

Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Barry Ng
Angel Rios, Jr.

SUBJECT: 8469 – TAMIEN PARK
PHASE II PROJECT

DATE: November 6, 2017

Approved

D. D. Syl

Date

11/16/17

COUNCIL DISTRICT: 3

RECOMMENDATION

Adopt a resolution authorizing the Director of Public Works to:

- (a) Award a construction contract for the Tamien Park Phase II Project to the lowest responsive and responsible bidder in an amount not to exceed \$2,000,000 and to approve a five percent contingency in an amount not to exceed \$100,000; and
- (b) Decide any timely bid protest(s), make the City's final determination as to the lowest responsive bidder that is responsible, or reject all bids and re-bid the project.

OUTCOME

Adoption of these recommendations will enable the Director of Public Works to award the project, allowing staff to continue moving forward with design and construction of the Tamien Park Phase II Project in order to meet the grant reimbursement deadline.

BACKGROUND

Tamien Park, a 3.5-acre parcel of land located near the intersection of Lick Avenue and Goodyear Street, was acquired from the Santa Clara Valley Transportation Authority (VTA) in 2011. The Park Master Plan and CEQA documents were approved by Council on June 16, 2015.

The Tamien Park Phase I work included demolition, earthwork, export of contaminated soil (includes heavy metals, arsenic, thallium, petroleum hydrocarbons, etc.), grading, site drainage, installation of a parking lot, basketball court, a multi-use court for volleyball/badminton, a table game area, playground area, picnic area, sidewalk, fencing, entry pilasters, signage, sound wall, seat walls, site furnishings, electrical work, irrigation, plantings, and a restroom building. Phase I construction was completed and opened to the public on June 16, 2017.

Phase II will include a natural turf youth soccer field, an exercise equipment area, a jogging track, an outdoor stage, a small group picnic area and other miscellaneous park facilities.

In November of 2016, the City and the Santa Clara Valley Transportation Authority (VTA) agreed to final compensation terms for the southern half of the park site (Phase II Property) under the Purchase and Sale and Escrow Instructions dated June 15, 2011 (PSA) and the First Amendment to the PSA approved in June of 2016, by both parties. The amended agreement with VTA removed the no-development clause in the PSA regarding the Phase II Property.

ANALYSIS

The City was awarded a \$2.2 million grant from the State's 2014 Housing Related Parks Program, which funded the Phase I park construction. Additional funding of \$805,992 was awarded under the same grant program a year later in 2015. The remaining grant funds are to be reimbursed by June 30, 2018, which means that \$805,992 of acceptable construction invoices must be submitted to the State prior to April 30, 2018.

The reason for expediting the construction contract award process is to meet the 2018 grant reimbursement deadline. This memorandum is therefore requesting authorization for the Director of Public Works to award the construction contract to the lowest responsible bidder in an amount not to exceed \$2,000,000, and to resolve any timely bid protest(s), or reject all bids and re-bid the Tamien Phase II Project. The current Engineer's Estimate for Phase II is \$1,650,000.

This memorandum is also requesting authority for a 5 percent construction contingency for unanticipated change orders associated with this project in an amount not to exceed \$100,000. This is a standard contingency amount for park projects.

The 2017-2018 adopted project budget is \$2.5 million in the CIP for the Tamien Phase II Project.

EVALUATION AND FOLLOW UP

No follow up action is anticipated at this time.

PUBLIC OUTREACH

This memorandum will be posted on the City's website for the November 28, 2017, City Council Agenda.

COORDINATION

This memorandum has been coordinated with the Planning, Building and Code Enforcement Department and the City Attorney's Office.

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

COST SUMMARY/IMPLICATIONS

1. **AMOUNT OF RECOMMENDATION/COST OF PROJECT:**

Project Delivery	\$400,000
Construction	2,000,000
Contingency	100,000
Total Project Costs	\$2,500,000
Current Year's Expenditures/Encumbrances*	(\$136,142)
TOTAL REMAINING PROJECT COSTS	\$2,363,858

*No expenditure occurred prior to July 1, 2017.

2. **COST ELEMENT OF AGREEMENT/CONTRACT:**

Mobilization/Site Preparation/Demolition	\$120,000	\$250,000
Grading/Drainage	\$140,000	\$150,000
Electrical/Utilities	\$40,000	\$120,000
Hardscape	\$420,000	\$400,000
Walls/Pilasters	\$150,000	\$200,000
Landscape/Irrigation	\$335,000	\$350,000
Site Furnishings/Exercise Station	\$405,000	\$450,000
SWPPP/Emergency SWPPP	\$40,000	\$80,000
PROJECT CONSTRUCTION COST	\$1,650,000	\$2,000,000

3. **SOURCE OF FUNDING:**

375 – Subdivision Park Trust Fund

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BUDGET REFERENCE

The table below identifies the fund and appropriations for the development, design, and construction of the Tamien Park Phase II Project, as recommended in this memorandum.

Fund #	Appn. #	Appropriation Name	Total Appn.	Amount. For Contract	2017-2018 Adopted Capital Budget Page	Last Budget Action (Date, Ord. No.)
375	404W	Tamien Park Development (Phase II)	\$2,500,000	\$2,000,000	703	6/20/17, 29962

CEQA

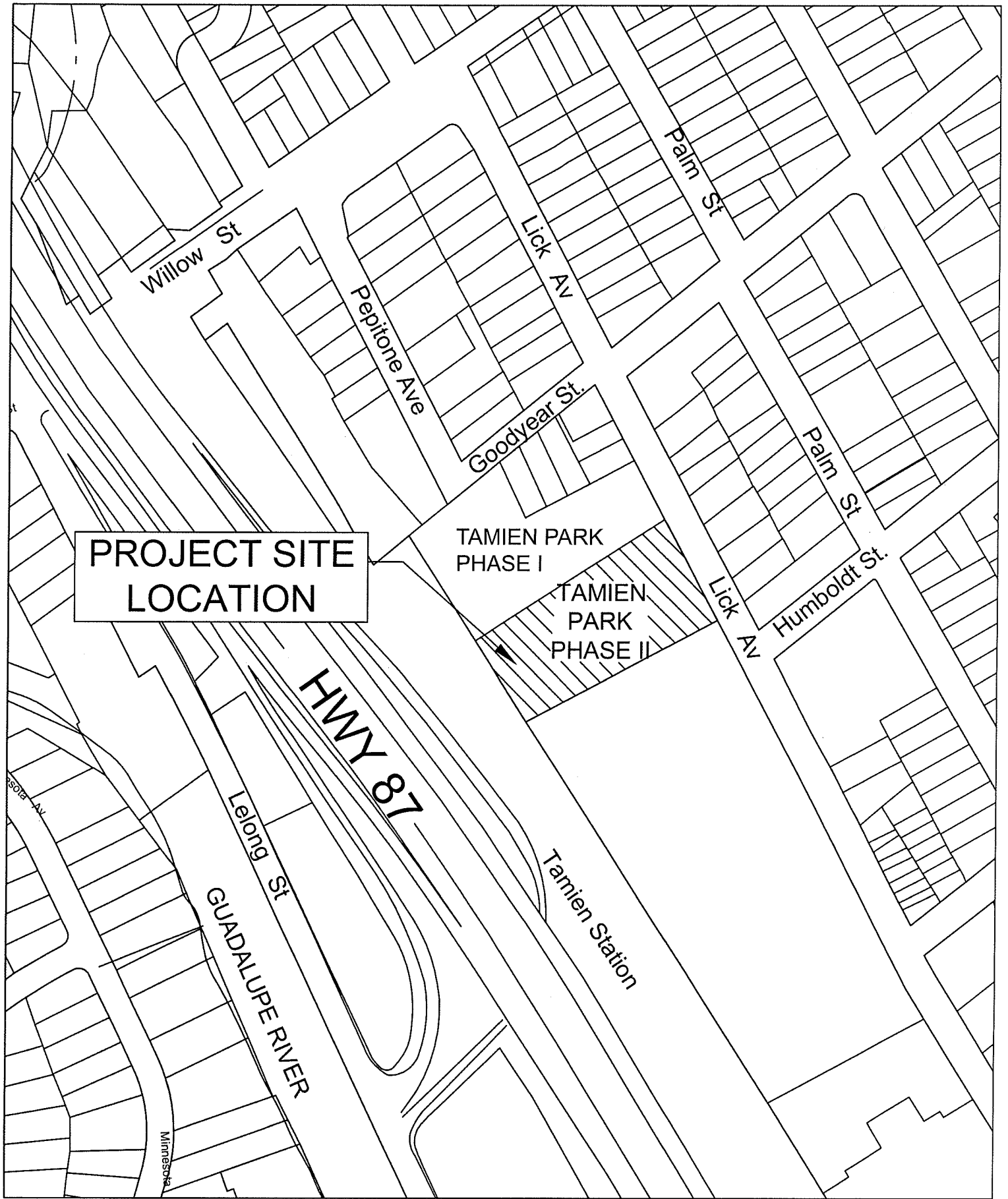
Mitigated Negative Declaration for Tamien Park Master Plan (Resolution No. 77407), File No. PP14-057.

/s/
BARRY NG
Director, Public Works

/s/
ANGEL RIOS, JR.
Director, Parks Recreation and
Neighborhood Services

For questions please contact Michael O'Connell, Deputy Director, at (408) 975-7333.

Attachment: Tamien Park Location Map



TAMIEN PARK - PHASE II LOCATION MAP

NOT TO SCALE

