

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO
AWARDING, APPROVING A BUDGET TRANSFER FOR AND AUTHORIZING THE
CITY MANAGER TO**

**(A) ISSUE NOTICE OF AWARD AND EXECUTE A CONTRACT WITH BAUMAN
LANDSCAPE & CONSTRUCTION, INC. OF SAN FRANCISCO FOR
CONSTRUCTION,**

**(B) EXECUTE AN AMENDMENT TO THE EXISTING
PROFESSIONAL/CONSULTING SERVICES AGREEMENT WITH CARDUCCI &
ASSOCIATES, INC. OF SAN FRANCISCO FOR DESIGN SERVICES DURING
CONSTRUCTION AND**

**(C) EXECUTE A PROFESSIONAL/CONSULTING SERVICES CONTRACT WITH
RIEDINGER CONSULTING, INC. OF SAUSALITO FOR CONSTRUCTION
MANAGEMENT AND RELATED SERVICES**

**ALL FOR DELIVERY OF THE OF THE CITY OF SAUSALITO ROBIN SWEENEY
PARK IMPROVEMENT PROJECT**

WHEREAS, with Resolution No. 5558 of December 1, 2015 the Sausalito Financing Authority and the City Council of the City of Sausalito jointly approved the form and authorized the execution of certain lease financing documents in connection with the implementation, offering and sale of certificates of participation relating thereto to finance capital improvements to (among other things) the City's Robin Sweeney Park; and

WHEREAS, with funds having been appropriated for construction during the course of the City Council's adoption of the budget for Fiscal Year 2015-2016 , the plans for the Project were submitted for and received approval of Design Review Permit DR-15-175 from the Sausalito Planning Commission during the course of the public hearing held at its regular meeting of July 29, 2015 with its Resolution No. 2015-18; and

WHEREAS, given the results of the election held November 3, 2014 (validated with Council's action of December 1, 2015), Staff posted Notice Inviting Bids as well as plans and specifications for the Project on the City's website on November 13, 2015 taking advantage of the opportunity to break the Project into base bid and bid alternate elements in order to ensure that the Council would have as much flexibility as possible in delivering both the Robin Sweeney Park improvements desired by the community, as well as the accessibility improvements necessary for the Park, required in the City's settlement agreement, and identified in the Self-Evaluation and Transition Plan update in progress; and

WHEREAS, in conformance with Sausalito Municipal Code Section 3.30.340, Formal Bidding Procedures for Public Works Projects and applicable California Public Contract Code sections, the Notice inviting bids was issued to planrooms and contractors on the City's list of bidders, and published in the Marin Independent Journal on November 13, 2015 and the MarinScope on November 18, 2015; and

WHEREAS, three (3) bids were received and opened on December 23, 2015 with the apparent low bidder being Bauman Landscape & Construction, Inc.'s total bid of \$1,791,158 consisting of a base bid amount of \$1,439,781 and \$351,377 for the alternate items solicited against the Engineer's Estimate for the Project of \$1,500,000; and

WHEREAS, the bid submitted by Bauman Landscape & Construction, Inc., was evaluated and found to be responsive to the plans, specifications and other bid documents issued; Bauman Landscape & Construction, Inc. (Contractor's License No. 372478) is current and active as both licensed "A" (General Engineering) and C-27 (Landscaping) contractor according to the California State Contractor's Licensing Board website; and

WHEREAS, with adoption of Resolution No. 5192 during the course of its regular meeting of November 23, 2010, the City Council of the City of Sausalito approved and authorized the City Manager to execute a Professional/Consulting Services Agreement with Carducci & Associates, Inc. for landscape architecture services for improvements to Robin Sweeny Park; and

WHEREAS, during the course of its work with the Parks and Recreation Department, the Parks and Recreation Commission, stakeholders in the community, and the City's Planning Commission and Staff, Carducci & Associates was successful in developing consensus on the Project but expended its authorized budget in doing so; and

WHEREAS, Staff respectfully requests that a budget augmentation of \$60,000 be approved in the form of a Standard Form Professional/Consulting Services amendment to allow Carducci & Associates to continue to contribute to the successful delivery of the Project; and

WHEREAS, owing to the complexity of the Project, Riedinger Consulting's involvement in planning the delivery of the landscaping improvements at City Hall/Community Center as developed in conjunction with Sausalito Beautiful and noted Landscape Architecture Firm SWA Group here in Sausalito, as well as key contributions to the City's accessibility barrier removal program currently being constructed in the public right-of-way for the City, Staff respectfully requests that a Standard Form Professional/Consulting Services agreement be executed to allow Riedinger to assist in the delivery of the Project by providing Construction Management and inspection services in addition to City Staff with a recommended budget of \$100,000; and

WHEREAS, the budget recommended for the Project is summarized below:

<u>Base Park Item</u>	<u>Cost</u>
Construction -- Bauman	(\$1,439,781)
Carducci & Associates	(\$60,000)
Riedinger & Associates	(\$100,000)
Total Cost (rounded)	(\$1,600,000)

<u>Base Park Funding Source</u>	<u>Funding</u>
Certificates of Participation	\$1,200,000
Donations	\$53,000
Parks Capital Project Planning	\$100,000
Dunphy Park Modular Restroom	\$75,000
City Hall Meeting Room	\$88,000
Small Park Improvements	\$24,000
Dunphy Park Electrical Improvements	\$60,000
Total Funding	\$1,600,000

with this initial phase of the project proposed to be funded by Certificates of Participation, donations, and transfer of appropriated, available and unencumbered funds from capital projects in the current FY15-16 budget that cannot feasibly be completed before the end of this fiscal year (City Hall Meeting Room and Small Park Improvements), are no longer the priority they were before the results of the Measure "F" advisory on funding became available (Parks Capital Project Planning), or will be completed as part of a larger Parks project in a subsequent fiscal year (Dunphy Park restroom and electrical improvements); and

WHEREAS, the procurement of the construction contract was performed in compliance with the formal bid procedure specified in Section 3.30.340 of the Sausalito Municipal Code ("SMC") as well the relevant and applicable sections of the California Public Contract Code for an agency that conforms to the California Uniform Construction Cost Accounting Act, and the California Labor Code (with respect to prevailing wages); and

WHEREAS, the Project is categorically exempt from the application of CEQA inasmuch as it involves the repair or reconstruction of existing facilities and improvements with no expansion in or change of use as provided for in Title 14 California Code of Regulations, Chapter 3: Guidelines for Implementation of the California Environmental Quality Act as amended January 4, 2013, Section 15301.

NOW, THEREFORE, the City Council of the City of Sausalito does hereby resolve as follows:

1. Finds the Project categorically exempt from the application of CEQA inasmuch as it involves the repair or reconstruction of existing facilities and improvements with no expansion in or change of use as provided for in Title 14 California Code of Regulations, Chapter 3: Guidelines for Implementation of the California Environmental Quality Act as amended January 4, 2013, Section 15301.
2. Approves the appropriation of funds from the Certificates of Participation, donated funds and the Budget Transfers identified herein.

3. Authorizes the City Manager to (a) Issue Notice of Award and Execute a Contract with Bauman Landscape & Construction, Inc. of San Francisco for Construction in the amount of \$1,439,781, (b) Execute an Amendment to the Existing Professional/Consulting Services Agreement with Carducci & Associates, Inc. of San Francisco for Design Services During Construction in the amount of \$60,000 and (c) Execute a Professional/Consulting Services Contract with Riedinger Consulting, Inc. of Sausalito for Construction Management and Related Services in the amount of \$100,000 -- all for Delivery of the of the City of Sausalito Robin Sweeny Park Improvement Project.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Sausalito on the 12th day of January, 2015 by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSTAIN: Councilmembers:
ABSENT: Councilmembers:

MAYOR OF THE CITY OF SAUSALITO

ATTEST:

CITY CLERK