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### **REPORT TO COUNCIL**

#### **SUBJECT**

Award of Bid No. PW15-05 for Park Tennis and Basketball Resurfacing Project and Finding of CEQA Categorical Exemption

#### **REPORT IN BRIEF**

Approval is requested to award a construction contract in the amount of \$190,499 to Dryco Construction, Inc. of Fremont for the Park Tennis and Basketball Court Resurfacing Project (Public Works Project No. PR-13/06-14). Approval is also requested for a 10% construction contingency in the amount of \$19,050.

#### **ENVIRONMENTAL REVIEW**

The California Environmental Quality Act (CEQA) determination for this project is a categorical exemption pursuant to Section 15301(d), rehabilitation of an existing public facility with no expansion of use.

#### **BACKGROUND AND DISCUSSION**

The Park Tennis and Basketball Court resurfacing project will reconstruct the following eight courts: two tennis courts each at Encinal Park, Lakewood Park, and Orchard Gardens Park; and two basketball courts at Washington Park. These courts are owned and maintained by the City. The CIP program allows for the reconstruction and repair for each court approximately every 30 years. The scope of the project includes crack treatment, reinforcement membrane, asphalt overlay, and acrylic resurfacing.

The project was bid as follows:

**Bid Notice:**           Advertised in The Sun on August 8, 2014;  
                              Provided to 18 Bay Area Builder's Exchanges;  
                              Posted on Onvia Demandstar public procurement network; and  
                              Published on the City's website.

**Bid Response:**       7 contractors requested bid documents.

**Bid Results:**         Sealed bid were publicly opened on August 27, 2014;  
                              Four responsive bids were received.

The lowest responsive and responsible bid was from Dryco Construction, Inc. of Fremont in the amount of \$190,499. The bid is 42% below the engineer's estimate of \$329,164. The Bid Summary is attached. Staff recommends accepting the bid from Dryco Construction, Inc., the lowest responsive and responsible bidder. Staff also recommends the award of a 10% construction contingency for the project.

**FISCAL IMPACT**

Project costs are as follows:

Construction	\$190,499
Construction contingency (10%)	<u>\$19,050</u>
Total costs	\$209,549

Budgeted funds for construction at Encinal Park, Orchard Gardens Park and Washington Park are available in Capital Project 820240 (Park Tennis/Basketball Court Reconstruction). Budgeted funds for construction at Lakewood Park are available in Capital Project 830370 (Lakewood Park Renovation and Enhancement). Both projects are funded by the Park Dedication Fund.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

**RECOMMENDATION**

1) Award a contract, in substantially the same format as Attachment 2 and in the amount of \$190,499, to Dryco Construction, Inc., for the subject project, and authorize the City Manager to execute the contract when all the necessary conditions have been met, 2) Approve a 10% construction contingency in the amount of \$19,050, and 3) Make a finding of CEQA Categorical Exemption pursuant to Section 15301(d), rehabilitation of an existing public facility with no expansion of use.

Prepared by: Pete Gonda, Purchasing Officer  
Reviewed by: Grace K. Leung, Director, Finance  
Reviewed by: Manuel Pineda, Director, Public Works  
Reviewed by: Robert A. Walker, Assistant City Manager  
Approved by: Deanna J. Santana, City Manager

**ATTACHMENTS**

1. Bid Summary
2. Draft General Construction Contract