



Office of the City Manager

CONSENT CALENDAR
September 24, 2019

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront
Subject: Contract: Ghilotti Construction Company for John Hinkel Park Improvement Project

RECOMMENDATION

Adopt a Resolution:

1. Approving the plans and specifications for John Hinkel Park Improvement Project, Specification No. 19-11321-C; and
2. Authorizing the City Manager to execute a contract and any amendments, extensions or other change orders until completion of the project in accordance with the approved plans and specifications, with Ghilotti Construction Company, for the John Hinkel Park Improvement Project at 41 Somerset Avenue, Berkeley, CA 94704, in an amount not to exceed \$790,306, which includes a contract amount of \$658,588 and a 20% contingency in the amount of \$131,718.

FISCAL IMPACTS OF RECOMMENDATION

Funding is available in the FY 2020 budget in the Measure WW Parks Bond Fund (Fund 345) and the Parks Tax Fund (Fund 138). No other funding is required, and no other projects will be delayed due to this expenditure.

Contractor (lowest bid)	\$658,588
20% Contingency	\$131,718
<hr/> Total construction cost	<hr/> \$790,306
 Measure WW Parks Bond Fund (345-52-545-000-0000-000-461-663110)	 \$418,722
Parks Tax Fund (138-52-545-000-0000-000-461-663110)	\$371,584
<hr/> Total construction cost	<hr/> \$790,306

CURRENT SITUATION AND ITS EFFECTS

The John Hinkel Park site was designated a City Landmark in 2001. In early 2015, a fire destroyed the John Hinkel Clubhouse and the Clubhouse was demolished in April of that year. The upper area of the park has been fenced off-limits in the interim for safety reasons. The area is in need of restoration, renovation, and safety improvements.

Over the past three years, an extensive public process was conducted, comprised of community and Parks and Waterfront Commission meetings, to develop appropriate improvements that respond to community needs and also respect the historic nature of its Landmark designation. In late May of 2019, the project scope was finalized and the project is ready for construction. This Project repairs an existing hazard site. The reconstructed slope and retaining wall will restore and improve site safety.

BACKGROUND

The John Hinkel Park Improvement project was advertised for bids on June 13, 2019 and bids were opened on July 9, 2019. The City received 1 bid at \$1,139,500. CF Contracting, Inc. was the singular bidder. CF Contracting, Inc.'s base bid exceeded the available budget for the project and the project was unable to proceed. Under Council Recess authorization, the City Manager rejected all bids and authorized staff to negotiate in the open market in accordance with City Charter Article XI, Public Works and Supplies, Section 67(a). Negotiations with Ghilotti Construction Company resulted in a proposal for a contract to perform the work using available project funding.

This project is one of two remaining projects which are partially funded by Measure WW funds. The City has incurred expenses for the design of the project utilizing Measure WW Grant funds that may only be reimbursed at the completion of the project.

The Living Wage Ordinance does not apply to this project since construction contracts are subject to State prevailing wage laws, per City policy. The contractor will need to submit a Certification of Compliance for the Equal Benefits Ordinance.

ENVIRONMENTAL SUSTAINABILITY

The construction contract includes requirements to comply with the City's Environmentally Preferable Purchasing Policy. The project is a renovation of a developed site and therefore will not negatively affect natural habitat.

RATIONALE FOR RECOMMENDATION

The John Hinkel Park upper area is in need of restoration, renovation and safety improvements. The City does not have the in-house labor or equipment resources to complete this renovation project.

ALTERNATIVE ACTIONS CONSIDERED

None

CONTACT PERSON

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Evelyn Chan, Supervising Civil Engineer, PRW, (510) 981-6430
Wendy Wellbrock, Associate Civil Engineer, PRW, (510) 981-6346

Attachments:
1: Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT: GHILOTTI CONSTRUCTION COMPANY FOR THE
JOHN HINKEL PARK IMPROVEMENT PROJECT

WHEREAS, the John Hinkel Park Improvement Project repairs an existing hazard site, and the reconstructed slope and retaining wall will restore and improve site safety; and

WHEREAS, the City has neither the labor nor the equipment necessary to undertake this project; and

WHEREAS, the John Hinkel Park Improvement Project was advertised for bids on Thursday, June 13, 2019 and bids were opened on July 9, 2019; the City received 1 bid at \$1,139,500, from CF Contracting, Inc.; CF Contracting, Inc.'s base bid exceeded the available budget for the project and the project was unable to proceed; and

WHEREAS, under Council Recess authorization, the City Manager rejected all bids and authorized staff to negotiate in the open market to obtain a contractor to perform the work using the available project funding. Negotiations with Ghilotti Construction Company resulted in a proposal for a contract to perform the work using available project funding; and

WHEREAS, funding is available in the FY 2020 Measure WW Parks Bond Fund (Fund 345) and the Parks Tax Fund (Fund 138).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Plans and Specification No. 19-11321-C for John Hinkel Park Improvement Project are approved.

BE IT FURTHER RESOLVED that the Council of the City of Berkeley authorizes the City Manager to execute a contract and any amendments, extensions, or change orders until completion of the project in accordance with the approved plans and specifications with Ghilotti Construction Company for the John Hinkel Park Improvement Project in an amount not to exceed \$790,306, and authorizes a 20% construction contingency of \$131,718 for unforeseen circumstances. A record signature copy of the agreement and any amendments to be on file in the Office of the City Clerk.

