TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER

DEPARTMENT: PUBLIC WORKS

DATE: JULY 9, 2007

CMR:285:07

SUBJECT: APPROVAL AND ADOPTION OF A PARK IMPROVEMENT ORDINANCE FOR LANDSCAPE MAINTENANCE IMPROVEMENTS AT DON JESUS RAMOS PARK, AND APPROVAL OF A CONTRACT WITH PACHECO BROTHERS GARDENING, INCORPORATED IN THE AMOUNT OF $418,900 FOR CONSTRUCTION OF DON JESUS RAMOS PARK IMPROVEMENTS - CAPITAL IMPROVEMENT PROGRAM PROJECT PE-07003

RECOMMENDATION

Staff recommends that Council:

1. Approve and adopt the attached Park Improvement Ordinance (Attachment A) authorizing substantial landscape maintenance improvements at Don Jesus Ramos Park (Ramos Park).

2. Approve and authorize the City Manager or his designee to execute the attached contract (Attachment B) with Pacheco Brothers Gardening, Incorporated in the amount of $418,900 for construction of the Ramos Park Improvements - Capital Improvement Program (CIP) Project PE-07003; and

3. Authorize the City Manager or his designee to negotiate and execute one or more change orders to the contract with Pacheco Brothers Gardening Incorporated for related, additional but unforeseen work that may develop during the project, the total value of which shall not exceed $42,000.

BACKGROUND

Ramos Park improvements were included in the Infrastructure Management Plan (IMP) approved by the City Council in 1998. Funding for improvements to Ramos Park was included in the 2006-07 Adopted Capital Budget.

DISCUSSION

Ramos Park improvements will consist of removal and replacement in kind of all pathways, plazas and picnic areas including replacement of site furniture and paving surfaces; replacement
of all irrigation system components; replacement of play area safety surfacing; replacement of benches, trash receptacles and signage; re-striping of an existing basketball court, and miscellaneous accessibility upgrades to bring the park into full conformance with the Americans with Disabilities Act (ADA). The project will include one add alternate bid item, which calls for the installation of a new drinking fountain and its associated backflow prevention unit. A Park Improvement Ordinance summarizing the improvement plan is attached. (Attachment A).

**Bid Process**

A notice inviting formal bids for the Ramos Park Improvements Project was posted at City Hall on May 1, 2007 and sent to 10 builder’s exchanges and 15 general contractors. The bidding period was extended from 28 to 35 days to accommodate the Memorial Day holiday, and bids were received from 6 qualified contractors on June 5, 2007 (see Attachment C for a summary of all bids received on the project). Base bids ranged from a low of $414,400 to a high of $574,353.

The low bid is 12% percent below the engineer's estimate of $469,245. Based on funds available for the project, staff recommends awarding the add alternate bid item in the amount of $4,500 to Pacheco Brothers Gardening, Incorporated. The contingency amount of $42,000, which equals 10% percent of the total contract, is requested to resolve unforeseen problems and/or conflicts that may arise during the construction period.

### Summary of Bid Process

<table>
<thead>
<tr>
<th>Bid Name/Number</th>
<th>IFB # 121829 Ramos Park Improvements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Length of Project</td>
<td>90 days</td>
</tr>
<tr>
<td>No. of Bids Mailed to Contractors</td>
<td>15</td>
</tr>
<tr>
<td>No. of Bids Mailed to Builder’s Exchanges</td>
<td>10</td>
</tr>
<tr>
<td>Total Days to Respond to Bid</td>
<td>35</td>
</tr>
<tr>
<td>Pre-Bid Meeting?</td>
<td>Yes</td>
</tr>
<tr>
<td>Number of Company Attendees at Pre-Bid</td>
<td>4</td>
</tr>
<tr>
<td>Number of Bids Received:</td>
<td>6</td>
</tr>
<tr>
<td>Bid Price Range</td>
<td>From a low of $414,400 to a high of $574,353</td>
</tr>
</tbody>
</table>

*Detailed bid summary provided in Attachment C.*

Staff has reviewed the bids submitted and recommends that the bid of $414,400, submitted by Pacheco Brothers Gardening, Incorporated be accepted and that it be declared the lowest responsible bidder. Staff checked references supplied by the contractor for previous work performed and found no significant complaints. Staff also checked with the Contractor's State License Board and found that the contractor has an active license on file. The required Certification of Nondiscrimination is included as Attachment D.

**RESOURCE IMPACT**

Funds for this project are included in the FY 2006-2007 Capital Improvement Program (CIP) budget PE-07003, Ramos Park Improvements.
POLICY IMPLICATIONS
The proposed Ramos Park Improvements project is consistent with existing City policy.

ENVIRONMENTAL REVIEW
This project is exempt as defined by the California Environmental Quality Act (CEQA).

ATTACHMENTS
Attachment A: Park Improvement Ordinance
Attachment B: Contract
Attachment C: Bid Summary
Attachment D: Certification of Nondiscrimination

PREPARED BY:                    ________________________________________
                                CHRIS RAFFERTY
                                Landscape Architect

DEPARTMENT HEAD:   ________________________________________
                                GLENN S. ROBERTS
                                Director of Public Works

CITY MANAGER APPROVAL: ________________________________________
                                EMILY HARRISON
                                Assistant City Manager