

## **RESOLUTION NO. 2025-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD 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 \$1,828,788, 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**

**WHEREAS**, on February 26, 2019, City Council adopted Resolution No. 2019-21 adopting the Parks, Trails and Recreation Master Plan Update; and

**WHEREAS**, on February 22, 2022, City Council adopted Resolution No. 2022-25, 1) receiving the people, time & financial analysis of the draft Strategic Plan FY 2022/23 – FY 2023/24; 2) adopting the draft Strategic Plan FY 2022/23 – FY 2023/24; 3) directing staff to incorporate Strategic Plan FY 2022/23 – FY 2023/24 costs into the Operating and CIP Budgets, as well as in the City’s Ten-Year General Fund Fiscal Model; 4) approving the addition of six new full-time positions; and 5) directing staff to incorporate the costs associated with new positions into the FY 2022/23 – FY 2023/24 Operating Budgets, and authorize commencement of the recruitment for the new positions in FY 2021/22, to allow for filing of the positions no earlier than July 1, 2022; and

**WHEREAS**, on June 28, 2022, by Resolution 2022-85, the City Council adopted the City’s 2022/23 – 2026/27 Capital Improvement Program (“CIP”), which includes the Sand Creek Sports Complex, CIP Project No. 352-52446; and

**WHEREAS**, on April 11, 2023, by Resolution 2023-41, City Council approved and authorized the City Manager or designee to execute an Agreement for Environmental Services and necessary documents, including amendments, for the Sand Creek Sports Complex, CIP Project No. 352-52446 with Raney Planning & Management, Inc. 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; and

**WHEREAS**, on May 28, 2024, by Resolution 2024-56, the City Council adopted the City’s 2024/25 – 2028/29 Capital Improvement Program (“CIP”), which included the Sand Creek Sports Complex, CIP Project No. 352-52446; and

**WHEREAS**, on June 13, 2023, City Council adopted Resolution 2023-78 for the overall conceptual plan for the Sand Creek Sports Complex, CIP Project No. 352-52446 and provided direction to staff to move forward with design and environmental review on Phase 1A of the project based on current available funding; with amendments to modify Field #1 to 75 x 120 yards, remove the concession stand to allow for food trucks, adding bleachers and reducing green space near Field #1, and move pickleball courts to the east side in the next phase to replace one of the multi-use fields, and include field lining on all three fields for lacrosse; and

**WHEREAS**, on May 28, 2024, by Resolution 2024-56, the City Council adopted the City's 2024/25 – 2028/29 Capital Improvement Program ("CIP"), which includes the Sand Creek Sports Complex, CIP Project No. 352-52446; and

**WHEREAS**, on June 25, 2024, by Resolution 2024-76, the City Council 1) named the new sports complex the "Sand Creek Sports Complex", 2) Dedicated and named the championship field (Field #1) in the memory of Cecy Martinez, and 3) Approved the design for the team photo area as recommended by the Park and Recreation Commission; and

**WHEREAS**, on August 13, 2024, by Resolution 2024-88, the City Council approved and adopted the Initial Study and Mitigated Negative Declaration for the Sand Creek Sports Complex project, dated May 2024 and the Notice of Determination was filed with the Contra Costa County Clerk Record on August 16, 2024; and

**WHEREAS**, following staff review of plans and specifications, the Project was advertised for bid on November 27, 2024; and

**WHEREAS**, nine (9) bids were received and opened on February 4, 2025; and

**WHEREAS**, Robert A. Bothman, Inc., dba Robert Bothman Construction was the lowest responsive and responsible bidder, despite a protest submitted by the second lowest bidder O.C. Jones & Sons, Inc.; and

**WHEREAS**, following legal consultation, 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.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Brentwood hereby:

- 1) approves the contract documents, awards the bid, and authorizes 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) amends the FY 2024/25 – 2028/29 Capital Improvement Program (CIP) for the Sand Creek Sports Complex, CIP Project No. 352-52466, as detailed in the amended CIP project sheet, Attachment 3, incorporated herein by reference; and
- 3) amends the FY 2024/25 Operating Budget for the associated project funding transfers.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Brentwood at a regular meeting held on the 11<sup>th</sup> day of March 2025 by the following vote: