



Office of the City Manager

CONSENT CALENDAR
July 13, 2021

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront

Subject: Contract No. 32000274 Amendment: Suarez and Munoz Construction, Inc. for San Pablo Park Playground and Tennis Court Renovation Project

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000274 with Suarez and Munoz Construction, Inc. for the San Pablo Park Playground and Tennis Court Renovation Project, increasing the amount by \$60,000 for an amended total amount not to exceed \$2,154,056.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this contract amendment is available in the FY 2022 budget in the Parks Tax Fund (Fund 138) (138-52-545-000-0000-000-461-663110-PRWT119009). No other funding is required, and no other projects will be delayed due to this expenditure.

CURRENT SITUATION AND ITS EFFECTS

The contract with Suarez and Munoz Construction, Inc. for the San Pablo Park Playground and Tennis Court Renovation Project, was approved on May 12, 2020 for a total amount not to exceed \$1,969,056. During construction, unforeseen existing conditions required that additional work be performed. Additionally, the City's parks maintenance staff identified additional deferred maintenance repairs and necessary replacements. Lastly, a defect was discovered in one of the new play elements and the City is working with the equipment manufacturer to replace and correct the installation. The City has negotiated these change orders with Suarez and Munoz Construction, Inc. This work was not included in the original contract scope, but is necessary to maintain accessibility and safe conditions at the City's parks, and improves the finish of the completed project.

BACKGROUND

The project includes removal and disposal of the existing degraded age 2-5 and 5-12 playgrounds and the installation of two new play areas in the existing locations. In addition to new play structures, accessible surfacing will be installed throughout both play areas to enhance the safety and access for park users. The project also includes resurfacing of the tennis courts, renovating the existing chain link fence including

replacement of the fence fabric for the tennis courts, installing site furnishings including net assembly, bleachers, benches, drinking fountains, and bleachers, and related site work to improve pedestrian and ADA access in conformance with current ADA standards. These park improvements are part of the City's ongoing program to repair, renovate, and improve safety and accessibility at non-compliant or aging Parks facilities.

The project was advertised for bids on March 20, 2020, and bids were opened on April 16, 2020. The City received 4 bids, from a low base bid of \$1,729,351 to a high base bid of \$2,437,785. Suarez & Munoz Construction, Inc. ("SMC") was the lowest responsive and responsible bidder. Staff conducted references checks and received satisfactory feedback.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

The construction contract includes requirements to comply with the City's Environmentally Preferable Purchasing Policy. The project is a renovation of a developed urban site and therefore will not negatively affect natural habitat.

CLIMATE IMPACTS

There are no identifiable environmental effects, climate impacts, or sustainability opportunities associated with the subject of this report.

RATIONALE FOR RECOMMENDATION

The City and Suarez and Munoz Construction, Inc. are negotiating a price within the City's budget for renovations and safety improvements. This increase to the contract is necessary to perform additional deferred maintenance repairs, safety enhancements, and to complete current change orders. The City does not have the in-house labor or equipment resources to complete these construction activities.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

Scott Ferris, Director, Parks Recreation & Waterfront, (510) 981-6700
Wendy Wellbrock, Associate Civil Engineer, PRW, (510) 981-6346

Attachments:

1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT NO. 32000274 AMENDMENT: SUAREZ AND MUNOZ CONSTRUCTION, INC. FOR THE SAN PABLO PARK PLAYGROUND AND TENNIS COURT RENOVATION PROJECT

WHEREAS, San Pablo Park, Playgrounds and Tennis Courts are in need of renovation; and

WHEREAS, the City has neither the labor nor the equipment necessary to undertake this construction work; and

WHEREAS, an invitation for bids was duly advertised on March 20, 2020, and bids were opened on April 16, 2020, and the City received 4 bids;

WHEREAS, Suarez & Munoz Construction, Inc. was the lowest responsive and responsible bidder, and references for Suarez & Munoz Construction, Inc. were provided and checked out satisfactorily; and

WHEREAS, on May 12, 2020, by Resolution No. 69,390-N.S., the City Council authorized Contract No. 32000274 with Suarez and Munoz Construction, Inc. in an amount not to exceed \$1,969,056 for the San Pablo Park Playground and Tennis Court Renovation Project; and

WHEREAS, on April 20, 2021, by Resolution No. 69,799-N.S., the City Council authorized an amendment to Contract No. 32000274, increasing the amount by \$125,000 for an amended contract amount not to exceed \$2,094,056; and

WHEREAS, an increase of \$60,000 to the amended not to exceed contract amount is necessary to make repairs and complete change orders; and

WHEREAS, funds are available in the FY 2022 budget in the Parks Tax Fund (Fund 138).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32000274 with Suarez and Munoz Construction, Inc. for the San Pablo Park Playground and Tennis Court Renovation Project, increasing the contract amount by \$60,000, for a total amended amount not to exceed \$2,154,056. A record signature copy of any amendments to be on file in the Office of the City Clerk.

