



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### REPORT TO COUNCIL

#### **SUBJECT**

Award of Contract to Guerra Construction Group in the Amount of \$284,527 for Construction of a Preschool Outdoor Play Area at Serra Park, Finding of California Environmental Quality Act (CEQA) Exemption Pursuant to CEQA Guidelines Section 15303 and Approval of Budget Modification No. 13 in the Amount of \$27,939 (PW24-08)

#### **REPORT IN BRIEF**

Approval is requested to award a construction contract in the amount of \$284,527 to Guerra Construction Group of Santa Clara, CA for Preschool Outdoor Play Area - Serra Park Project and for approval of a 10% construction contingency in the amount of \$28,453. Staff is also recommending approval of Budget Modification No. 13 in the amount of \$27,939 to fund the project.

#### **EXISTING POLICY**

Pursuant to Section 2.09.040 of the Sunnyvale Municipal Code, City Council approval is required for awards of public works contracts exceeding \$250,000.

Pursuant to Sunnyvale Charter Section 1305, at any meeting after the adoption of the budget, the City Council may amend or supplement the budget by a motion adopted by affirmative votes of at least four members to authorize the transfer of unused balances appropriated for one purpose or another, or to appropriate available revenue included in the budget.

#### **ENVIRONMENTAL REVIEW**

The proposed project is exempt under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, which applies to the operation, repairs, maintenance, or minor alterations of existing public and private structures or facilities, involving negligible or no expansion of existing use(s). The project is also exempt under CEQA Guidelines Section 15303, which applies to construction of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

#### **BACKGROUND AND DISCUSSION**

The Preschool Outdoor Play Area - Serra Park Project (Public Works Project No. PR-20-02) (Project 831880) provides funding for dedicated outdoor programming space the exterior of the building of the City-owned Serra Park Preschool. Improvements for this project include installing rubber surfacing, worktables, a panel fence, play equipment, play panels, drainage, and planting/irrigation.

These enhancements are intended for the enclosed outdoor space of Serra Park Preschool, inclusive of the existing deck. The finalized theme and design, approved by Public Works and Library & Recreational Services staff, center around a Safari theme featuring a ship play structure and a rubber

surfacing hippo mound. The safari theme was chosen for this outdoor play area for consistency with the Super Safari Preschool program at this site.

The project was advertised for construction bids on DemandStar on December 22, 2023. Fourteen (14) contractors requested bid documents. Sealed bids were opened on January 10, 2024, with three responsive and responsible bids received. The bid summary is contained in Attachment 1 to this report.

Staff recommends awarding the project to Guerra Construction Group of Santa Clara, CA in the amount of \$284,527 and approval of a 10% construction contingency in the amount of \$28,453, for a total of \$312,980.

### **FISCAL IMPACT**

Budgeted funds are captured in Project 831880 - Preschool Outdoor Play Area, Attachment 3. A project budget sheet is included as Attachment 3 to this report. Additional funding totaling \$27,939 is required to fully fund the remaining design, contingency, and construction of this project. Budget Modification No. 13 reappropriates the required funding from Project 820280 - Park Furniture and Fixtures Replacement to Project 831880 - Preschool Outdoor Play Area. Scope of work for Project 820280 - Park Furniture and Fixtures Replacement would not be affected as staff would reprioritize the work funded from this project. There would be no impact to the Park Dedication Fund reserve with approval of this budget modification.

#### **Budget Modification No. 13 FY 2023/24**

	<u>Current</u>	<u>Increase/(Decrease)</u>	<u>Revised</u>
<b>Park Dedication Fund</b>			
<u>Expenditures:</u>			
831880 - Preschool Outdoor Play Area	\$350,217	\$27,939	\$378,156
820280 - Park Furniture and Fixtures Replacement	\$131,336	(\$27,939)	\$103,397

### **PUBLIC CONTACT**

Public contact was made by posting the Council meeting agenda on the City's official-notice bulletin board at City Hall, at the Sunnyvale Public Library and in the Department of Public Safety Lobby. In addition, the agenda and this report are available at the NOVA Workforce Services reception desk located on the first floor of City Hall at 456 W. Olive Avenue (during normal business hours), and on the City's website.

## **RECOMMENDATION**

Take the following actions:

- Award a contract in substantially form as Attachment 2 to the report in the amount of \$284,527 to Guerra Construction Group;
- Approve a 10% construction contingency in the amount of \$28,453;
- Authorize the City Manager to execute the contract when all necessary conditions have been met;
- Make a finding of a categorical exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303; and
- Approve a Budget Modification No. 13 in the amount of \$27,939.

Prepared by: David Battaglia, Purchasing Officer

Reviewed by: Tim Kirby, Director of Finance

Reviewed by: Chip Taylor, Director of Public Works

Reviewed by: Sarah Johnson-Rios, Assistant City Manager

Approved by: Kent Steffens, City Manager

## **ATTACHMENTS**

1. Bid Summary
2. Draft General Construction Contract
3. Project 831880 & 820280 - Preschool Outdoor Play Area