

DATE: November 13, 2007

TO: Mayor and City Council Members

FROM: Parks and Recreation Department

SUBJECT: **RESOLUTION NO. 8183 - A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT #2 TO THE CONSTRUCTION AGREEMENT WITH GOLD VALLEY CONSTRUCTION, INC. FOR THE LIVERMORE COMMUNITY PARK PHASE 4 SITE IMPROVEMENTS PROJECT, AND APPROPRIATION OF FUNDS**

**BACKGROUND/ISSUE**

The Livermore Community Park Phase 4 Site Improvements project is under construction. The project was bid with a Base Bid and one Additive Alternate. The base bid items are as follows: construction of two parking lots totaling 93 spaces, softball field, soccer field overlay, sports field lighting, drainage structures, concrete pavement, walks, and landscaping. Additive Alternate #1 is for construction of a second softball field and field lighting.

Gold Valley Construction, Inc., the lighting/electrical sub-contractor (Gray Electric Co.), and the lighting supplier (MUSCO Lighting) have extended their bid price for Additive Alternate #1 as submitted on August 28, 2007 until November 30, 2007 to enable the City to further research additional funding.

The City Council awarded a contract to Gold Valley Construction, Inc. for the base bid scope of work on September 11, 2007 (Resolution No. 8139). Subsequently, the City Council approved Amendment #1 to Gold Valley Construction, Inc. for the construction of a second softball field **without** lights on October 23, 2007 (Resolution No. 8166). The contract amendment represented approval to construct half of the scope of work of Additive Alternate #1 – the second softball field. Consideration of Amendment #2 is for the funding and award to complete the field lighting needed for the second softball field and soccer field overlay.

In addition to Amendment #2 for the Phase 4 project, there is a continuing effort by the Folsom Athletic Association (FAA) and the Livermore Project Finish Campaign. Through FAA contacts and follow-up, several major donors/contractors are interested in providing construction services if the construction documents for Phase 5 are completed. Due to staffing commitments to current council-approved capital improvement projects, consultant services are required to provide the construction documents for use by the donors/contractors.

**POLICY/RULE**

In accordance with Chapter 2.36 of the Folsom Municipal Code, Public Works projects costing \$41,750 or greater shall be competitively bid and contracted for by the City Council.

**ANALYSIS**

The proposed funding for Amendment #2 (\$147,500) is available from the Park Impact Fee Fund (Fund 412), specifically, current and future revenue identified for the annual payments of the

Folsom Sports Complex (FSC). The FSC funding plan currently includes two annual payments (\$1,000,000) in reserve, and a projected funding plan balance in excess of \$800,000 in FY 12/13. The FSC annual payment for the current fiscal year will come from development fee revenue reasonably anticipated to be received by the end of the third quarter of this fiscal year. All the projects in the FSC funding plan remain viable and are in various stages of entitlement and development.

The purpose of moving forward at this time is multi-fold:

1. Current community desire and support to complete the final phase of the park;
2. To take advantage of a competitive bid and the current construction industry climate; and
3. Through the Folsom Athletic Association (FAA) Livermore Project Finish campaign, we are able to leverage significant potential private-sector donations from Granite Construction, Kiewit Pacific Construction, Syblon Reid, and Teichert Construction.

At an October 15<sup>th</sup> FAA sponsored Livermore Project Finish campaign meeting, the contractors previously listed requested construction documents for the completion of Livermore Community Park before undertaking contributions. Based on the project scope, staff estimates consulting fees for the remainder of Livermore Community Park to be approximately \$52,500.

### **FINANCIAL IMPACT**

Appropriation of \$147,500 from the Park Impact Fee Fund (Fund 412) will be required for Amendment #2. The capital funding from Fund 412 is available and proposed to be repaid from donations/contribution made by the FAA and its supporting Youth Organizations (including soccer, girls' softball, and youth football).

Appropriation of \$52,500 from the Park Impact Fee Fund (Fund 412) will be required for the design fee for the completion of Livermore Community Park. The FAA is committed to continuing to raise funds and seek donations and contributions to offset the construction documents and construction costs to complete the Livermore Community Park.

Due to the significant FSC funding plan balance of over \$800,000 in FY 12/13 and FAA's commitment to continue fund raising for the Livermore Community Park Project Finish campaign, no significant long-term financial impact is anticipated from the proposed \$200,000 appropriation recommended in this report.

### **ENVIRONMENTAL REVIEW**

The City Council approved the Mitigated Negative Declaration for the Livermore Community Park Master Development Plan Modification by Resolution No. 8088 on June 26, 2007.

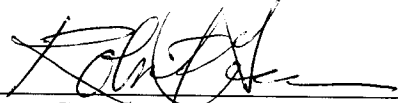
### **ATTACHMENTS**

1. Resolution No. 8183 - A Resolution Authorizing the City Manager to Execute Amendment #2 to the Construction Agreement with Gold Valley Construction, Inc. for the Livermore Community Park Phase 4 Site Improvements Project, and Appropriation of Funds

**RECOMMENDATION/CITY COUNCIL ACTION**

Move to approve Resolution No. 8183 - A Resolution Authorizing the City Manager to Execute Amendment #2 to the Construction Agreement with Gold Valley Construction, Inc. for the Livermore Community Park Phase 4 Site Improvements Project, and Appropriation of Funds.

Respectfully submitted,



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Robert Goss, Parks & Recreation Director

**ATTACHMENT 1**

Resolution No. 8183

**RESOLUTION NO. 8183**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT #2 TO THE CONSTRUCTION AGREEMENT WITH GOLD VALLEY CONSTRUCTION, INC. FOR THE LIVERMORE COMMUNITY PARK PHASE 4 SITE IMPROVMENTS PROJECT, AND APPROPRIATION OF FUNDS**

**WHEREAS**, Gold Valley Construction, Inc., Gray Electric, and MUSCO Lighting have extended their bid price for the lighting portion of Additive Alternate #1, as submitted on August 28, 2007 until November 30, 2007; and

**WHEREAS**, Additive Alternate #1, a second softball field without field lights, was awarded to Gold Valley Construction, Inc. on October 23, 2007; and

**WHEREAS**, the additional field lighting from Additive Alternate #1 bid is approximately \$147,500; and

**WHEREAS**, funding for Additive Alternate #1 is available from the Park Impact Fee Fund (412); and

**WHEREAS**, the Folsom Athletic Association has committed to raise equal funds through donations and contributions and donate them back to the city; and

**WHEREAS**, the City Council approved the Mitigated Negative Declaration for the Livermore Community Park Master Development Plan Modification by Resolution No. 8088 on June 26, 2007; and

**WHEREAS**, appropriation of \$147,500 from the Park Impact Fee Fund (Fund 412) is required for Amendment #2; and

**WHEREAS**, appropriation of \$52,500 from the Park Impact Fee Fund (412) is required for the construction documents for the completion of Livermore Community Park, Phase 5; and

**WHEREAS**, the FAA is working diligently with several large area contractors to coordinate donated construction services for the fifth and final phase of the park.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Folsom authorizes

1. The Finance Director to appropriate \$147,500 from the Park Impact Fee Fund (412) for project-related and construction expenses for Livermore Park Phase 4.
2. The Finance Director to appropriate \$52,500 from the Park Impact Fee Fund (412) for construction document and related expenses for the completion of Livermore Community Park Phase 5.
3. The City Manager to execute Amendment #2 to the construction agreement, in a form acceptable to the City Attorney in the amount of \$147,500 with Gold Valley Construction, Inc. for the construction of the Livermore Community Park Phase 4 Site Improvements project.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of November 2007 by the following roll call vote:

**AYES:** Council Member(s):

**NOES:** Council Member(s):

**ABSTAIN:** Council Member(s):

**ABSENT:** Council Member(s):

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Andrew J. Morin, MAYOR

ATTEST:

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Christa Schmidt, CITY CLERK