



CITY COUNCIL AGENDA ITEM NO. F.1
03/11/2025

SUBJECT: Award of Contract to Robert A. Bothman Inc. for the Sand Creek Sports Complex Phase 1A Project, CIP Project No. 352-52446; amending the FY 2024/25 – 2028/29 Capital Improvement Program (CIP); and amending the FY 2024/25 Operating Budget

DEPARTMENT: Parks and Recreation

STAFF: Darin Gale, Interim Director of Parks and Recreation
Aaron Wanden, Park Maintenance Manager
Tammy Homan, Management Analyst

TITLE/RECOMMENDATION

Adopt a Resolution 1) approving the contract documents, awarding the bid, and authorizing the City Manager or designee to execute a construction contract and necessary documents, including the use of contingency amounts, for the Sand Creek Sports Complex Phase 1A Project, CIP Project No. 352-52466 to Robert A. Bothman, Inc., dba Robert Bothman Construction, as the lowest responsible and responsive bidder in the amount of \$18,285,788, plus funding authorization for a 10% contingency amount of \$1,828,579, for a total authorization not to exceed amount of \$20,114,367, 2) amending the FY 2024/25 – 2028/29 Capital Improvement Program (CIP), and 3) amending the FY 2024/25 Operating Budget for the associated project funding transfers.

On August 13, 2024, by Resolution No. 2024-88, the City Council adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan prepared for the Sand Creek Sports Complex Project. A Notice of Determination was filed with the Contra Costa County Clerk Recorder on August 16, 2024.

FISCAL IMPACT

Funding for the Sand Creek Sports Complex, CIP Project No. 352-52446 ("Project"), is currently included in the amended 2024/25 – 2028/29 CIP with an approved budget of \$19,209,718. Award of this contract with Robert Bothman Construction ("Bothman") is \$18,285,788, plus funding authorization for a 10% contingency amount of \$1,828,579 for additional services, for a total authorization not to exceed amount of \$20,114,367.



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Staff recommends amending the 2024/25 – 2028/29 CIP to include the updated CIP Project sheet with a project budget of \$24,063,172 and amending the FY 2024/25 Operating Budget for the necessary funding transfers. If approved, this increase will be funded as follows:

Fund	Description	Amount
Parks and Trails Development Impact Fee	Budget amendment requested	\$ 2,500,000
Capital Infrastructure	Budget amendment requested	953,454
Capital Infrastructure	Repurpose current economic incentive budget	<u>1,400,000</u>
Total Project Increase		<u>\$ 4,853,454</u>

If funded as described above, the Parks and Trails Development Impact Fee Fund would be negative for a period of time, but it is anticipated it would return to a positive position in FY 2027/28 based on current development projections. The Capital Infrastructure Fund would have approximately \$400,000 of remaining budget for economic incentives and would be projected to have a zero balance as of 6/30/25, including this proposed amendment. The proposed updated CIP sheet is included as Attachment 3 to this staff report. The final proposed funding sources for the project are as follows:

Funding Source	Amount
General Fund	\$ 8,544,430
Parks Development Fee	10,264,696
Capital Infrastructure Fund	2,353,454
Bond Refinance Savings	<u>2,900,592</u>
Total Project Funding	<u>\$ 24,063,172</u>

The Bothman contract cost for the Project, including contingency for additional services, is \$20,114,367. The balance of the Project budget will be used for other pre-construction or construction costs for the project as described below.

Annual operations and maintenance costs for the Sand Creek Sports Complex are estimated at \$128,125 and will be incorporated into future Operating Budgets. A placeholder for this increase in the annual operations and maintenance costs is included in the ten-year General Fund Fiscal Model beginning in FY 2026/27.

BACKGROUND

On November 15, 2022, the City Council awarded an Agreement for Landscape Design Architectural Services and necessary documents, including amendments, for the planning, design and construction document services for the Project to Verde Design, Inc. (“Verde”) in the amount of \$1,691,593, plus a 15% contingency amount



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of \$253,738.95 for additional services, for a not to exceed amount of \$1,945,331.95. Preliminary design work commenced with public meetings held on January 31, 2023, and March 9, 2023, to solicit input from the community as to the desired amenities to be included as part of the Project.

The City Council then approved an Agreement for Environmental Services with Raney Planning & Management, Inc., for the Project in April 2023 in the amount of \$88,932, plus a 10% contingency amount of \$8,894 for additional services, for a not to exceed amount of \$97,826.

The Park and Recreation Commission Ad-Hoc Committee for the Project met with staff and Verde on April 11, 2023, and April 18, 2023, to review and discuss the proposed overall conceptual plan. Verde developed a construction cost estimate for the full buildout of all phases of Project in the amount of approximately \$31 million, which exceeded the approved Project budget of \$15 million.

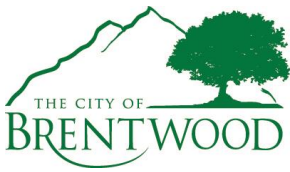
This overall conceptual plan was presented to the Park and Recreation Commission ("Commission") at its regular meeting on April 27, 2023. Following discussion, the Commission approved the overall conceptual plan for the Project and made a recommendation that it be brought to the City Council for approval and direction regarding the first phase of the Project, referred to as Phase 1A, to be constructed with available funding. It was recommended that Phase 1A be bid with several bid alternates, so that additional parts of the Project can be constructed should the existing funding allow.

On May 9, 2023, at the City Council CIP Workshop, the Project was considered by the City Council, who then approved keeping this Project in the 2023/24 – 2027/28 Capital Improvement Program with a budget of \$19.2 million for Phase 1A.

On August 13, 2024, the City Council held a public hearing for the approval and adoption of the Initial Study and Mitigated Negative Declaration for the Sand Creek Sports Complex dated May 2024. City Council approved the documents and adopted Resolution No. 2024-88, and staff filed the Notice of Determination with the Contra Costa County Clerk Recorder on August 16, 2024.

Following staff review of plans and specifications, the Project was advertised for bid on November 27, 2024. In addition to the base bid, each bidder was requested to provide a bid for the four Bid Alternates as follows:

- #1 Turf Maintenance Contract
- #2 Picnic/Warm-up Area/Additional Planting



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- #3 Tree Planting and Irrigation Along District’s Basin
- #4 Park Maintenance Building/Storage Yard/Fencing

The low bidder would be determined by the total of the Base Bid plus the bids for each of the four Bid Alternates.

Bids were opened on February 4, 2025. The following nine (9) bids were received:

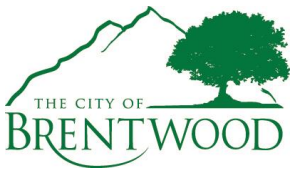
PLAN HOLDER	BID AMOUNT
Robert A. Bothman Inc. dba Robert Bothman Construction	\$18,285,787.56
O.C. Jones & Sons, Inc.	\$18,895,583.50
Ghilotti Bros., Inc.	\$19,332,128.31
Goodfellow Bros. California, LLC	\$20,125,553.98
McGuire and Hester	\$20,379,491.92
Bay Cities Paving & Grading, Inc.	\$21,227,758.20
R&R Pacific Construction *	\$21,318,714.26
Rodan Builders, Inc.	\$22,215,752.00
Legion Contractors, Inc.	\$22,845,148.45

* Non-Responsive

Staff thoroughly reviewed the bids received and is recommending the award of the construction contract for the Project to Bothman for submitting the lowest responsible bid, despite a protest submitted by the second lowest bidder, O.C. Jones & Sons, Inc. Following consultation with the City Attorney’s Office and outside counsel, a written response was provided to O.C. Jones & Sons, Inc. that a determination was made that Bothman’s bid was deemed responsive and that O.C. Jones & Sons, Inc.’s bid protest lacked merit. The construction contract with Bothman is included as Attachment 4. Due to file size, documents included as part of the contract can be found here: <https://www.brentwoodca.gov/Home/Components/RFP/RFP/118/657>).

The breakdown of Bothman’s bid is as follows:

Base Bid	\$17,034,049.48	
Bid Alt #1	\$33,220.00	Turf Maintenance Contract
Bid Alt #2	\$471,442.74	Picnic/Warm-up Area/Additional Planting
Bid Alt #3	\$28,857.00	Tree Planting and Irrigation Along District’s Basin
Bid Alt #4	<u>\$718,218.34</u>	Park Maintenance Building/Storage Yard/Fencing
	\$18,285,787.56	



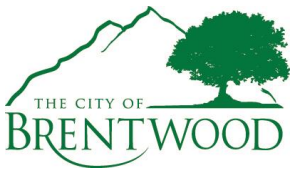
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Bothman’s bid includes all four bid alternates, and the costs for those items came in approximately 35% below Verde’s estimates. Including these items with this contract will make it possible to construct Phase 1A completely for the benefit of all users of the facility and produce future cost savings. If the four bid alternates are not included in this contract award it is anticipated that the costs for these items will likely increase significantly and will increase the cost of day-to-day maintenance of the new facility.

Staff is requesting an increase in the overall CIP project amount to include additional funds for other pre-construction or construction costs that may arise, that could include but are not limited to, using third party consultants for biological surveys, special inspections (grading, staking, rough and finishing, concrete, electrical), permits, and utility infrastructure. An updated estimate of the CIP project can be found in the table below:

SAND CREEK SPORTS COMPLEX	
Item Description:	Amount
Bothman Construction Base Bid Amount	\$17,034,050
Bothman Bid Alternates #1-#4	\$1,251,738
Total Construction Amount	\$18,285,788
Construction Contingency (10%)	\$1,828,579
GRAND TOTAL CONSTRUCTION COST	\$20,114,367
Additional CIP Project Costs:	
Design, Engineering, Legal, etc.	\$2,039,674
Consultants, biological surveys, inspections, permits	\$686,305
PG&E Electrical - Estimate	\$1,000,000
Other	\$222,826
Subtotal Additional Costs	\$3,948,805
TOTAL CIP PROJECT COST INCLUDING BID ALTERNATES	\$24,063,172
CIP PROJECT FUNDING	\$19,209,718
UNFUNDED PORTION OF CIP INCLUDING BID ALTERNATES	(\$4,853,454)

As discussed in the Fiscal Impact section, staff is recommending that the gap be closed through a combination of Parks Development Impact Fees (\$2.5 million) and the Capital Infrastructure Fund (\$2.35 million). The Capital Infrastructure Fund is recommended to be replenished with future revenue from the sale of surplus properties and other future one-time revenue sources. While not necessarily



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recommended, other potential funding sources that could be utilized for the Project include the following:

- Basketball Court Lighting – Homecoming & Windsor Parks
 - \$700,000. Using these funds would cancel this potential project.
- General Fund Reserve for Future Capital Projects
 - \$800,000. This reserve has not yet been committed to any specific project.
- Parking Garage Security and Safety Enhancements
 - \$414,000. Using these funds would cancel this potential project.
- Public Art Acquisition Funds
 - \$2,900,000. Balance is projected as of June 30, 2025. Memo regarding use of Public Art Funds is included as an attachment to this staff report as requested by Council.

Should the City Council direct staff to change the funding from what is being recommended, staff requests that a motion tonight include the ability for staff to amend the CIP sheet accordingly and amend the FY 2024/25 Operating Budget for the associated transfers.

CITY COUNCIL STRATEGIC INITIATIVE

Focus Area 5: Parks and Recreation Services

2. Develop a plan to implement long-term high priority Parks and Recreation Master Plan projects.
 - a. Sand Creek Sports Complex design & development and issue a RFP for design services as soon as feasible.

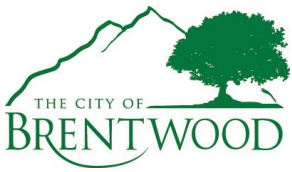
PREVIOUS ACTION

Previous Action by the City Council is included on Attachment 1.

DATE OF NOTICE

The Notice Inviting Bids was published on December 6 and 13, 2024 in the East County Times and The Brentwood Press.

ENVIRONMENTAL DETERMINATION



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ALTERNATIVE OPTION(S)

1. Do not approve staff's recommendation to move forward on the Project with the proposed funding sources.
2. Modify staff's recommendation.
3. Continue item with direction for staff to return with additional information.

ATTACHMENT(S)

1. Previous Action
2. Resolution
3. Proposed CIP Budget Sheet
4. Construction Contract
5. Response to Bid Protest
6. Rendering of Phase 1A
7. Public Art Funds Memo