



**CITY OF MARTINEZ**

**CITY COUNCIL AGENDA**

**April 1, 2015**

**TO:** Mayor and City Council  
**FROM:** Tim Tucker, City Engineer  
**SUBJECT:** Susana Park and Mountain View Park Project No. C5025  
**DATE:** March 27, 2015

**RECOMMENDATION:**

Motion to adopt the following resolutions related to the Susana Park and Mountain View Park Project:

- A. Resolution accepting bids for the Susana Park and Mountain View Park Renovation Project and awarding the construction contract to Suarez & Munoz Construction Inc. of Hayward in the amount of \$1,225,438.50 and allocating \$550,000 of Measure H funds, \$50,000 of Park Dedication funds and \$220,000 of Gas Tax funds to Account No. C5025.
- B. Resolution rejecting all bids for the Susana Park and Mountain View Park Restroom ADA Improvements Project and declaring that the project can be performed more economically by hourly labor, or the materials or supplies can be furnished at a lower price in the open market.
- C. Resolution authorizing the City Manager to execute an amendment to the consultant services agreement with Kluber and Associates, Inc. for an additional \$42,930 to provide construction phase services.

**BACKGROUND:**

The Susana Park and Mountain View Park Project includes the demolition and construction of new improvements at both parks.. Improvements at Susana Park include: replacing the walking paths, sidewalks, curb and gutter, curb ramps, storm drainage, installing new park furniture, lighting, fencing, railings, paving, signing, striping, irrigation and landscaping. Improvements at Mountain View Park include: replacing curb ramps, play equipment, picnic areas, installing new park furniture, fencing, railings, resurfacing of the parking lots, paving, signing, striping, irrigation and landscaping.

The restroom ADA improvements at both parks include: replacing lavatories, urinals, toilets, partitions, doors, signs, drinking fountains, dispensers, installing hand dryers, adjusting the counter height in the concession room and painting the interior and exterior of the restroom buildings.

DISCUSSION:

Construction bids from four general engineering contractors were opened for the renovation project at 2:00 p.m. on Thursday, March 19, 2015. The bids ranged from \$1,225,438.50 to \$1,614,856.86. The engineer's estimate was \$1,100,000. The following is a summary of the bid results:

<b><u>Bidder</u></b>	<b><u>Amount</u></b>
Engineer's Estimate	\$1,100,000.00
Suarez & Munoz Construction, Inc.	\$1,225,438.50
McGuire and Hester	\$1,356,800.00
Hess Construction, Inc.	\$1,397,707.75
Anvil Builders	\$1,614,856.86

Suarez & Munoz Construction, Inc. is properly licensed and has successfully completed similar work for several other Bay Area agencies, including the recently completed Hidden Valley, Nancy Boyd and Cappy Ricks Park Renovation project for the city. Staff has conducted reference checks and have received favorable responses.

Kluber and Associates, Inc. prepared the plans and specifications for the project. Staff proposes that the City's agreement with Kluber and Associates, Inc. be amended to include construction phase support services in the amount of \$42,930. The majority of the construction phase support services involve staking, form checking and other project-related activities.

Construction bids from two building contractors were opened for the restroom ADA project at 2:00 p.m. on Wednesday, March 25, 2015. The bids were \$59,300 and \$81,460. The low bid was over 30% higher than the engineer's estimate of \$45,000. Staff is recommending that, in accordance with Public Contract Code Section 20166, the bids are rejected. Engineering staff has reviewed the project scope of work with the City's maintenance and the construction management staff; and has also verified the cost of materials with suppliers. Based on this review, staff is recommending that, in accordance with Public Contract Code Section 20167, after rejecting the bids, Council pass a resolution by a four-fifths vote declaring that the project can be performed more economically by hourly labor, or the materials or supplies furnished at a lower price in the open market.

The following is a summary of the bid results:

<b><u>Bidder</u></b>	<b><u>Amount</u></b>
Engineer's Estimate	\$45,000
Green Tech Industry, Inc.	\$59,300
Suarez & Munoz Construction, Inc.	\$81,460

**FISCAL IMPACT:**

The project is budgeted under Account Nos. C5025. The project was initially funded through the adoption of the 2013-14 and 2014-15 Biennial Budget with \$600,000 of Measure H funds. In addition, the developer of the Paseos residential project across the street from Mountain View Park has contributed \$200,000 for improvements at the park. However, the project is currently only partially funded. Additional funds in an amount of \$820,000 are required to fully fund the construction phase of the project. Staff proposes to allocate \$550,000 of Measure H Funds, \$50,000 of Park in Lieu funds, and \$220,000 of Gas Tax funds to this project. The Gas Tax funds are specifically for the frontage improvements, including the curb, gutter, sidewalk, ramps, paving, drainage, signing and striping, primarily at Susana Park. The project budget and funding is as follows:

<b><u>Budget</u></b>	<b><u>Amount</u></b>
Design/Administration/Environmental	\$150,000
Construction contract (park)	\$1,225,439
Construction (restroom)	\$40,000
Contingency (10% +/-)	\$124,561
Const. Support (staking, and materials testing)	\$50,000
Construction Management/Inspection	\$30,000
<b>TOTAL BUDGET</b>	<b>\$1,620,000</b>
<b><u>Funding</u></b>	<b><u>Amount</u></b>
Measure H funds – current funding	\$600,000
Development Impact Funds – current funding	\$200,000
Total current funding	\$800,000
Gas Tax Funds – <i>proposed allocation</i>	\$220,000
Park in Lieu Funds – <i>proposed allocation</i>	\$50,000
Measure H funds – <i>proposed allocation</i>	\$550,000
Total proposed allocations	\$820,000
<b>TOTAL FUNDING</b>	<b>\$1,620,000</b>

**ACTION:**

Motion to adopt:

- A. Resolution accepting bids for the Susana Park and Mountain View Park Renovation Project and awarding the construction contract to Suarez & Munoz Construction Inc. of Hayward in the amount of \$1,225,438.50 and allocating \$550,000 of Measure H funds, \$50,000 of Park in Lieu funds and \$220,000 of Gas Tax funds to Account No. C5025.
  
- B. Resolution rejecting all bids for the Susana Park and Mountain View Park Restroom ADA Improvements Project and declaring that the project can be performed more economically by hourly labor, or the materials or supplies can be furnished at a lower price in the open market.

- C. Authorizing the City Manager to execute an amendment to the consultant services agreement with Kluber and Associates, Inc. for an additional \$42,930 to provide construction phase services.

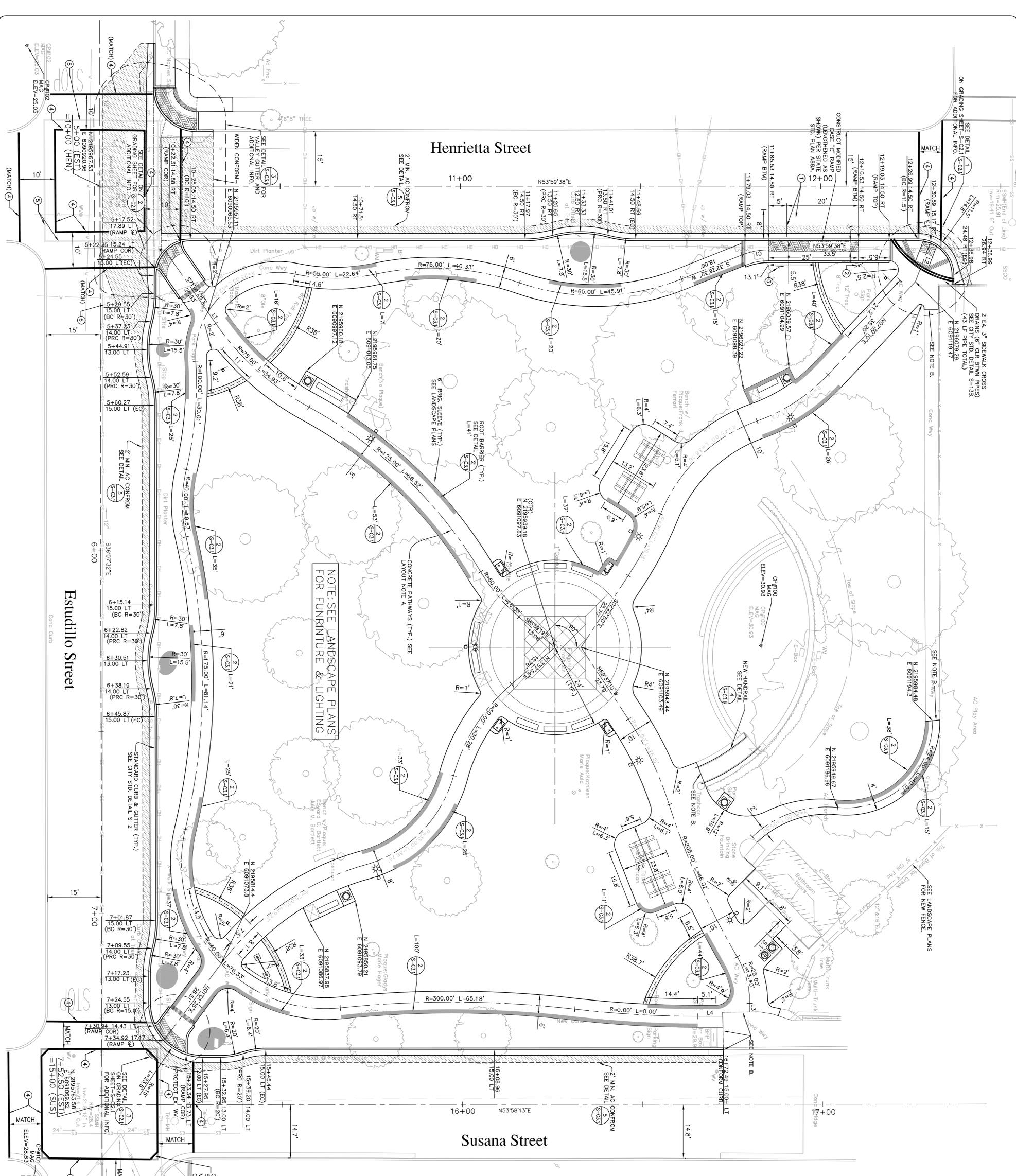
Attachments:

1. Site Plans
2. Resolutions
3. Amendment No. 2

**APPROVED BY:**

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

Acting City Manager



**NOTE: SEE LANDSCAPE PLANS FOR FURNITURE & LIGHTING**

1. INSTALL STATE STANDARD R100B (CA) SIGN IN CONSPICUOUS PLACE AS DIRECTED. CONTRACTOR SHALL COORDINATE WITH CITY TO OBTAIN ADDRESS AND PHONE NUMBER PRIOR TO ORDERING SIGN.
2. RESTRICT ALL CROSSINGS AS NECESSARY TO PROJECT LIMITS. AS SHOWN, AS SHALL BE BEYOND ON STRIPES. OTHER CROSSINGS SHALL BE BEYOND ON STRIPES. SEE STATE STD PLAN RSP 424F.
3. REMOVE EXISTING PROGRESSIVE STRIPES WHICH CONFLICT WITH NEW STRIPES AT INTERSECTION. SEE ESTUDILLO INTERSECTION.
4. RE-PAINT STOP WORKING AT ESTUDILLO STREET. SEE STATE STD PLAN RSP 424D.

1. PAINT NEW SIGN MARKING ACCESSIBLE STRIPES, AND NO PARKING ZONES PER STATE STANDARD PLAN 408B, AND MODIFIED AS FOLLOWS: ALL STRIPES SHALL BE BLUE, AND WORDS SHALL BE WHITE PAINT. PAINT TOP AND FACE OF CURBS BORDERING THE ACCESSIBLE STRIPES.
2. INSTALL STATE STANDARD R99C (CA) SIGN PARKING SIGNS ON METAL POST AT EACH NEW ACCESSIBLE STALL. SEE STATE AND SIGN DETAILS SIGN POSTS SHALL BE INSTALLED PER CITY STANDARD PLAN R 11 (WOOD POSTS SHALL NOT BE USED).

1. SEE DETAIL (S-C21) FOR THICKNESS AND CONSTRUCTION DETAILS FOR CONCRETE PATHWAYS.
2. SMOOTH MATCH EX. CONCRETE CURB, CUTTER AND/OR WALK AT INTERSECTION, JOINT, OR AS DIRECTED DOWN TO EX. PER CITY STANDARD PLAN 54.

1. BENCHMARKS BASED ON ELEVATIONS. ELEVATIONS ARE BASED ON THE NGVD 83 DATUM. THE BENCHMARK IS A CONCRETE BENCH MARK LOCATED IN A PVC PIPE WELL WITH METAL ID LOCATED WEST OF THE MARTINEZ MARINA NORTHWEST CORNER OF SAID PARKING LOT AND 6 FEET WEST OF THE FACE OF CURB. ELEVATION HELD AT 1.68 FEET. MARKERS OR CROSS MARKS SHALL BE LOCATED AT EACH BENCHMARK. LOC OF #100 (SEE ABOVE FOR DESCRIPTION). ELEVATION HELD AS 99.93 FEET (MAD 88) ESTABLISHED BY GENS.

PI#	NORTHING	EASTING	DESCRIPTION
100	219973.18	609143.63	MAG. MAIL IN CONC. AT CENTER STAGE
101	219726.81	609107.08	MAG. MAIL IN CONC. AT SOUTHWESTERLY INTERSECTION OF ESTUDILLO & SUSANA
102	219596.95	609081.85	MAG. MAIL IN CONC. AT SOUTHWESTERLY INTERSECTION OF HENRIETTA & SUSANA

LINE	BEARING	LENGTH
L1	N17°01'00"W	3.78'
L2	N4°53'18"W	11.92'
L3	S35°00'00"E	2.40'
L4	N54°00'23"E	6.94'

CURVE	RADIUS	LENGTH	DELTA
C1	20.00'	7.52'	213.30°

DATE	BY	DESCRIPTION
02/09/15	MLC	ISSUED FOR PERMITS

**CITY OF MARTINEZ**  
Measure H  
Susana Park  
LANDSCAPE IMPROVEMENT PLANS  
**CONSTRUCTION LAYOUT PLAN**

Leptien, Cronin, Cooper, Morris & Poore, Inc.  
dba LCC, Inc.  
Civil Engineering - Land Surveying  
330 Estudillo Street  
Martinez, California 94553-1620  
(925) 228-4218 Fax (925) 228-4638

**PROFESSIONAL SEAL**  
MARTINEZ, CALIFORNIA  
No. 69061  
L. CRONIN

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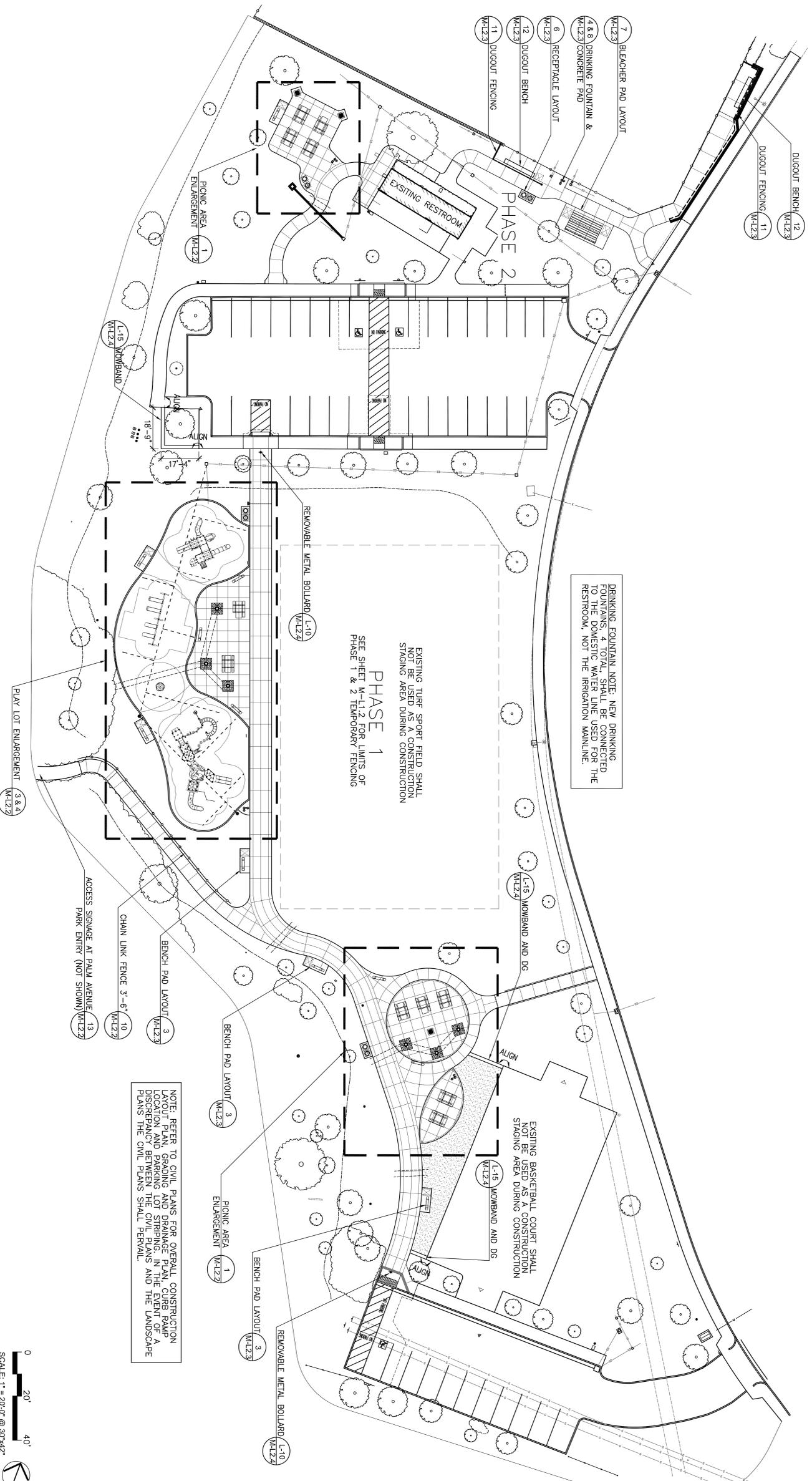
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# LANDSCAPE IMPROVEMENT PLAN



DRINKING FOUNTAIN NOTE: NEW DRINKING FOUNTAINS, 4 TOTAL, SHALL BE CONNECTED TO THE DOMESTIC WATER LINE USED FOR THE RESTROOM, NOT THE IRRIGATION MAINLINE.

EXISTING TURF SPORT FIELD SHALL NOT BE USED AS A CONSTRUCTION STAGING AREA DURING CONSTRUCTION  
**PHASE 1**  
 SEE SHEET M-L12 FOR LIMITS OF PHASE 1 & 2 TEMPORARY FENCING

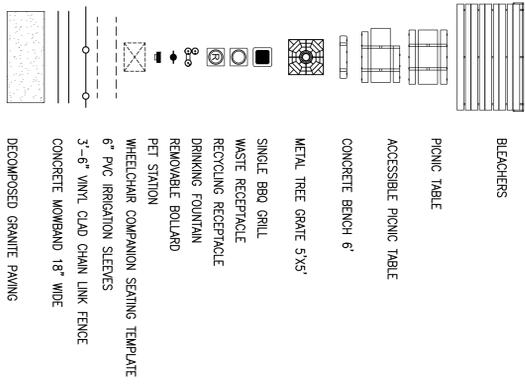
EXISTING BASKETBALL COURT SHALL NOT BE USED AS A CONSTRUCTION STAGING AREA DURING CONSTRUCTION

NOTE: REFER TO CIVIL PLANS FOR OVERALL CONSTRUCTION LAYOUT PLAN, GRADING AND DRAINAGE PLAN, CURB RAMP LOCATION AND STRIPING. IN THE EVENT OF A DISCREPANCY BETWEEN THE CIVIL PLANS AND THE LANDSCAPE PLANS THE CIVIL PLANS SHALL PREVAIL.

### LANDSCAPE IMPROVEMENT NOTES:

1. IN THE CASE OF A DISCREPANCY BETWEEN THE NOTES ON THIS SHEET AND THE PROJECT SPECIFICATIONS, THE PROJECT SPECIFICATIONS SHALL PREVAIL. COORDINATE WITH THE CITY ENGINEER AND/OR LANDSCAPE ARCHITECT FOR CLARIFICATION.
2. REFER TO CIVIL PLANS FOR GRADING CONSTRUCTION LAYOUT.
3. REFER TO SPECIFICATIONS FOR ADDITIONAL INFORMATION.
4. PROTECTION OF PERSONS AND PROPERTY: BARRICADE OPEN EXCAVATIONS OCCURRING AS PART OF THIS WORK AND POST WITH WARNING LIGHTS. PROTECT EXISTING STRUCTURES, UTILITIES, PAVEMENT FENCES, PLANTING, AND OTHER FACILITIES FROM DAMAGE CAUSED BY SETTLEMENT, LATERAL MOVEMENT, UNDERMINING, WASHOUT AND OTHER HAZARDS CREATED BY GRADING OPERATIONS.
5. EXCAVATIONS: ALL EXCAVATIONS SHALL BE MADE TRUE TO THE GRADES AND ELEVATIONS SHOWN ON THE CIVIL PLANS. THE EXCAVATED SURFACES SHALL BE PROPERLY GRADED TO PROVIDE GOOD DRAINAGE DURING CONSTRUCTION.
6. DEWATERING: PREVENT SURFACE WATER AND SUBSURFACE OR GROUND WATER FROM FLOWING INTO EXCAVATIONS OR TRENCHES AND FROM FLOODING PROJECT SITE AND SURROUNDING AREA. ESTABLISH TEMPORARY DRAINAGE DITCHES AS REQUIRED.
7. MATERIAL STORAGE: STOCKPILE SATISFACTORY EXCAVATED MATERIALS UNTIL REQUIRED FOR BACKFILL OR FILL. PLACE, GRADE AND SHAPE STOCKPILES FOR PROPER DRAINAGE AND TO PREVENT EROSION. COVER AS NECESSARY TO PREVENT DUST. STOCKPILED MATERIALS ARE NOT TO EXCEED SIX FEET (6') IN HEIGHT AND SHALL BE A MINIMUM OF FIFTY FEET (50') FROM ANY BASIN INLET.
8. GRADE CERTIFICATION: CONTRACTOR WILL OBTAIN GRADE CERTIFICATION FROM ENGINEER FOR ALL HARDCAPE IMPROVEMENTS PRIOR TO CONSTRUCTION/PLACEMENT OF HARD SURFACES.
9. SCARIFICATION: PRIOR TO FINISH GRADING, ALL LANDSCAPE AREAS SHALL BE RIPED AND SCARIFIED TO A MINIMUM TEN INCH (10") DEPTH IN FOUR DIRECTIONS, USING TRACK LAINS OR RUBBER TINED VEHICLES EQUIPPED WITH STAINABLE RIPPING TEETH SPACED NOT MORE THAN 15 INCHES (15") APART ACROSS THE FULL WIDTH OF THE WHEEL BASE.
10. MAINTENANCE: PROJECT NEWLY GRADED AREAS FROM TRAFFIC AND EROSION. KEEP FREE OF TRASH AND DEBRIS. REPAIR AND RE-ESTABLISH GRADES IN SETTLED, ERODED AND RUTTED AREAS. WHERE SETTLING IS MEASURABLE OR OBSERVABLE AT EXCAVATED AREAS DURING GENERAL PROJECT WARRANTY PERIOD, REMOVE SURFACE (PAVEMENT, LAWN OR OTHER FINISH), ADD BACKFILL MATERIAL, COMPACT AND REPLACE SURFACE TREATMENT.
11. RESTORE APPEARANCE, QUALITY AND CONDITION OF SURFACE OR FINISHES TO MATCH ADJACENT WORK AND ELIMINATE EVIDENCE OF RESTORATION TO GREATEST EXTENT POSSIBLE.
12. CLEANUP: THE CONTRACTOR SHALL DISPOSE OF UNACCEPTABLE SOIL AND EXCAVATED MATERIAL, TRASH AND DEBRIS OUTSIDE THE LIMITS OF THE PROPERTY IN A LEGAL MANNER AT NO ADDITIONAL COST TO THE OWNER. LOCATION OF DUMP AND LENGTH OF HAUL SHALL BE THE CONTRACTOR'S RESPONSIBILITY.
13. THE CITY SHALL BE RESPONSIBLE FOR LOCATING CONTROL POINTS AND BENCH MARKS. A CITY REPRESENTATIVE SHALL PROVIDE ONE SET OF CONSTRUCTION STAKES TO ESTABLISH LINES AND GRADES REQUIRED FOR THE LAYOUT AND EXECUTION OF THE WORK. ALL BENCH MARKS, MONUMENTS AND OTHER REFERENCE POINTS SHALL BE CAREFULLY MAINTAINED AND PROTECTED.

### LANDSCAPE IMPROVEMENTS LEGEND



CITY OF MARTINEZ  
 Measure H  
 Mountain View Park

## LANDSCAPE IMPROVEMENT SITE PLAN

**KLUBER + ASSOCIATES INC**  
 819 MARINA VISTA MARTINEZ CALIFORNIA 94553  
 PH: 925-228-4453 FAX: 925-228-4455

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USER: User Name	DWG VER: XXX	XREF5:		

DESIGNED: FK  
 CHECKED: FK  
 DATE: 02/09/2015  
 APPROVED: FK  
 DRAWING NO. 18  
 SHEET 17  
**M-L2.1**  
 4 OF 17

RESOLUTION NO. -15

ACCEPTING BIDS FOR THE SUSANA PARK AND MOUNTAIN VIEW PARK RENOVATION PROJECT AND AWARDING THE CONSTRUCTION CONTRACT TO SUAREZ & MUNOZ CONSTRUCTION, INC. IN THE AMOUNT OF \$1,225,438.50 AND ALLOCATING \$550,000 OF MEASURE H FUNDS, \$50,000 OF PARK IN LIEU FUNDS AND \$220,000 OF GAS TAX FUNDS TO ACCOUNT NO. C5025

**WHEREAS**, The Capital Improvement Budget includes the Susana Park and Mountain View Park Renovation Project (C5025); and

**WHEREAS**, Kluber and Associates, Inc. prepared plans, specifications and a budget estimate for the Project; and

**WHEREAS**, in February 2015, the City advertised for bids for construction of the Project; and

**WHEREAS**, on March 19, 2015, four bids were publicly opened; and

**WHEREAS**, Suarez & Munoz Construction, Inc. submitted the lowest responsible bid; and

**WHEREAS**, an additional \$820,000 in funds is required to fully fund the project; and

**WHEREAS**, staff recommends allocating \$220,000, of Gas Tax funds to Account No. C5025; and

**WHEREAS**, staff recommends allocating \$550,000 from the Measure H fund balance to Account No. C5025; and

**WHEREAS**, staff recommends allocating \$50,000 from the Park in Lieu fund balance to Account No. C5025; and

**WHEREAS**, it is deemed in the best interest of the public and the City to implement the Susana Park and Mountain View Park Renovation Project.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Martinez that:

- A) The bid from Suarez & Munoz Construction, Inc. is hereby accepted in an amount of \$1,225,438.50 when the required performance bond, labor and materials bond, insurance and other contract documents have been reviewed and approved by the City Attorney; and the City Manager is hereby authorized to execute a contract for said project with the contractor.

B) Should Suarez & Munoz Construction, Inc. fail to deliver all contract documents, fully executed and filled out, so that they are in the hands of the City within ten calendar days after receipt of notice from the City of the City's acceptance of their bid, then the bid shall be deemed in violation of the contract documents and the bid shall be deemed non-responsive and rejected and the second lowest responsible bidder shall be awarded the contract to complete the project.

**BE IT FURTHER RESOLVED** that The City Council allocates \$220,000 of Gas Tax funds, \$550,000 of Measure H funds and \$50,000 of Park in Lieu H funds to Account No. C5025.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1<sup>st</sup> day of April, 2015, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK  
CITY OF MARTINEZ

RESOLUTION NO. -15

**REJECTING ALL BIDS FOR THE SUSANA PARK AND MOUNTAIN VIEW PARK RESTROOM ADA IMPROVEMENTS PROJECT AND DECLARING THAT THE PROJECT CAN BE PERFORMED MORE ECONOMICALLY BY HOURLY LABOR, OR THE MATERIALS OR SUPPLIES CAN BE FURNISHED AT A LOWER PRICE ON THE OPEN MARKET**

**WHEREAS**, the Capital Improvement Plan includes the Susana Park and Mountain View Park Restroom ADA Improvements, Project No. C5025 (Project); and

**WHEREAS**, staff prepared plans, specifications and a budget estimate for the Project; and

**WHEREAS**, in March 2015, the City advertised for bids for construction of the Project; and

**WHEREAS**, on March 25, 2015, two bids were publicly opened; and

**WHEREAS**, the bids exceed the engineer's estimate by over 30%; and

**WHEREAS**, Public Contract Code Section 20166 provides that the Council in its discretion may reject any bids presented; and

**WHEREAS**, staff recommends that all bids are rejected; and

**WHEREAS**, Public Contract Code Section 20167 provides that after rejecting bids, the Council may pass a resolution by a four-fifths vote declaring that the project can be performed more economically by hourly labor, or the materials or supplies furnished at a lower price in the open market; and

**WHEREAS**, staff advises that the project can be performed more economically by hourly labor, or the materials or supplies furnished at a lower price on the open market; and

**WHEREAS**, it is deemed in the best interest of the public and the City to reject all bids of the Susana Park and Mountain View Park Restroom ADA Improvements Project; and

**WHEREAS**, it is deemed in the best interest of the public and the City to declare that the project can be performed more economically by hourly labor, or the materials or supplies furnished at a lower price on the open market.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Martinez that all bids be rejected for the Susana Park and Mountain View Park Restroom ADA Improvements Project.

**BE IT FURTHER RESOLVED** by the City Council of the City of Martinez declares that the Susana Park and Mountain View Park Restroom ADA Improvements Project can be performed more economically by hourly labor, or the materials or supplies furnished at a lower price in the open market.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1<sup>st</sup> day of April, 2015, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK  
CITY OF MARTINEZ

RESOLUTION NO. -15

**AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE  
CONSULTANT SERVICES AGREEMENT WITH KLUBER AND ASSOCIATES, INC.  
FOR AN ADDITIONAL AMOUNT OF \$42,930 TO PROVIDE  
CONSTRUCTION PHASE SERVICES FOR THE SUSANA PARK AND  
MOUNTAIN VIEW PARK RENOVATION PROJECT**

**WHEREAS**, the Capital Improvement Budget includes the Susana Park and Mountain View Park Renovation Project; and

**WHEREAS**, it is necessary to hire a consultant team with expertise in civil engineering and surveying to provide construction support during the construction phase of the project; and

**WHEREAS**, Kluber and Associates, Inc. was selected through a competitive selection process and completed the design of the project; and

**WHEREAS**, Kluber and Associates, Inc. is most familiar with the design and possesses the base information to provide the most cost effective construction phase services support.

**NOW THEREFORE, IT BE RESOLVED** by the City Council of the City of Martinez, that the City Manager is authorized to execute a contract amendment to the consultant services agreement with Kluber and Associates, Inc. to include an additional amount of \$42,930 to provide construction phase support services for the project.

\* \* \* \* \*

**I HEREBY CERTIFY** that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 1<sup>st</sup> day of April, 2015, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK  
CITY OF MARTINEZ

