



## City Council Staff Report

**From: City Manager**

**Report Type: CONSENT CALENDAR**

**Lead Department: Public Works**

**Meeting Date: June 19, 2023**

Report #:2304-1330

### **TITLE**

Approval of a Purchase Order with The Public Restroom Company in the Amount of \$369,749 to Provide and Install a Modular Restroom Building at the Cubberley Community Center Fields for the Cubberley Field Restroom Capital Project (CB-17002); CEQA status – exempt under CEQA Guidelines Section 15303

### **RECOMMENDATION**

Approve and authorize the City Manager or their designee to execute Purchase Order No. C23187750 with The Public Restroom Company in an amount not to exceed \$369,749, including \$336,136 for basic services and \$33,613 for additional services, for the purchase of a modular park restroom building for the Cubberley Community Center Fields for the Cubberley Field Restroom project, Capital Improvement Program Project (CB-17002).

### **BACKGROUND**

The Cubberley Community Center (Cubberley) field is the City's largest field complex and includes soccer and softball fields, tennis courts, and a running track. There are currently only two portable restrooms available onsite. A permanent restroom is a much-needed facility to accommodate the heavy field usage. The City currently owns eight acres, and the Palo Alto Unified School District (PAUSD) owns 27 acres at Cubberley. The proposed restroom will be located on the property owned by the PAUSD between the sports fields and the running track. The restroom location has been coordinated with the PAUSD. The restroom location was determined based on its proximity to the fields and community input, and it will primarily serve the City's sports fields users. It is possible that the prefabricated restroom could be moved in the future should discussions of land allocations between the City and PAUSD make an alternative location desirable.

The Cubberley Field Restroom project (CB-17002) began in 2018 and was postponed due to staffing constraints. The project originally included a two-stall restroom building. Based on the input received from the community, a four-stall restroom in the proposed location was preferred to accommodate the heavy usage of the fields. A lift station is also needed to pump sanitary sewage from the restroom to the City's sewer on Nelson Drive.

## ANALYSIS

The Public Restroom Company provides modular restrooms at public facilities and provided such restrooms for the City in 2017 as part of the Palo Alto Municipal Golf Course Reconfiguration Project. On April 10, 2023, Council approved a Purchase Order with The Public Restroom Company to provide two-stall restroom buildings at Rinconada and Ramos Parks.<sup>1</sup> The restroom at Cubberley will consist of four universal stalls and will be approximately 12 feet by 27 feet in size. It will automatically lock at 10pm, be cleaned daily, and have security lighting. The estimated fabrication time for the modular restroom building is approximately 12 months.

Staff proposes a piggyback contract procurement process as permitted under Palo Alto Municipal Code section 2.30.360(k), allowing the use of another governmental agency's contract or substantially the same contract terms and exempting the competitive solicitation requirements to purchase the modular building. Purchase Order No. C23187750<sup>2</sup> incorporates the City of Los Angeles Contract with the Public Restroom Company. The City's Procurement Officer has determined that the City of Los Angeles solicitation process is substantially similar to the City's and that the City has good experience with the quality and aesthetics of the modular restroom provided by The Public Restroom Company at the golf course. This approach would allow staff to purchase the modular restroom building directly from the vendor, rather than have a one-year or longer lead time following completion of the bidding process for both design and construction, and Council approval of a construction contract. The offsite building prefabrication would be cost-effective and would reduce onsite construction time compared to the traditional design/bid/build process. Prior to completion of the building fabrication, staff will complete a bidding process to award a construction contract for site preparation, pump station installation, and utilities work for the building installation. The restroom is anticipated to be installed by summer/fall of 2024.

The cost of the prefabricated restroom building is comparable to previous restroom buildings at City facilities with consideration of cost escalation. For example, the cost of prefabricated restroom buildings and installation for Briones Park and the Golf Course were approximately \$120,000 in 2012 and \$170,000 in 2017, respectively. In general, the cost of prefabricated restroom buildings has escalated at an average 7-8% per year over the last decade with continued material price increases and market conditions. Staff also collected available data of prefabricated restroom buildings provided by the Public Restroom Company to other municipal agencies in the region, and found the costs comparable to the proposed restroom at Cubberley. For example, the cost of a four-stall prefabricated restroom in the City of Fremont's California Nursery Historical Park was approximately \$600,000 in 2022 and the cost of a two-stall prefabricated restroom in the City of East Palo Alto's Cooley Landing Park was approximately \$250,000 in 2018.

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<sup>1</sup> City Council, April 10, 2023; Agenda Item #8, SR #2212-0529, <https://portal.laserfiche.com/Portal/DocView.aspx?id=65901&repo=r-704298fc&searchid=d2d190ba-3672-4f2d-921c-740f2b6080c3>

<sup>2</sup> C23187750 Public Restroom Company Contract <https://www.cityofpaloalto.org/files/assets/public/public-works/engineering-services/cip-contracts/c23187750-public-restroom-partially-executed.pdf>

Staff recommends approval of Purchase Order No. C23187750 with the Public Restroom Company for the purchase of the modular restroom building which includes cost of building fabrication, installation, all required state inspections and approval, and bonds. The scope of work for the restroom building can be seen in Attachment A.

### **FISCAL/RESOURCE IMPACT**

The total purchase order with Public Restroom Company is \$369,749, which includes \$336,136 for basic services and \$33,613 for additional services. Funding for the purchase recommended in this memo is primarily available in the Fiscal Year 2023 Adopted Capital Improvement Program Cubberley Field Restroom project (CB-17002). Additional funding for site preparation, installation of a lift station, and utilities for the restroom is included in the Fiscal Year 2024 Proposed Capital budget. Both the Fiscal Year 2023 and Fiscal Year 2024 funding amounts are from the Cubberley Property Infrastructure Fund. Approval of this purchase order is contingent on approval and adoption of the Fiscal Year 2024 Capital budget, which is currently scheduled for June 19, 2023. This work will be constructed by a contractor to be determined through a bid solicitation process.

### **STAKEHOLDER ENGAGEMENT**

On August 17, 2022, staff held a community meeting to review the proposed restroom location and building style. Due to limited attendance, staff conducted an online survey to obtain community input. The survey results can be viewed on City's Park Restrooms webpage.<sup>3</sup> Staff presented the community survey results, restroom location options, and a 4-stall restroom option to the Parks and Recreation Commission (PRC) on January 24, 2023.<sup>4</sup> The PRC and the community supported the 4-stall restroom in the proposed location. In May 2023, a minor Architectural Review Board approval was provided for the restroom.

### **ENVIRONMENTAL REVIEW**

The installation of a modular restroom building is categorically exempt from California Environmental Quality Act (CEQA) under Section 15303 (New Construction of Small Structures) of the CEQA guidelines.

### **ATTACHMENTS**

Attachment A: Cubberley Restroom Scope of Work

### **APPROVED BY:**

Brad Eggleston, Director Public Works/City Engineer

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<sup>3</sup> Park Restrooms Webpage, [www.cityofpaloalto.org/parkrestrooms](http://www.cityofpaloalto.org/parkrestrooms)

<sup>4</sup> Parks and Recreation Commission, January 24, 2023; <https://www.cityofpaloalto.org/files/assets/public/agendas-minutes-reports/agendas-minutes/parks-and-recreation-commission/agendas-minutes/2023-agendas-and-minutes/1-jan/staff-report-w-attachments-cubberley-field-restroom.pdf>