



Approvals:
City Manager [Signature]
Dept. Head [Signature]
Attorney [Signature]
Finance [Signature]

AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: May 20, 2014

Department: Beaches, Parks & Recreation
Prepared By: Aeryn Donnelly, Park Planner

Subject: *AWARD OF CONTRACT TO MICON CONSTRUCTION, INC. FOR CONSTRUCTION OF COURTNEY'S SANDCASTLE SENSORY GARDEN.*

Fiscal Impact: Yes. A supplemental appropriation of \$113,030 from the Parks Acquisition and Development Fund would be required to fund the Sensory Garden construction. The appropriation will be offset by the receipt of \$50,000 from the Courtney's Sandcastle Charitable Foundation.

Summary: Staff recommends that the City Council award a contract to Micon Construction, Inc., allocate \$113,030 from the Park Acquisition and Development Fund, and receive a revenue commitment of \$50,000 from the Courtney's Sandcastle Charitable Foundation. The purpose of this agreement is to provide professional construction services to construct Courtney's Sandcastle Sensory Garden and to allocate funds that are needed to cover project costs.

Background: On September 17, 2013, the Courtney's Sandcastle Charitable Foundation (Foundation) reached its fundraising goal of \$340,000, and donated these funds to the City. The City allocated \$110,000 for the project, which was to provide the total cost estimated at \$450,000 at the time.

On October 17, 2013, construction bids were opened for Courtney's Sandcastle Playground Phase II Sensory Garden. Two bids were received in amounts that greatly exceed the costs estimated and budgeted for the project (90% and 112% greater), and were rejected by the City Council on December 3, 2013. The City Council directed staff to further value engineer the project to reduce the scope of work, and to re-bid the project in 2014.

Discussion: On April 22, 2014, construction bids were opened for Courtney's Sandcastle Sensory Garden. Four bids were received and the lowest responsive and responsible bidder was Micon Construction, Inc. at \$439,579. Including soft costs, items specified as being supplied by the City, and funds expended for park design services, the total cost is \$611,628 (\$161,628 over the existing budget amount of \$450,000). Staff met with the Foundation on April 29, 2014 to discuss possible next steps, and reviewed the bid for cost reduction opportunities. Staff recommended a reduction of the construction contingency from 18% to 10%. Additionally, the Foundation expressed the intention to donate an additional \$50,000 to the project. These items would effectively reduce the funding shortfall to \$63,029.

Before its construction in the Vista Hermosa Sports Park, Courtney's Sandcastle was planned to be constructed in Jim Johnson Memorial Sports Park as part of the Marblehead Coastal Development to be paid by the developer. The development agreement related to Marblehead Coastal specified \$600,000 for the construction of Courtney's Sandcastle. As construction of Marblehead Coastal was delayed, the City opted to relocate and fund construction of Courtney's Sandcastle in its current location in Vista Hermosa Sports Park. Staff has had preliminary discussions with the developer to reimburse the \$600,000 to the Parks Acquisition and Development Fund less any improvements made to the previously identified site within Jim Johnson Memorial Sports Park, beginning with an initial payment of \$70,000. The Parks Acquisition and Development Fund currently has a fund balance of \$607,280. This fund would be the appropriate funding source as the monies are from development fees and proceeds from the sale of the Target property and are restricted by the Quimby Act. This project would meet those restrictions.

Recommended**Action:**

STAFF RECOMMENDS THAT the City Council 1) approve and authorize the Mayor to execute a contract with Micon Construction, Inc. for the construction of Courtney's Sandcastle Sensory Garden; 2) accept a commitment of \$50,000 from the Courtney's Sandcastle Charitable Foundation to be deposited into the Parks Acquisition and Development Fund; 3) approve a supplemental appropriation of \$113,030 from the Parks Acquisition and Development Fund balance to project account #031-862-45300-000-10143.

Attachments: 1. Bid Results from April 22, 2014
2. Project Costs

Notification: Courtney's SandCastle Charitable Foundation
Micon Construction, Inc.

BIDDER'S LISTING

BID OPEN TIME: 2:00 p.m.

BID OPEN DATE: April 22, 2014

PRESENT: _____

Subject:

**Courtney's Sandcastle Playground – Phase II
Project No. 10143 – Phase II**

Aeryn Donnelly

*Lita Mueller
Aeryn Donnelly*

No. of Bids:

Company Information	Bid Bond, Etc.	Other Bid Information	Amount
Micon Construction, Inc. 1616 E. Sierra Madre Circle Placentia, CA 92870	✓ (1)	3 Addendums attached	\$439,579. ⁰⁰
C.S. Legacy Construction, Inc. 1461 S. East End Ave. Pomona, CA 91766	✓ (2)	3 Addendums attached	\$448,814. ⁰⁰
KASA Construction 15148 Sierra Bonita Lane Chino, CA 91710	✓ (4)	3 Addendums attached	\$688,865. ⁰⁰
The Richards Group 31405 N. Old Hwy. 395, Suite C Escondido, CA 92026	✓ (3)	3 Addendums attached	\$652,000. ⁰⁰

Courtney's Sandcastle Sensory Garden

Micon Construction Base Bid		\$439,579.00
Granite Ball		\$23,311.00
Granite Ball Tax (dependent on tax exeption status)	\$2,000	
Control Panel (approx)		\$4,000.00
	Subtotal	\$466,890.00
10% Contingency		\$46,689.00
	Subtotal	\$513,579.00

Construction Admin		\$5,000.00
Staff and Admin		\$6,850.00
Design Summers Murphy, Inc.		\$9,600.00
Design Shaw Design Group		\$23,500.00
Geotech		\$2,500.00
Permits and Inspections		\$2,000.00

	Total	\$563,029.00
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Budget		\$450,000.00
	Current Total Overage	-\$113,029.00

	Courtney's Sandcastle Charitable Foundation Donation	\$50,000.00
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	Funds Needed	-\$63,029.00
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