

# City of Sacramento

## Legislation Details (With Text)

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**File #:** 2019-01183    **Version:** 1  
**Type:** Consent Item                      **Status:** Agenda Ready  
**File created:** 8/2/2019                      **In control:** City Council - 5PM  
**On agenda:** 9/3/2019                      **Final action:** 12/31/2023  
**Title:** Contract: Suspend Competitive Bidding and Award Contract for Garcia Bend Park Restroom Renovation Project (Two-Thirds Vote Required)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
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**Title:**

**Contract: Suspend Competitive Bidding and Award Contract for Garcia Bend Park Restroom Renovation Project (Two-Thirds Vote Required)**

File ID: 2019-01183

**Location:** District 7

**Recommendation:**

Pass a Motion: 1) suspending competitive bidding in the best interest of the City for the Garcia Bend Park Restroom Renovation Project; 2) awarding the contract to Buskirk Construction, Inc. for the Garcia Bend Park Restroom Renovation Project in the amount of \$216,305; and 3) authorizing the City Manager or City Manager's designee to execute the contract.

**Contact:** Jeff Nittka, Associate Landscape Architect, (916) 808-5996; Raymond Costantino, Park Planning & Development Services Manager, (916) 808-1941, Department of Youth, Parks, & Community Enrichment

**Presenter:** None

**Attachments:**

- 1-Description/Analysis
- 2-Contract

## Description/Analysis

**Issue Detail:** The Department of Youth, Parks, & Community Enrichment (YPCE) is seeking approval to award a sole source contract to Buskirk Construction, Inc. for the Garcia Bend Park Restroom Renovation Project.

The Garcia Bend Park Restroom Projects (L19120200 & L19706038) consists of renovation of the existing restroom. The project was originally publicly bid and awarded to the low bidder. Due to repeated poor performance, unacceptable welding work posing a safety problem, unauthorized work, and labor compliance issues, the contract with The Design Build, Inc. was terminated. The restroom is currently half constructed and without a roof. Construction needs to be completed prior to the winter to avoid further damage to the existing structure and expeditiously restore restroom facilities at this community park.

The new contractor, Buskirk Construction, Inc. was selected based on a recommendation by City's Department of Public Works, Facilities Division because this contractor successfully completed a recent building renovation. Also, this contractor previously undertook a restroom renovation project for the YCPE and performed well.

The following work needs to be completed: restroom roof involving welding roof trusses, plumbing, electrical, repairs to the walls, and installation of all the fixtures.

Construction of the Garcia Bend Park Restroom Renovation project is expected to be completed by end of October 2019.

Garcia Bend Park is a 14.7-acre community park located at 7654 Pocket Road in Council District 7 along the Sacramento River that provides boating facilities.

**Policy Considerations:** Section 3.60.170 (D) of the City Code allows the City Council to authorize exception to competitive bidding when, by a two-thirds vote, the City Council finds that it is in the best interest of the City to award a sole source contract.

Providing parks and recreation facilities is consistent with the City's general plan to enhance livability in Sacramento's neighborhoods by expanding park, recreation, and trail facilities throughout the City.

**Economic Impacts:** The indicated economic impacts are estimates calculated using a calculation tool developed by the Center for Strategic Economic Research (CSER). CSER utilized the IMPLAN input-output model (2009 coefficients) to quantify the economic impacts of a hypothetical \$1 million of spending in various construction categories within the City of Sacramento in an average one-year period. Actual impacts could differ significantly from the estimates and neither the City of Sacramento nor CSER shall be held responsible for consequences resulting from such differences.

The park construction projects in the amount of \$216,305 is expected to create 0.87 FTE jobs (0.50

FTE direct jobs and 0.37 FTE indirect jobs through indirect and induced activities). Furthermore, it will create \$133,554 in total economic output (\$84,180 of direct output and \$49,374 of output through indirect and induced activities).

**Environmental Considerations:** The proposed project has been determined to be exempt from environmental review under California Environmental Quality Act (CEQA) Guidelines Section 15301, Existing Facilities. The project consists of minor alteration of and existing public building involving negligible or no expansion of use.

**Sustainability:** The Garcia Bend Restroom Renovation Project has been reviewed for consistency with the goals, policies, and targets of the City's Sustainability Master Plan (SMP), the Parks and Recreation Sustainability Plan, and the 2035 General Plan. The Project will advance the goals, policies, and targets of these plans by improving the health of residents through access to a diverse mix of wellness and recreation activities. The park improvements are also consistent with sustainable design through the use of recycled materials.

**Commission/Committee Action:** None

**Rationale for Recommendation:** City staff reached out to several contractors who were referred to YPCE by the City's Facilities Division. Staff reached out to the contractors with on-call contracts to request bids to complete the restroom renovation project. The contractors were hesitant to work on a project which was partially completed, and with no plans that specify the corrective work. Other contractors that have constructed City park projects were too busy and could not deliver the completed project within a timely manner. City staff recommends suspending competitive bidding and awarding to Buskirk Construction, Inc. to complete the project before winter 2019. Delays in contract award could lead to further damage to the existing restroom from weather and potentially additional costs.

The contractor Buskirk Construction, Inc. was able to provide the City a bid of \$216,305 which details the corrective work needed, is within the project budget, and will be completed in a timely manner.

**Financial Considerations:** There is sufficient funding available in the Garcia Bend Park Restroom Projects L19120200 & L19706038 to award the \$216,305 contract to Buskirk Construction, Inc.

Garcia Bend is an existing park; the annual maintenance and utilities costs are covered in YPCE's operating budget for maintenance, water, and utility costs for the budget adopted in the applicable fiscal year.

**Local Business Enterprise (LBE):** Not Applicable

**Background:** The Garcia Bend Restroom Renovation Project was originally publicly bid on December 12, 2018. Contract was awarded to the low bidder, The Design Build, Inc. on February 12,

2019. Notice to proceed was issued on February 21, 2019. City staff issued several verbal and written notices to the contractor regarding poor performance and labor compliance issues. The welding work did not meet state welder certification requirements. The State Department of Industrial Relations is conducting an investigation due to the contractor's failure to properly classify and pay its workers. The contractor also performed extra work and work not specified in the plans and specifications without authorization, and was behind schedule. On May 10, 2019, City staff determined that terminating the contract was in the best interest of the City because the contractor was unable and unwilling to correct the many violations.