



## Staff Report

**TO:** City Council  
**FROM:** Doug Story, Community Services Director  
**DATE:** June 18, 2024  
**SUBJECT:** Approve a Public Works Agreement for the Construction of the Stewart Park Improvements and Authorize Staff to Issue a Purchase Order in an Amount not to Exceed \$11,464,148

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**Description** Award a Public Works Agreement to Act 1 Construction, Inc. for construction services for Stewart Park Improvements Phase 1 - Capital Improvement Project (CIP) No. P-10.

### **Background and Analysis:**

On April 5, 2022, a Professional Services Agreement was executed with PlaceWorks Inc. to provide landscape, architecture, and design services, as well as the construction documents for the Stewart Park Improvement Project.

On November 1, 2022, PlaceWorks presented two preliminary design alternatives “Celebrating Beaumont” and “Peaks and Creeks”, and direction was given to pursue construction documents.

In April 2023, 30% Design Plans were submitted followed by 60% Design Plans in September of 2023. The 60% construction plans, in addition to recent bid results for similar projects, allowed the design team to prepare an accurate cost estimate and the option was given to pursue a phased approach to the design. This phased approach allowed staff to recommend a construction schedule that would be divided as follows:

### **Phase 1 –**

- Large Playground
- Splash Pad and Restroom
- Entry Plazas
- Some Accessible Pathways (roughly 60%)
- New Turf, Sod, Plants, Trees
- All of the demolition and site clearing would be included in Phase 1, as well as the utility improvements for electrical and water
- Grading around the basin and throughout Phase 1 of the park

## **Phase 2 –**

- Small Playground
- Basketball/Pickleball Courts
- Stage
- Group Picnic Shelters
- Skate Park Improvements
- Tiled Entry Plazas
- Remaining Accessible Pathways
- Additional Demolition and Grading
- Additional Trees, Turf, Irrigation, and Plants

Staff successfully submitted a grant application for Stewart Park Phase 2 and the project has been selected to move onto the next round of competition for the Outdoor Recreation Legacy Program (ORLP) federal grant. Currently, \$3.1 million in matching funds is allocated to Phase 2. Our request for an additional \$3.1 million dollars in federal funding will be announced later this year.

On April 5, 2024, staff posted a Request for Bids (RFB) for construction of the Stewart Park Improvements. A mandatory Pre-Bid Meeting was held on April 17, 2024, and there were nine contractors in attendance. The scope of work for this project includes:

- Mobilization, Demolition and Erosion Control
- Grading and Storm Drainage Utilities
- Playground Equipment and Site Furnishings
- Splash Pad, Pump Station and Restroom
- Paving, wood decking and concrete
- Irrigation System
- Street Improvements
- New Landscape
- Hydroseeding
- New Electrical and Lighting

Sealed bids were opened on May 17, 2024, and four (4) responses were received.

### **Bids Received (Base Bid):**

1. Act 1 Construction Inc. - \$11,369,148
2. Urban Habitat – \$12,981,000
3. Kasa Construction - \$13,815,000
4. PCN3 Inc. - \$14,979,000

The RFB also requested additional bid alternatives for the phased approach of construction. Bid alternative 1 was for the construction of Phase 2, bid alternative 2 includes additional landscaping that may be needed to offset vacant space left in the park for amenities waiting for phase 2 construction ensuring no dirt pads exist in the park at the completion of phase 1, and bid alternative 3 was the skate park. Below is a summary of all bids received.

**Total Bid Amounts:**

<b>DESCRIPTION</b>	<b>Act 1</b>	<b>Urban Habitat</b>	<b>KASA</b>	<b>PCN3</b>
TOTAL BASE BID PRICE	\$ 11,369,148.00	\$ 12,981,000.00	\$ 13,815,000.00	\$ 14,979,000.00
TOTAL BID ALT 1	\$ 5,216,030.00	\$ 4,047,000.00	\$ 6,835,000.00	\$ 6,785,000.00
TOTAL BID ALT 2	\$ 95,000.00	\$ 43,000.00	\$ 60,000.00	\$ 250,000.00
TOTAL BID ALT 3	\$ 328,600.00	\$ 325,000.00	\$ 335,000.00	\$ 440,000.00

Staff reviewed all responses and recommends that the City Council award a Public Works Agreement to Act 1 Construction Inc. in the amount of \$11,464,148. This amount includes the Bid Alternative 2 amount of \$95,000. The scope and agreement include a deadline to complete the project within 335 days.

**Fiscal Impact:**

As proposed in Amendment No. 5 of the Capital Improvement Plan (CIP) for Fiscal Year 2023-2027, there is \$12,610,562 allocated to the construction of Stewart Park Phase 1 Improvements. Included in this amount is the cost needed for construction, and a 10% construction contingency.

<b>P-10 Stewart Park Improvement Project Accounting Summary</b>		
<b>Funding Summary</b>		
<b>Funding Year</b>	<b>Funding Source</b>	<b>Amount</b>
20/21	CFD	\$2,250,000
20/21	GENERAL FUND	\$4,750,000
22/23	Community Park DIF	\$2,524,853
23/24	Community Park DIF	\$1,082,000
23/24	CFD	\$969,155
23/24	GENERAL FUND	\$2,000,000

<b>Total Project Funding = \$13,576,008</b>				
<b>Budget Summary</b>				
<b>Project Component</b>	<b>Budget</b>	<b>Encumbered</b>	<b>Paid to Date</b>	<b>Remaining Budget</b>
Project Management	\$0	\$0	\$0	\$0
Preliminary Services	\$6,415	(\$6,415)	(\$4,515)	\$0
Environmental	\$0	\$0	\$0	\$0
Design	\$697,886	(\$697,886)	(\$658,187)	\$0
Construction	\$12,610,562	\$0	\$0	\$12,610,562
Construction Management	\$254,237	\$0	\$0	\$254,237
Permits	\$1,459	(\$1,459)	(\$1,459)	\$0
Equipment	\$5,449	(\$5,449)	(\$5,449)	\$0
<b>Project Summary Totals</b>	<b>\$13,576,008</b>	<b>(\$711,209)</b>	<b>(\$669,610)</b>	<b>\$12,864,799</b>

On tonight's agenda is CIP Amendment No. 5 which re-appropriated funds from various sources to add to the necessary funds to begin construction of Stewart Park's Phase 1 Improvements.

The cost to prepare this staff report is estimated to be \$480.

**Recommended Action:**

Authorize the Mayor to execute a Public Works Agreement with Act 1 Construction, Inc. for the Construction of the Stewart Park Improvement Project Phase 1, and

Authorize Staff to Issue a Purchase Order in an Amount not to Exceed \$11,464,148, and

Authorize the City Manager to approve any contingencies in an amount not to exceed \$1,146,414.

**Attachments:**

- A. Act 1 Construction, Inc. Bid
- B. Public Works Agreement
- C. Levine Act Statement