



## City Council Staff Report

**From: City Manager**

**Report Type: CONSENT CALENDAR**

**Lead Department: Public Works**

**Meeting Date: June 17, 2024**

Report #:2404-2922

### **TITLE**

Approval of Construction Contract C24190748 with Ross Recreation Equipment Company Inc. in the Amount of \$305,600 and Authorization for the City Manager or Their Designee to Negotiate and Execute Change Orders up to a Not-to-Exceed Amount of \$30,600 for the Ramos Park Improvements, Capital Improvement Program Project PG-14000; CEQA Status—Exempt Under CEQA Guidelines Section 15301

### **RECOMMENDATION**

Staff recommends that Council:

1. Approve and authorize the City Manager or their designee to execute Contract No. C24190748 with Ross Recreation Equipment, Inc. in an amount not to exceed \$305,600 for the purchase and installation of a playground for Ramos Park Improvements Capital Improvement Program project (PG-14000); and
2. Authorize the City Manager or their designee to negotiate and execute one or more change orders to the contract with Ross Recreation for related additional but unforeseen work which may develop during the project, the total value of which shall not exceed \$30,600.

### **BACKGROUND**

In 2014, Council approved capital improvement program funding to address Ramos Park playground renovation and maintenance needs as part of the Fiscal Year 2015 Capital Budget. The renovation includes infrastructure, accessibility, and maintenance improvements. The City engaged the community in a series of community and Parks and Recreation Commission (PRC) meetings to review the proposed renovation and maintenance work.

The playground equipment at Ramos Park is over 20 years old. Due to its age, the equipment replacement parts are difficult to find if it all; for this reason, playgrounds over the age of 15 are scheduled to be replaced. As part of the project, community outreach was performed providing opportunity for input. The playground replacement includes all equipment and surfacing.

### Community Outreach Process

The first community meeting was held on January 29, 2020 to capture input from the community regarding the proposed park renovations. The community was asked to provide input using a series of sticker boards, and stickers were used to identify a desired restroom location and to answer questions regarding the desire to have a restroom, use of the playground and of the concrete court area. An on-line community survey was created that collected input regarding the playground and park renovation. A total of 198 community members provided survey input.

A PRC meeting was held on February 25, 2020<sup>1</sup> to review the proposed renovations. A second community meeting was held on August 13, 2020<sup>2</sup>. On December 15, 2020, the PRC voted unanimously to recommend Council approval of the Park Improvement Ordinance (PIO) for Ramos Park. Council adopted the PIO on March 8, 2021<sup>3</sup>, with a second reading occurring on March 22, 2021<sup>4</sup>. All materials presented to the community and the PRC can be viewed on the project web site at [www.cityofpaloalto.org/ramospark](http://www.cityofpaloalto.org/ramospark).

### **ANALYSIS**

Staff recommends approval of Contract No. C24190748<sup>5</sup> for the purchase and installation of the playground at Ramos Park. Staff has reviewed the City of Cupertino's contract terms and pricing for a similar project with this contractor and determined, per Palo Alto Municipal Code 2.30.360(k), that the use of another governmental or public agency's contract or substantially the same contract terms meets the threshold required by the municipal code.

The Ramos Park Improvements project was initially bid in 2023 for the same playground renovations project scope. The low bid was approximately \$50,000 more than the budget and so the City exercised its right to reject all bids. After rejecting all bids, staff started exploring other options for renovating playgrounds, which led to the discovery of the recommended Cupertino Agreement. The City typically renovates one existing park playground every year. Based on this yearly cycle, staff is consistently updated on costs of playground renovation

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<sup>1</sup> Parks and Recreation Commission, February 25, 2020,  
<https://www.cityofpaloalto.org/files/assets/public/v/1/agendas-minutes-reports/agendas-minutes/parks-and-recreation-commission/agendas-minutes/2020-agenda-and-minutes/ramos-park-staff-report-022520-da-edits.pdf>

<sup>2</sup> Parks and Recreation Commission, August 13, 2020,  
<https://www.cityofpaloalto.org/files/assets/public/v/1/agendas-minutes-reports/agendas-minutes/parks-and-recreation-commission/agendas-minutes/2020-agenda-and-minutes/august-25-2020-parks-and-recreation-commission-agenda-item-3-ramos-project-update.pdf>

<sup>3</sup> City Council, March 8, 2021; Agenda Item #5; SR #11976,  
<https://www.cityofpaloalto.org/files/assets/public/v/1/agendas-minutes-reports/reports/city-manager-reports-cmrs/year-archive/2021/id-11976.pdf>

<sup>4</sup> City Council, March 22, 2021; Agenda Item #6; SR #12103,  
[https://www.cityofpaloalto.org/files/assets/public/v/1/agendas-minutes-reports/reports/city-manager-reports-cmrs/year-archive/2021/id-12103-\[80601\].pdf](https://www.cityofpaloalto.org/files/assets/public/v/1/agendas-minutes-reports/reports/city-manager-reports-cmrs/year-archive/2021/id-12103-[80601].pdf)

<sup>5</sup> Ross Recreation Construction Contract C24190748;  
[https://www.cityofpaloalto.org/files/assets/public/v/1/public-works/engineering-services/cip-contracts/c24190748-ross-recreation\\_cc\\_05.20.2024\\_staff-report.pdf](https://www.cityofpaloalto.org/files/assets/public/v/1/public-works/engineering-services/cip-contracts/c24190748-ross-recreation_cc_05.20.2024_staff-report.pdf)

projects and has confirmed the Cupertino pricing is cost competitive, and is better than pricing received during the prior solicitation.

The construction contract includes a not-to-exceed cost of \$305,560. A construction contingency amount of \$30,556, which equals 10 percent of the contract value, is requested for related, additional, but unforeseen work which may develop during the project, to be implemented via City-approved Change Order. Staff anticipates approximately 2-3 months to fabricate the playground equipment, with installation later this fall.

#### **FISCAL/RESOURCE IMPACT**

Funding for this contract is available in the Fiscal Year 2024 Capital Improvement Program Ramos Park Improvements project (PG-14000).

#### **STAKEHOLDER ENGAGEMENT**

Extensive stakeholder engagement has been completed in developing the proposed project improvement plan, including the several community and public meetings described in this report.

#### **ENVIRONMENTAL REVIEW**

The proposed Ramos Park Improvement project is categorically exempt from the California Environmental Quality Act (CEQA) under Title 14 California Code of Regulations Section 15301 (Existing Facilities).

#### **APPROVED BY:**

Brad Eggleston, Director Public Works/City Engineer