



CITY COUNCIL AGENDA ITEM NO. E.3
07/25/2023

SUBJECT: Construction contract for the Creekside Park Pickleball Courts Project

DEPARTMENT: Parks and Recreation

STAFF: Bruce Mulder, Director of Parks and Recreation
Aaron Wanden, Parks Maintenance Manager
Janice Ellis, Parks Planner
Elaine McGurk, Project Services Specialist

TITLE/RECOMMENDATION

Staff is requesting the City Council 1) approve the contract documents, award the bid, and authorize the City Manager or designee to execute a construction contract and necessary documents, including the use of contingency amounts for the Creekside Park Pickleball Courts Project, CIP Project No. 352-52441 to Luma Engineering Contractors Inc., as the lowest responsible and responsive bidder in the amount of \$371,562.45, plus funding authorization for a 10% contingency amount of \$37,156.24 for additional services for a total authorization not to exceed amount of \$408,718.69, 2) amend the FY 2023/24 – 2026/27 Capital Improvement Program (CIP) and 3) amend the 2023/24 Operating Budget for the associated project funding transfers.

FISCAL IMPACT

Funding for the Creekside Park Pickleball Courts, CIP Project No. 352-52441 ("Project"), is currently included in the amended 2021/22 – 2025/26 CIP with an approved budget of \$302,000. Although this Project was not included in the current CIP due to expectations that it would be completed prior to this fiscal year, the funding allocated in prior years remains available.

Council approval of this action to allow for the execution of a contract with Luma Engineering Contractors Inc. in the amount of \$371,562.45 plus 10% contingency will require additional Project funding from the General Fund of \$101,868 and \$47,938 from the Parks and Trails Development Impact Fee Fund. The 2022/23-2023/24 General Fund ongoing operations were expected to be appropriately breakeven before this additional funding request.

Staff recommends amending the 2023/24-2026/27 CIP to include a revised Project



**CITY COUNCIL AGENDA ITEM NO. E.3
07/25/2023**

budget in the amount of \$451,806 which accounts for increased costs in construction and amending the 2023/24 Operating budget to allow for the additional funding transfers in the amount of \$101,868 from the General Fund and \$47,938 from the Parks and Trails Development Impact Fee Fund. This project is funded by the General Fund (68%) and Parks and Trails Development Impact Fee Fund (32%).

Maintenance of the pickleball courts is anticipated to cost approximately \$3,500 annually and is included in the current Citywide Park Assessment District operating budget.

CIP Budget Sheet Project Funding and Expenditure changes being recommended in this action are as follows:

Project Expenditures	Original Budget	2023/24 Amended Budget	Difference
Legal	\$2,000	\$2,000	0
Planning and Design		\$41,087	\$41,087
Construction	\$300,000	\$408,719	\$108,719
Total Project Budget	\$302,000	\$451,806	\$149,806

Project Funding	Original Budget	2023/24 Amended Budget	Difference
General Fund	\$205,360	\$307,228	\$101,868
Development Impact Fees	\$96,640	\$144,578	\$47,938
Total Project Budget	\$302,000	\$451,806	\$149,806

BACKGROUND

On February 26, 2019, City Council adopted the Parks, Trails and Recreation Master Plan Update that included pickleball courts at Creekside Park. The Project was later identified as a Strategic Initiative in the City of Brentwood Strategic Plan FY 2020/21 – FY 2021/22 that was adopted on February 25, 2020. With the COVID-19 pandemic, City Council re-evaluated the Strategic Plan and numerous projects were placed on a Funding Deferred Projects Holding List due to unknown budget implications related to the pandemic. On July 14, 2020, the City Council adopted Resolution 2020-96 amending the City of Brentwood Strategic Plan FY 2020/21 – FY 2021/22 that reflected the changes in the project list. On June 22, 2021, the Project



**CITY COUNCIL AGENDA ITEM NO. E.3
07/25/2023**

had the funding reinstated in the action that adopted the amended Operating Budgets and the 2021/22 - 2025/26 Capital Improvement Program.

On July 28, 2022, the Park and Recreation Commission approved the initial conceptual plan with a four-court schematic and directed staff to proceed with the hiring of a project consultant for the design work. With assistance from the Engineering division of Public Works Department, Wood Rodgers was selected from the City's civil/structural design services on-call list to assist with the Project. On October 11, 2022, Wood Rodgers held a kickoff meeting at Creekside Park with staff and Park and the Recreation Commission Ad-Hoc Committee. On December 22, 2022, the Park and Recreation Commission approved the Updated Pickleball Conceptual Plan.

Formal bid documents were made available to the public on June 13, 2023 and a mandatory bidder's conference was held on June 27, 2023 at the Creekside Park tennis courts which was attended by three staff members along with four contractors. The bid opening was held on July 5, 2023, and a total of three (3) bids were received on the date as follows:

Contractor	Total of Bid
Luma Engineering Contractors Inc.	\$371,562.45 ¹
McNabb Construction, Inc.	\$498,498.00
Frontline Construction	\$634,094.00

In conformance with the Public Contract Code, staff recommends the award of the construction of the Creekside Park Pickleball Courts, CIP Project No. 352-52441 to Luma Engineering Contractors Inc. as being a responsible and responsive bidder for a contract amount of \$371,562.45, plus funding authorization for a 10% contingency of \$37,156.24, for a total funding authorization not to exceed amount of \$408,718.69.

CITY COUNCIL STRATEGIC INITIATIVE

The pursuit of this Project aligns with direction in the City Council's goals and objectives in the Focus Area 5 - Parks & Recreation Services as follows:

¹ There was a discrepancy in the itemized prices versus Luma's Bid Proposal amount, and the actual total of itemized prices control the base bid price, which is reflected in this total.



**CITY COUNCIL AGENDA ITEM NO. E.3
07/25/2023**

2. The short-term initiatives that included the Creekside Park Pickleball Courts were put on hold for a year due to the pandemic. They were reinstated with approval of the budget process in the summer of 2021.
 - g. In Progress: Staff is preparing a conceptual plan for these new courts to be located at Creekside Park and working to retain a design consultant to produce plans which will be used to go out to bid for construction services. The pickleball program hours on the temporary courts at Creekside have been expanded.

PREVIOUS ACTION

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

DATE OF NOTICE

Legal notice for Notice Inviting Bids were published in The Press on June 16, 2023 and June 23, 2023.

ENVIRONMENTAL DETERMINATION

Not Applicable.

ATTACHMENT(S)

1. Previous Actions
2. Resolution
3. CIP Sheet
4. Construction Contract