



City Council Staff Report

From: City Manager

Report Type: CONSENT CALENDAR

Lead Department: Community Services

Meeting Date: June 17, 2024

Report #:2405-3009

TITLE

Approval of Construction Contract Number C24190081 with Marina Landscape, Inc. in the Amount Not-to-exceed \$338,459 for Dog Park Installation and Renovation Project PG-18001; and Authorization of Contract Contingency in an Amount Not-to-Exceed \$50,769 for Related, Additional but Unforeseen Work Which May Develop During the Project; and Amend the FY2024 Budget in the Capital Improvement Fund (2/3 vote required); CEQA status – categorically exempt.

RECOMMENDATION

Staff recommends the City Council:

1. Approve and authorize the City Manager or their designee to execute the attached construction contract with Marina Landscape, Inc. ([Contract No. #C24190081](#)) in the amount not to exceed \$338,459 for the Mitchell Dog Park improvements pursuant to the Dog Park Installation and Renovation Project (PG-18001); and
2. Authorize the City Manager or designee to negotiate and execute one or more change orders to the construction contract with Marina Landscape, Inc. for related, but unforeseen work which may develop during the project, the total value of the which shall not exceed \$50,769; and
3. Amend the Fiscal Year 2024 Budget Appropriation for the Capital Improvement Funds (requires a two-thirds approval by the Council) by:
 - a. Decreasing the Benches, Signage, Walkways, Perimeter Landscaping, and Site Amenities Project (PG-06003) by \$74,045; and
 - b. Increasing the Dog Park Installation and Renovation Project (PG-18001) by \$74,045.

EXECUTIVE SUMMARY

The Palo Alto Parks, Trails, Natural Open Space, and Recreation Master Plan has driven the expansion and enhancement of local dog parks since 2018, with projects funded by park impact fees. The Mitchell Park dog park, a well-utilized 0.56-acre facility, will undergo significant improvements including expansion, new fencing, an added small dog area, additional seating, irrigation upgrades, and better drainage. The City Council approved the necessary Park Improvement Ordinance on September 27, 2022¹. Marina

¹City Council, September 27, 2022; Agenda Item #8; SR# 14781;
<https://portal.laserfiche.com/Portal/DocView.aspx?id=59259&repo=r-704298fc>

Landscape, Inc. was the lowest responsible bid for the project, with a budget of \$389,228, adjusted to include a fifteen percent contingency for unforeseen costs.

BACKGROUND

The Parks, Trails, Natural Open Space, and Recreation Master Plan² provides guidance on adding dog parks. The policy states that Palo Alto should actively pursue adding dedicated, fenced dog parks in multiple neighborhoods, equitably distributed between North and South Palo Alto. The size of the dog parks will vary but should strive to be at least 0.25 acres and each new dog park installation will require a Park Improvement Ordinance (PIO).

The Palo Alto Dog Park Installation and Renovation Project has evolved over the years as part of the City's ongoing efforts to enhance recreational opportunities for residents and their dogs. An ongoing Capital Improvement Project was established in 2018, allocating \$150,000 per project to expand and enhance dog parks every two years. These funds are sourced from park impact fees, ensuring that the development of dog parks is sustainable and aligned with community priorities.

In 2018, the construction of Peers Park Dog Park marked a significant milestone in expanding the city's dog park network in North Palo Alto. There are currently four (4) dog parks: Mitchell Park (0.56 acres), Peers Park (0.84 acres), Greer Park (0.06 acres), and Hoover Park (0.14 acres). Currently, in construction is Boulware Park, which is a full renovation and expansion and will include a new dog park (0.5 acres).

ANALYSIS

The community recognized a need for the expansion and enhancement of the Mitchell Park dog park, an existing 0.56-acre facility, which is well-utilized. The current amenities include hose bibs, benches, picnic tables, and waste receptacles. This location was prioritized by community feedback, feasibility, and budget.

Several improvements were outlined which included expanding the size of the current dog park, creating a separate area for small dogs, upgrading fencing and entry gates, adding seating, relocating hose bibs, reconfiguring irrigation systems, and ensuring compliance with creek easement regulations.

Furthermore, considerations have been made to maintain the existing grass and decomposed granite surfacing in the large dog park area, while the small dog park area will maintain its turf but will eventually transition to decomposed granite.

On May 4, 2022, staff reviewed the proposed improvements to the dog park in a community meeting held online to obtain public input. There were 26 participants. The response to the proposed renovations was positive and recommended including hills/slope areas in the dog park, enlarging the dog park area as much as possible, adding more seating/benches, and fixing the existing drainage issues.

On June 28, 2022, the Parks and Recreation Commission (PRC) reviewed the proposed plans, which included revisions made in response to community comments. The PRC was supportive of the expansion

²Palo Alto Parks Trails, Natural Open Space and Recreation Master Plan, September 2017; [palo-alto-parks-master-plan.pdf \(cityofpaloalto.org\)](https://www.cityofpaloalto.org/palo-alto-parks-master-plan.pdf)

plans and provided comments that were addressed in the plan presented with the PIO. The revisions included: reducing the small dog park fence height to 3 feet and the addition of 15 new native trees, a mix of Valley Oak and California Sycamore, to the area for shade and habitat benefits.

At the June 28th PRC meeting, staff presented an alternative fence alignment³ that would provide better privacy for the adjacent picnic area and maintain some shade trees. The alternative fence alignment would reduce the dog park's size but retain some sloped, shaded areas. The staff presentation highlighted issues with the previous three-foot fence at Hoover Dog Park, which was replaced with a five-foot fence due to dogs jumping over it and recommended a similar height for the new Mitchell Park fence. The Commission voted 4:3 to recommend that the City Council adopt a PIO for the Mitchell Park Dog Park with the five-foot high fence, as recommended by staff, and with the alternative fence alignment proposed.

The PIO included the following items: 1) expand the size of the existing dog park area with a new 5-foot tall chain link fence; 2) install a new small dog park area with a 5-foot tall chain link fence; 3) replace existing irrigation system; 4) replace existing mowed turf with 'no mow' grass to reduce maintenance; 5) add new site amenities including bench seating and waste receptacles; 6) establish a 10 foot set-back along Adobe Creek; 7) install new area drains; and 8) plant new native trees.

On September 27, 2022, the City Council approved the Park Improvement Ordinance for the project (second reading)⁴.

Bid Process

On April 22, 2024, a notice for invitation for bids (IFB) for the Mitchell Dog Park Renovation Project was posted on the City of Palo Alto's e-procurement website (OpenGov), notifying 3,036 providers of the bid opening. The bidding period was 16 days. Bids were received from three (3) contractors by the bid submission deadline of May 7, 2024.

Table #1: Summary of Invitation for Bids	
Project Bid Name/Number	Mitchell Park Dog Park Improvements (IFB190081)
Proposed Length of Project	53
Number of Bid Packages Downloaded by Contractors	47
Number of Bid Packages Downloaded by Builder's Exchanges	5
Total Days to Respond to Bid	16
Mandatory Pre-Bid Meeting	No
Number of Company Attendees at Pre-Bid Meeting	N/A
Number of Bids Received	3
Base Bid Price Range	338,459-426,645
Public Link to Solicitation	Project overview (opengov.com)

³ Parks and Recreation Commission, July 28, 2022; Agenda Item #6; [AWARD OF CONTRACT CMR \(BID\) \(cityofpaloalto.org\)](#)

⁴ City Council, September 27, 2024; Agenda Item #8; [20220927amccsm.pdf \(cityofpaloalto.org\)](#)

One proposal was rejected due to it being unresponsive, because it was an incomplete bid. The Landscape Pros ML, Inc. and Marina Landscape, Inc. both met City specifications. Marina Landscape, Inc. is the lowest responsive bid.

Staff reviewed the bids along with all the bid alternates. Base bids ranged from \$338,459 to \$383,712 and the engineer's estimate was \$409,765. Staff is requesting a fifteen percent contingency as it bridges the gap between the engineer's estimate and the bid. A fifteen percent contingency is necessary for this project because it accounts for unforeseen circumstances and complexities that can arise during construction, such as unanticipated site conditions that result in changes in scope and fluctuations in material costs. This higher contingency helps ensure the project remains on schedule and within budget despite potential challenges that exceed typical expectations. The native tree planting was not included in the scope of work and will be done in-house.

FISCAL/RESOURCE IMPACT

The Dog Park Installation and Renovation Project (PG-18001) has funding of \$315,183. By amending the Fiscal Year 2024 budget appropriation for the Capital Improvement Funds by decreasing the Benches, Signage, Walkways, Perimeter Landscaping, and Site Amenities Project (PG-06003) by \$74,045; and increasing the Dog Park Installation and Renovation Project (PG-18001) by \$74,045, this would provide for \$389,228 of funding for this project.

The ongoing maintenance for this site will be integrated into the existing maintenance contract and will be absorbed within the Community Services Department Operating Budget.

STAKEHOLDER ENGAGEMENT

There were over 1,500 emails and more than 100 postcards were distributed to residents, encouraging their stakeholder engagement in the community design process. A community meeting was conducted on May 4, 2022, via zoom, with 26 attendees. The proposed expansion of the existing dog park garnered support from those present.

Additionally, staff engaged with the Palo Alto Dog Owners group, representing several hundred residents advocating for increased off-leash dog exercise spaces, to discuss the project and gather feedback.

A dedicated project webpage⁵ was established to provide comprehensive information about the proposed renovation of the Mitchell Park Dog Park.

For public meetings, the Parks and Recreation Commission (PRC) convened a discussion on the Mitchell Park Dog Park Expansion in June 2022. Subsequently, in July 2022, the PRC recommended a Dog Park Improvement Ordinance. The City Council conducted the first and second readings of the Park Improvement Ordinance in September 2022.

ENVIRONMENTAL REVIEW

The expansion of the Mitchell Park Dog Park is categorically exempt from the California Environmental Quality Act (CEQA) under Title 14 California Code of Regulations Section 15301 (Existing Facilities), Section

⁵ Project webpage, [City of Palo Alto Dog Parks – City of Palo Alto, CA](#)

15302 (Replacement or Reconstruction), Section 15303 (New Construction of Small Facilities or Structures), and Section 15311 (Accessory Structures) because it consists of the redevelopment of an existing facility.

APPROVED BY:

Kristen O'Kane, Community Services Director