



Office of the City Manager

CONSENT CALENDAR
November 27, 2018

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. 10976 Amendment: Bay Construction Company for Strawberry Creek Park (South) Sport Court Renovations

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend Contract No. 10976 with Bay Construction Company for the Strawberry Creek Park (South) Sport Court Renovations project, increasing the amount by \$45,000 for an amended total amount not to exceed \$591,000.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this contract amendment is available in the FY 2019 budget in the Parks Tax Fund (Fund 450). No other funding is required, and no other projects will be delayed due to this expenditure.

Original contract not-to-exceed (NTE) amount	\$546,000
Parks Tax Fund (Fund 450-5850-450.65-81)	\$45,000
Total construction cost	\$591,000

The Contract Management System number for this contract is CMS No. FE5B6.

CURRENT SITUATION AND ITS EFFECTS

The contract with Bay Construction Company for the Strawberry Creek Park (South) Sport Court Renovations project, was approved on July 10, 2018 for a total amount not to exceed \$546,000. During construction, unforeseen existing conditions required that additional work be performed. Additionally, the City’s parks maintenance staff identified additional deferred maintenance repairs or replacements needed. The City has negotiated these change orders with Bay Construction Company. This work was not included in the original contract scope, but is necessary to maintain accessibility and safe conditions at the City’s parks.

BACKGROUND

The project includes renovating the paving surface of the volleyball, tennis and soccer courts, improving pedestrian and ADA access including installation of an ADA accessible ramp, renovating the existing chain link fence including replacement of fence fabric for all three sport courts, installing site furnishings including net assembly for tennis and volleyball, bike racks, bench and removable bollards. 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 Thursday, May 3, 2018, and bids were opened on May 24, 2018. The City received 3 bids, from a low base bid of \$455,000 to a high base bid of \$548,800. Bay Construction Company was the lowest responsive and responsible bidder. Staff conducted references checks and received satisfactory feedback.

ENVIRONMENTAL SUSTAINABILITY

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.

RATIONALE FOR RECOMMENDATION

The City and Bay Construction Company have negotiated 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, 981-6700
Evelyn Chan, Supervising Civil Engineer, PRW, 981-6430
Wendy Wellbrock, Associate Civil Engineer, PRW, 981-6346

Attachments:
1: Resolution

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

CONTRACT NO. 10976 AMENDMENT: BAY CONSTRUCTION COMPANY FOR
STRAWBERRY CREEK PARK (SOUTH) SPORT COURT RENOVATIONS

WHEREAS, on July 10, 2018, by Resolution No. 68,504-N.S., the City Council authorized Contract No. 10976 with Bay Construction Company in an amount not to exceed \$546,000 for the Strawberry Creek Park (South) Sport Court Renovation project; and

WHEREAS, an increase of \$45,000 to the not-to-exceed contract amount is necessary to make deferred maintenance repairs and complete change orders; and

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

WHEREAS, funds are available in the FY 2019 budget in the Parks Tax Fund (Fund 450), and the contract amendment has been entered in the City's contract database as CMS No. FE5B6.

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. 10976 with Bay Construction Company for the Strawberry Creek Park (South) Sport Court Renovations project, increasing the contract amount by \$45,000, for a total amended amount not to exceed \$591,000. A record signature copy of said agreements and any amendments to be on file in the Office of the City Clerk.

