



Office of the City Manager

CONSENT CALENDAR  
December 10, 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 No. 32000082 Amendment: Mar Con Builders, Inc. for Live Oak Community Center Seismic Upgrade Project

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 32000082 with Mar Con Builders, Inc. for the Live Oak Community Center Seismic Upgrade Project, increasing the contract amount by \$241,451 plus a 20% contingency in the amount of \$48,290 for a total amount not to exceed of \$5,705,668.

FISCAL IMPACTS OF RECOMMENDATION

Funding for this contract amendment is available in the Measure T1 Fund (511-52-545-000-0000-000-461-663110-PRWT119005) and will be included in the second annual appropriations ordinance of FY20. No other funding is required, and no other projects will be delayed due to this expenditure.

CURRENT SITUATION AND ITS EFFECTS

The existing community center at Live Oak Park is in need of renovation and is one of the City's identified care and shelter facilities. The scope for the existing contract with Mar Con Builder's Inc. includes seismic upgrades to the foundations, roofing, and wall systems, upgrades to current building codes, ADA accessibility improvements, and various energy upgrades. The contract did not include the renovation and remodel of the kitchen, which includes electrification and building code upgrades. This work was an additive alternate and was not included in this contract due to funding constraints.

Staff determined that the kitchen remodel for Live Oak Community Center meets several priorities expressed by Council. It is work that could be completed in a timely manner, while being consistent with the City's Climate Action Plan and Resiliency Plan by reducing the City's reliance on natural gas and making improvements to one of the City's care and shelter sites. As various other projects have progressed and become more defined, Staff has been able to identify funding within T1 to be used for this work.

BACKGROUND

On September 24, 2019, Council adopted Resolution No. 69,112-N.S., authorizing the City Manager to execute a contract and any amendments with Mar Con Builders Inc. for the seismic upgrade of the Live Oak Community Center. The total contract was for \$5,415,927, which included a contingency in the amount of \$492,357.

The renovations at Live Oak Community Center incorporated as many energy efficiency upgrades as feasible within the allotted budget. The kitchen remodel, which includes electrification and building code upgrades, was an additive alternate and was not included in the contract at the time of award.

ENVIRONMENTAL SUSTAINABILITY

Transitioning buildings away from natural gas to clean electricity offers significant health, safety and resiliency benefits and supports the goals of the City's Climate Action Plan.

RATIONALE FOR RECOMMENDATION

The renovation and electrification of the kitchen helps meet the City's Climate Action Plan, resiliency and sustainability goals. Contracted services are required for this work as the City does not have the in-house expertise to complete this specialized work.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Scott Ferris, Director, Parks Recreation & Waterfront, 981-6700

Taylor Lancelot, Associate Civil Engineer, Parks Recreation & Waterfront, 981-6421

Attachments:

1: Resolution

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

CONTRACT NO. 32000082 AMENDMENT: MAR CON BUILDERS, INC., FOR LIVE OAK COMMUNITY CENTER SEISMIC UPGRADE

WHEREAS, the community center at Live Oak Park is in need of renovation; and

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

WHEREAS, an invitation for bids was duly advertised on July 22, 2019, bids were opened on August 29, 2019, and the City received eight bids; and

WHEREAS, Mar Con Builders, Inc. was determined to be the lowest responsive and responsible bidder, and references for Mar Con Builders, Inc. were provided and checked out satisfactorily; and Mar Con Builders, Inc. was awarded Contract No. 32000082; and

WHEREAS, funding is available in the Measure T1 Fund (Fund 511); and

WHEREAS, the renovation of the kitchen is work that could be completed in a timely manner, while being consistent with the City's Climate Action Plan and Resiliency Plan by reducing the City's reliance on natural gas and making improvements to one of the City's care and shelter sites.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager is authorized to execute an amendment to Contract No. 32000082 with Mar Con Builders Inc. for the Live Oak Community Center Seismic Upgrade project, increasing the amount by \$289,741, for a total amended amount not to exceed \$5,705,668. A record signature copy of the any amendments to be on file in the Office of the City Clerk.

