City’s FY 2018-19 budget, the Parks and Recreation Commission and residents expressed desire to consider Carter Park improvements as a priority. City Council accepted this recommendation and designated the Carter Park Capital Improvement Plan (CIP) project to be a priority.

The John L. Carter Park Improvements Project includes a new amphitheater including terraced seating, a new stage with storage space and changing room, a children’s play area, picnic area, restroom and concession stand building, park access improvements, a solidarity trail, landscaping, lighting, and utility improvements.

On December 8, 2020, the Planning Commission approved the environmental review and adopted a mitigated negative declaration (MND) and approved PDP-19-059, an application for a Coastal Development Permit, Use Permit, Architectural Review, and Parking Exception, to allow the renovation of the John L. Carter Park Project. On March 9, 2021, the Planning Commission approved an addendum to the MND for the project to clarify some lighting and height discrepancies for the theatrical stage.

The City of Half Moon Bay, with support from Assemblymember Berman, was successful in obtaining funding through the California State Budget in the amount of \$4.75 million to assist the City in constructing improvements at John L. Carter Park, effective FY 2021-22.

On October 5, 2021, following open solicitation, the City Council authorized the City Manager to execute a contract with Griffin Structures, Inc. for project management/construction management services (PM/CM) the John L. Carter Park Improvements Project.

On October 19, 2021, the City Council authorized the City Manager to execute a contract with ELS Architecture and Urban Design to complete permit plans, to assist with bidding, and to provide support during construction. ELS served as the Architect for the City during entitlement and permit processes.

On December 21, 2021, as stated in Resolution No. C-2021-106, the City Council:

- 1) Approved the filing of the project application for the State grant funds; and
- 2) Certified that said applicant has or will have available, prior to commencement of any work on the project included in this application, including the funds provided by this grant, sufficient funds to complete the project; and
- 3) Certified that the applicant has or will have sufficient funds to operate and maintain the project; and
- 4) Certified that the City has reviewed, understood, and agreed to the General Provisions contained in the contract stated in the Procedural Guide, which was presented on December 21, 2021; and
- 5) Delegated the authority to the City Manager to designee, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope; and
- 6) Agreed to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

On January 26, 2022, the City initiated circulation of a request for public bids for the John L. Carter Park capital project.

DISCUSSION:

The City received seven (7) bids before the scheduled bid opening time and date of 2:00 PM on Thursday, March 17, 2022. The engineer’s estimate and submitted bids are summarized as follows:

| Bidder | Total |
|---|--------------------|
| Engineer’s Estimate | \$4,807,000 |
| Wickman Development and Construction | \$4,971,000 |
| S.J. Amoroso Construction Co., LLC | \$5,137,000 |
| Azul Works, Inc. | \$5,195,500 |
| S&H Construction | \$5,498,600 |
| Bothman Construction | \$6,182,645 |
| Patriot Contracting, Inc. | \$6,972,000 |
| Minerva Construction, Inc. | \$8,820,000 |

The Wickman Development and Construction bid was initially deemed by the City to be the lowest responsible bid. The bid was reviewed by staff and City consultants and deemed formally to be the lowest responsible bid in accordance with City and State public bid requirements. References have been checked as well. The bid was approximately 3.41% above the Engineer's Cost Estimate and well within City expectations given the volatility of the construction marketplace. Additional services, such as Biological and Environmental Services, Geotechnical Services, and construction contingences will also be needed throughout construction and are subject to separate City Professional Services Agreements. Due to the necessary improvements for Carter Park and services required for construction, an additional \$700,000 is being requested as part of tonight's action.

Three items were purposefully excluded from the bid documents and are thus, not part of the Wickman Development and Construction contract. These items are the audio/visual system, children's play structures and the main entry sign at Main Street due to budget constraints. City Staff will be reaching out to the Friends of Half Moon Bay Parks and Recreation, Mariners Church, Half Moon Bay Shakespeare Company and other parties who may be willing to assist in fundraising for the remaining improvements. Entry signage was left as a distinct item due to the unknown aspects of fundraising and sponsorship/naming interest. The sign is subject to a separate design review process through the Community Development Department. Following design review and approvals of the entry the of sign, Staff will return to augment the budget. Relative to the remaining items, staff will keep the City Council apprised of fundraising efforts. Staff may eventually return to City Council seeking additional General Funds to complete one or all of the remaining improvements should fundraising prove inadequate. We are hopeful that a portion of the contingency funds will be available to augment.

Wickman Development and Construction was deemed the lowest responsive and responsible bidder. City Staff has reviewed their bid and determined that their bid is acceptable and free from significant material discrepancies. City Staff recommends City Council to authorize the City Manager to:

- 1) Authorize the Administrative Services Director to transfer \$700,000 in General Fund to Capital Improvements Project No. 0611 John L. Carter Park Improvements (Project); and
- 2) Award and execute a construction contract to the lowest responsive and responsible bidder, Wickman Development and Construction of San Francisco, CA, in the bid amount of \$4,971,000 and approve a construction contingency in an amount of \$745,650 (approximately 15 percent of the contract amount) for potential change orders; and
- 3) Execute a professional services agreement with SWCA, Inc. for Biological and Environmental Services in the amount of \$35,079; and
- 4) Execute a professional services agreement with Bay Area Geotechnical Group (BAGG) for Material Testing and Special Inspection services in the amount of \$115,415.

ATTACHMENTS:

1. Resolution to authorize the City Manager to authorize the Administrative Services to transfer \$700,000 in General Fund to Carter Park Improvements Project (CIP Project No. 0611), and to award the construction contract to Wickman Development and Construction in the bid amount of \$4,971,000 and approve a construction contingency in an amount of \$745,650.
2. Resolution to authorize the City Manager to execute a Professional Services Agreement with SWCA, Inc. for Biological and Environmental Services in the amount of \$35,079.
3. Resolution to authorize the City Manager to execute a Professional Services Agreement with Bay Area Geotechnical Group (BAGG) for Material Testing and Special Inspection services in the amount of \$115,415.
4. Capital Improvement Project Page