



# AGENDA REPORT

## CITY OF SAN CLEMENTE

### City Council Meeting

910 Calle Negocio  
2nd Floor  
San Clemente, California  
www.san-clemente.org

Meeting Date: 6/6/2023

Agenda Item: 9A

**Department:** Public Works

**Prepared By** Samantha Wylie, Beaches, Parks & Recreation Director  
Kiel Koger, Public Works Director/City Engineer

**Subject:**

**UPDATE ON THE PLAN TO MOVE TEMPORARY PICKLEBALL COURTS FROM SAN GORGONIO PARK TO RICHARD T. STEED MEMORIAL PARK AND APPROVAL OF A CONSTRUCTION CONTRACT WITH KOMPAN, INC**

**Summary:**

Pursuant to Council direction, staff is providing an update on moving the temporary pickleball court facility at San Gorgonio Park as quickly as possible to Richard T. Steed Memorial Park. Staff has secured a vendor, Kompan, Inc., to build the temporary facility with eight courts. The estimated cost is \$1,215,817.04, which is within the \$3 million budget for the project authorized by Council, and includes the concrete surfacing, court lines, fencing, nets/posts, and benches. Staff anticipates that most of this project can be reused/relocated when the permanent facility is built.

**Background:**

At its May 16, 2023 meeting, the City Council approved the installation of eight temporary courts at Richards T. Steed Memorial Park as soon as possible on the undeveloped lot adjacent to the skate court facility. At that meeting, staff committed to bringing back an update on securing the contract to build the temporary courts at its next regular meeting.

Staff utilized the State contract system to procure a vendor to supply the materials and perform the construction of the temporary court project. This methodology expedites the construction timeline by eliminating the requirement to go through a City-led formal bidding process. As a check, staff solicited informal bids from other vendors to ensure that the pricing was still competitive. The vendor estimates that, upon approval, the project should be completed within five months. As soon as these courts are completed, the ones at San Gorgonio Park will be closed. This is the fastest timeline that staff could obtain.

**Council Options:**

1. Adopt Resolution No. 23-47, awarding a construction contract to build eight temporary pickleball courts at Steed Park to Kompan, Inc., for an amount not to exceed \$1,215,817.04, plus a 10% contingency; authorizing the City Manager to execute such a contract in a form approved by the City Attorney; and authorizing and directing staff to close the pickleball courts at San Gorgonio Park as soon as construction of the temporary facility at Steed Park is completed.
2. Adopt Resolution No. 23-47 with modifications.

3. Continue the item and provide staff with alternate direction on the temporary courts, including location and/or procurement process.
4. Do not adopt Resolution No. 23-47.

***Fiscal Impact:***

Funding for this project is incorporated into the capital improvement project program for FY 2022-23 and additional funds included in FY 2023-24.

***Environmental Review/Analysis:***

The temporary courts comply with the requirements outlined in the Mitigated Negative Declaration (MND) issued under the California Environmental Quality Act (CEQA) for the project. The City Council adopted the Initial Study and subsequent MND on May 2, 2023.

***Recommended Actions:***

Staff Recommendation

STAFF RECOMMENDS THAT the City Council adopt Resolution No. 23-47, which would:

1. Affirm City Council's intention to move the temporary pickleball court facility at San Geronio Park as quickly as possible to Richard T. Steed Memorial Park;
2. Award a construction contract to build eight temporary pickleball courts at Steed Park to Kompan, Inc., for an amount not to exceed \$1,215,817.04, plus a 10% contingency;
3. Authorize and direct the City Manager to execute such a contract in a form approved by the City Attorney; and
4. Authorize and direct staff to close the pickleball courts at San Geronio Park as soon as construction of the temporary facility at Steed Park is completed.

***Attachment:***

1. Resolution No. 23-47
2. Site Plan
3. Sales Proposal

***Notification:***

None

RESOLUTION NO. 23-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, AWARDING A CONTRACT TO KOMPAN, INC. FOR THE CONSTRUCTION OF EIGHT TEMPORARY PICKLEBALL COURTS AT RICHARD T. STEED MEMORIAL PARK AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED \$1,215,817.04 AND TAKE RELATED ACTIONS

WHEREAS, on May 2, 2023, the City Council adopted an update to park master plan of Richard T. Steed Memorial Sports Park (“Steed Park”) and approved the Initial Study and Mitigated Negative Declaration, which included the development of a 16 court pickleball facility; and

WHEREAS, on May 16, 2023, the City Council approved the design of an additional eight pickleball courts at the Richard T. Steed Memorial Sports Park (“Steed Park”) proposed pickleball facility; and

WHEREAS, at its meeting, the Council further considered a temporary location for eight pickleball courts at Steed Park and approved (4-0) to place temporary courts at the undeveloped lot adjacent to the skateboard court facility, directing staff to expedite the construction process; and

WHEREAS, City Council’s intention is to move the temporary pickleball court facility at San Gorgonio Park as quickly as possible to Steed Park; and

WHEREAS, staff utilized the State contract system to procure a vendor to supply the materials and perform the construction of the temporary court project; and

WHEREAS, Kompan, Inc. has submitted a proposal to construct the temporary court project for \$1,215,817.04.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby resolve, find and determine as follows:

Section 1. That the foregoing recitals and true and correct and are incorporated herein.

Section 2. That the project complies with the requirements outlined in the Mitigated Negative Declaration (MND) issued under the California Environmental Quality Act (CEQA) for the master plan of Richard T. Steed Memorial Sports Park.

Section 3. That a contract to construct eight temporary pickleball courts at Steed Park is hereby awarded to Kompan, Inc. in an amount not to exceed \$1,215,817.04, plus a 10% contingency,

Section 4. That the City Manager is authorized and directed to execute a contract to construct eight temporary pickleball courts at Steed Park with Kompan, Inc. in a form approved by the City Attorney.

Section 5. That staff is authorized and directed to close the pickleball courts at San Gorgonio Park as soon as construction of the temporary facility at Steed Park is completed.

Section 6. That staff is authorized and directed to take those actions that are necessary and proper to accomplish the purpose and intent of this resolution in a timely and expeditious fashion.

The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this \_\_\_\_\_ day of June , 2023.

ATTEST:

\_\_\_\_\_  
City Clerk of the City of  
San Clemente, California

\_\_\_\_\_  
Mayor of the City of San  
Clemente, California

STATE OF CALIFORNIA     )  
 COUNTY OF ORANGE     ) §  
 CITY OF SAN CLEMENTE    )

I, LAURA CAMPAGNOLO, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 23-47 was adopted at a regular meeting of the City Council of the City of San Clemente held on the \_\_\_\_\_ day of June, 2023, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
 CITY CLERK of the City of  
 San Clemente, California

Approved as to form:

\_\_\_\_\_  
 Elizabeth A. Mitchell, City Attorney



#	Product Number	Product Name	M.F.H.	Count
A	PAR025A x02	Agora Steel Beach with Backrest	0'	11
B	FAS372556	Custom FRE60201 MUGA	0'	2

**Steed Pickle Ball**  
**Richard T Steed Memorial Park**  
 247 Avenida La Pata  
 San Clemente, CA 92673  
 Site Plan



**KOMPAN!**  
 Let's play

REVIEW BY:	DATE:	SHEET:
DESIGN	04/22/23	K2.1
DRAWN BY:	Adi Pur	
REV. NO.	2	REVISION DATE:
REV. BY:	Jobace	05/18/23

CONTACT: 949.636.6666 WWW.KOMPAN.COM





## Sales Proposal

City of San Clemente  
Kiel Koger  
910 Calle Negocio  
San Clemente, CA 92673

Quote No. SP123877-5  
Customer No. C124221  
Document Date 05/10/2023  
Expiration Date 07/09/2023

Sales Representative Jeff Graef  
E-Mail JefGra@Kompan.com  
Phone No. 330-338-8588 / 800-426-9788

Project Name US290776 San Clemente - Pickle Ball - Steed Park

No.	Description	Qty	Unit	Unit Price	Discount %	Net Price
	OMNIA Partners Contract #2017001135 <b>Equipment</b>					
FAS-CUSTOM	FAS-CUSTOM 4 Court Pickleball Courts 372556 	2	Pieces	152,380.00	15.00	259,046.00
US-TPP-CUSTOM	Round Pickleball Post & Net Package PK31009	8	Pieces	723.08	5.00	5,495.41
<a href="#">PAR4054-0002</a>	Agora Steel Bench with Backrest - Black Surface (expansion bolts) 	11	Pieces	2,740.00	15.00	25,619.00
INSTALL SPECIAL	Installation of Equipment Based on PW	1	Pieces	270,008.34	9.00	245,707.59
FREIGHT	Freight	1	Pieces	40,660.04		40,660.04
EXTRA SALES FREIGHT	Extra freight costs for 3rd party sales	1	Pieces	560.00		560.00
EXTRAS	Payment and Performance Bond <b>Sitework and Surfacing</b>	1	Pieces	26,128.59		26,128.59
US- CONCRETEWORK	Pour 140' x 140' Slab Including 165' x 8' Walkway Concrete Slab with Light Grading/Excavation	19,800	Sq. Feet	23.08	5.00	434,134.80
US-CUSTOM- SURFACING	Custom Sports Surfacing Paint with Striping of 8 Pickleball courts	1	Sq. Feet	113,846.16	5.00	108,153.85
US-TPP-CUSTOM	Supply/Install Custom Windscreens 10' x 720 LF	1	Pieces	36,553.85	5.00	34,726.16

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**Notes**

Please read attached General Assumptions and Exclusion document for information on Install/Sitework.

Please allow 15-17 weeks for product delivery upon order placement

Pricing valid with an approved Kompan Site Plan

Site to be prepped and ready for install with no more than a 1% total grade

Excludes sitework, products, & services not listed

Description	Qty	Retail Price	Discount	Net Price
No. of Products	22			
Subtotal - Products		377,238.49	52,351.92	324,886.57
Subtotal - Surfacing		113,846.16	5,692.31	108,153.85
Subtotal - Installation		726,992.34	47,149.95	679,842.39
Subtotal - Freight		41,220.04		41,220.04
Subtotal - P&P Bond		26,128.59		26,128.59
<b>Total USD Excl. Tax</b>				<b>1,180,231.44</b>
Estimated Tax rate				35,585.60
<b>Total USD Incl. Tax</b>				<b>1,215,817.04</b>





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Phone No. 330-338-8588 / 800-426-9788

Project Name US290776 San Clemente - Pickle Ball - Steed Park

**Business Agreement** OMNIA Partners Contract  
**Payment Terms** 50% Prepayment , 50% Net 30 days

#### Installation Site Address

Richard T. Steed Memorial Park  
247 Av. La Pata  
San Clemente, CA 92673

Note that the color and texture of products and surfacing made with recycled content are subjected by the differences from the used recycled raw materials. Therefore, minor differences in the appearance and texture can occur.

Applicable sales tax will be added unless a valid tax exemption certificate is provided. This amount is only an estimate of your tax liability.

Your acceptance of this proposal constitutes a valid order request and includes acceptance of terms and conditions contained within the Master Agreement, which is hereby acknowledged.  
Acceptance of this proposal from KOMPAN is acknowledged by issuance of an order confirmation by an authorized KOMPAN representative.

Prices in this quotation are good until expiration date, shown in the top of this document. After that date, this proposal may be withdrawn.

KOMPAN Products are "Buy American" qualified, and compliant with the Buy American Act of 1933 and the "Buy American" provision of ARRA of 2009.

Prevailing Wage and Payment & Performance Bonds are not included unless stated in body of Sales Proposal. If Payment & Performance Bonds are needed, add 2.2% of the entire sales proposal.

KOMPAN Authorized Signature:

Accepted By (signature): \_\_\_\_\_

Accepted By (please print): \_\_\_\_\_

Date: \_\_\_\_\_