



AGENDA REPORT

CITY OF SAN CLEMENTE

CITY COUNCIL MEETING

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

Meeting Date: April 16, 2024

Agenda Item: 10P

Submitted By: Beaches, Parks and Recreation

Prepared By: Samantha Wylie, Beaches, Parks & Recreation Director

Subject:

BID REJECTION – NORTH BEACH PLAYGROUND REPLACEMENT

Fiscal Impact:

None.

Summary:

The purpose of this report is to recommend the rejection of all bids received for the North Beach Playground Replacement Project due to a significant change in the scope of work. Pursuant to the California Government Code, specific justifications for the bid rejection will be provided, and alternative actions will be proposed. In lieu of an expanded playground, staff will seek alternative options for play equipment that will include a like-for-like replacement of existing features and further incorporate some beach themed play elements that will appeal to young beach goers.

Background:

The North Beach Playground Replacement Project, as initially proposed, aimed to upgrade the existing playground equipment and improve the surrounding amenities to enhance recreational opportunities for the community. It included an expansion of the existing footprint of the playground that would incorporate additional play features. The project was outlined with specific scope, budget, and timeline parameters.

Bids for the project were solicited in accordance with the public procurement process outlined in Section 4217 of the California Government Code, which mandates fair competition and transparency in the bidding process.

During the evaluation of the received bids, coupled with the dramatic loss of sand and beach space, it became evident that a dramatic change in the scope of work is necessary to better align with the community's needs and maximize the project's long-term benefits.

Rejecting all bids for the North Beach Playground Replacement Project is a necessary step to ensure that the project aligns with the ever-changing landscape at North Beach and the community's evolving needs and objectives. By adhering to the provisions of the California Government Code and revising the project scope accordingly, the City can proceed with confidence in delivering a playground facility that enhances the quality of life for North Beach residents while taken into consideration the coastal infrastructure.

Council Options:

1. Adopt Resolution No. 24-62, which will reject all bids for the North Beach Playground Replacement project and authorize rebidding the project with a modified scope.
2. Modify and adopt the resolution.
3. Provide alternate direction to the project scope of work.
4. Deny the resolution, which will result in staff proceeding with bringing a contract award back to the City Council at a later date and will include a playground with an expanded footprint.

Environmental Review/Analysis:

In accordance with CEQA Guidelines Section 15378, a "project" is defined as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." In this case, the rejection of bids does not involve any physical changes to the environment. It is an administrative action taken by the City Council in response to a change in project scope and does not result in any direct or indirect physical alteration of the environment.

Furthermore, CEQA Guidelines Section 15378(c) specifies that "project" does not include "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment." The bid rejection falls within the realm of administrative activities undertaken by the City Council and does not entail any physical changes to the environment.

Recommended Actions:

Staff Recommendation

Adopt Resolution No. 24-62, which will reject all bids for the North Beach Playground Replacement project and authorize rebidding the project with a modified scope.

Attachment:

1. Resolution No. 24-62

Notification:

All responsive bidders

RESOLUTION NO. 24-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, REJECTING ALL BIDS FOR THE PLAYGROUND REPLACEMENT PROJECT AT NORTH BEACH (PROJECT NO. 14193) DUE TO A SIGNIFICANT CHANGE IN SCOPE

WHEREAS, the City of San Clemente initiated the North Beach Playground Replacement Project (No. 14193) to upgrade existing playground equipment and improve surrounding amenities at North Beach; and

WHEREAS, bids were solicited for the project in accordance with the public procurement process outlined by the City; and

WHEREAS, the City received bids for the North Beach Playground Replacement Project; and

WHEREAS, the City Council has determined that a dramatic change in the scope of work is necessary due to the loss of sand and infrastructure along the beach and playground location; and

WHEREAS, the change in scope of work requires a reassessment of the project requirements, including modifications to address the impacts of the loss of sand and infrastructure around the playground location; and

WHEREAS, it is in the best interest of the City and its residents to reject all bids for the North Beach Playground Replacement Project in order to reassess the project scope and seek alternate options that address revised project requirements.

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

Section 1. That all bids received for the North Beach Playground Replacement Project are hereby rejected.

Section 2. That the City Manager and/or his designee is authorized to take all necessary actions to reassess the project scope and requirements, including modifications to address the impacts of the loss of sand and infrastructure along the beach and playground location.

Section 3. That the City Manager and/or his designee is authorized to solicit new bids for the North Beach Playground Replacement Project once the reassessment of the project scope and requirements is complete.

Section 4. That this resolution shall take effect immediately upon adoption.

Section 5. 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 _____, _____.

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. 24-62 was adopted at a regular meeting of the City Council of the City of San Clemente held on the _____ day of _____, _____, 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