



Legislation Text

File #: 13-0391, **Version:** 1

TO:

Honorable Mayor and Members of the City Council

THROUGH:

David N. Carmany, City Manager

FROM:

Vince Mastrosimone, Interim Public Works Director
Mark Leyman, Director of Parks & Recreation
Elroy Kiepke, Interim City Engineer
Ish Medrano, Engineering Technician II

SUBJECT:

Construction Contract with Taylor Tennis Court, Inc. (\$71,160) for the Live Oak Park, Manhattan Heights, Mira Costa Tennis Courts and Marine Avenue Park Basketball Courts Resurfacing and Restriping Project.

APPROVE, APPROPRIATE

RECOMMENDATION:

Staff recommends that the City Council authorize the City Manager to:

1. Award a construction contract in the amount of \$71,160 to Taylor Tennis Court Inc. for the Live Oak Park, Manhattan Heights, Mira Costa Tennis Courts and Marine Avenue Park Basketball Courts Resurfacing and Restriping Project;
2. Transfer \$20,000 from the General Fund to the Capital Improvement Project (CIP) fund;
3. Appropriate \$78,276 from the CIP Fund in order to complete resurfacing and restriping of all the courts in the project;
4. Authorize the City Manager to approve additional construction work, if necessary, in an amount not to-exceed \$7,116 (10%).

FISCAL IMPLICATIONS:

Funds totaling \$20,000 are included in the Parks and Recreation General Fund budget for court resurfacing. The total cost of the contract is \$71,160. A customary 10% (\$7,116) contingency will bring the total funds required for the project to \$78,276. An appropriation of \$78,276 from the CIP Fund is required to complete the work.

Through this contract, staff is recommending that all court resurfacing throughout the City be consolidated under one contract, and restructure court maintenance to a three-to-four year cycle rather than the current year-to-year schedule (where a small subset of the courts are resurfaced each year on a rotating basis). This would result in a more attractive scope for the contract (included in the plans and specifications for bid) with the unit price at a lower figure per court.

The funds needed (\$78,276) for the project is available in the Capital Improvement Project Fund for this project. Funds totaling \$20,000 for resurfacing are included in the fiscal year 2013-2014 General Fund budget in the Parks and Recreation budget. The appropriate funding source for this work is the Capital Improvement Project (CIP) Fund so this report recommends transferring these funds to the CIP budget.

BACKGROUND:

The City maintains twenty-seven sports courts citywide. This includes twenty tennis courts and seven basketball courts. These courts need periodic resurfacing to maintain safe and serviceable conditions.

Since 1996, the Parks and Recreation Department received a yearly budget of \$20,000 to maintain courts and resurfacing at various parks throughout the City. Over the past 17 years, the budgeted amount to do this work has not changed, but as costs have risen, fewer courts were being addressed on the year-to-year cycle. With the recommended contract scope of work (resurfacing nineteen courts), the City is revamping its schedule for resurfacing to include the majority of courts every 3-4 years rather than resurfacing 4-5 courts each and every year. The approach will improve efficiency and cost effectiveness through economies of scale.

DISCUSSION:

The resurfacing of the courts has in the past been managed by the Recreation staff with the yearly budget of \$20,000 for the work of resurfacing courts each year. Since court resurfacing costs are on average \$3,500 per court, and anything beyond \$5,000 is recognized as a Capital Improvement Project, the process must be managed by the Public Works Engineering Division. The project must comply with competitive bidding requirements and prevailing wage laws as required by State Law.

State Law requires competitive bidding for “public projects” in excess of \$5,000. State law provides: “When the expenditure required for a public project exceeds five thousand dollars (\$5,000), it shall be contracted for and let to the lowest responsible bidder after notice.” Pub. Contract Code § 20162. For the purpose of this section, the term “public project” includes projects “for the erection, improvement, painting, or repair of public buildings and works.” Public Contract Code § 20161(a).

California law requires the payment of prevailing wages for “public works” projects of more than \$1,000. Labor Code § 1771. Section 1720 defines “public works” to include “construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds.” Labor Code § 1720(a).

In addition, the low bid contractor is required to provide a bid bond, performance bond, labor and material bond, defective materials, general insurance and auto insurance, further escalating the overall cost of a Public Contract.

Bid Proposals

Bids were solicited on an open and competitive basis in accordance with the provisions of the State Public Contract Code. The project was advertised for bids in eight (8) construction industry publications and was listed on the City’s website for upcoming bids. Subsequently six (6) sets of plans and specifications were provided to contractors, subcontractors, and material suppliers.

A total of three (3) bids were received and publicly opened on July 18, 2013. The bids ranged from

the low bid of \$71,160 submitted by Taylor Tennis Court Inc. to the high bid of \$82,805. The Engineer's Estimate was \$63,200.

The bid submitted by Taylor Tennis Court Inc. was reviewed by the Public Works Department and found to be responsive. The contractor's license issued to Taylor Tennis Court Inc. by the State of California is in order. Representatives of agencies where work has been performed by Taylor Tennis Court Inc. have indicated that the work performed was to their satisfaction. The project was discussed with a representative of the firm and he expressed confidence in his bid and a desire to perform the work.

Additional Construction Work Authority

Authorizing the City Manager to approve additional work in an amount not-to-exceed \$7,116 (10% of contract) would expedite construction of this project. If the contingency is approved, staff will report the status of any additional work to the City Council at the end of the project.

Environmental Review

The California Environmental Quality Act (CEQA) requires public agencies to document and consider the environmental implications of their actions. Based on the scope of work (existing facilities), the project is categorically exempt pursuant to Section 15302, Class 2. A Notice of Exemption has been filed with the Los Angeles County Clerk's office for the project.

Project Schedule

The resurfacing is scheduled to be completed in 35 working days. The proposed start date for construction is scheduled for the end of August. Because this is the peak time for the use of these facilities, staff has included instructions to the contractor to work on only four courts at a time until completion. In-house Engineering staff will be performing inspection of the work.

Incorporated into the plans and specifications is a priority list of courts requiring immediate attention. The Mira Costa tennis courts are slated to go first so that construction would be completed prior to the start of school.

Bid Opening	July 18, 2013
Award Contract	August 20, 2013
Start Construction	August 26, 2013
Completion of Project	October 17, 2013

CONCLUSION:

Staff recommends that the City Council authorize the City Manager to:

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Attachments:

1. Budget, Appropriations, Anticipated Expenditures
2. Bid Results
3. Location Map
4. Construction Contract Documents (pages 1-13) - Agreement (Taylor Tennis Court Inc.)