



# Agenda Report

June 13, 2022

**TO:** Honorable Mayor and City Council  
**FROM:** Department of Public Works  
**SUBJECT:** **CONTRACT AWARD TO NOHO CONSTRUCTORS FOR MCKINLEY SCHOOL PICKLEBALL AND TENNIS COURTS PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$217,625**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find the contract proposed herein to be categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Title 14, Chapter 3, Article 19, Section 15301, Class 1 – *Existing Facilities*, and that there are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances;
2. Authorize the City Manager to enter into an Addendum to the Joint Use Facilities Agreement (#13,991-5) with Pasadena Unified School District for the improvements and use of the McKinley School Sports Courts; and
3. i) Accept the bid dated May 19, 2022, submitted by NoHo Constructors in response to the plans and specifications for the McKinley School Pickleball and Tennis Courts project, and ii) authorize the City Manager to enter into a contract for an amount not-to-exceed \$217,625, which includes the base contract amount of \$174,100 and a contingency of \$43,525 to provide for any necessary change orders.

## **BACKGROUND:**

The City has seen a substantial increase in public demand for pickleball facilities and identified the courts at McKinley Middle School as a possible location to increase the number of courts within the City for its residents. Located at 325 South Oak Knoll Avenue, McKinley School has four existing tennis courts that have not been used in five years due to their dilapidated condition. The concrete courts are severely cracked and the protective court surfacing and striping have deteriorated to an unplayable condition. Partnering with Pasadena Unified School District (PUSD) for the renovation of the sports courts will provide greater recreational opportunities for the City.

Public Works staff developed the conceptual design for the joint use of the courts in close collaboration with PUSD and the City's Parks, Recreation and Community Services (PRCS) staff. The four tennis courts will be restored to include two dedicated pickleball courts, two dedicated tennis courts, and one hybrid court with striping to accommodate a tennis court or two additional pickleball courts.

In 2010, the City Council and PUSD School Board approved a new master joint use agreement that envisioned a number of joint use projects including the construction and use of the gymnasium at McKinley Middle School. As a continuation of this partnership, an amendment to the joint use agreement is required to move forward with the construction of this project. The City and PUSD staff have prepared an amendment to the existing Joint Use Agreement (#13,991-5, Addendum #18) for the construction and joint use of the sports courts at McKinley School. PUSD has executed the amendment and staff is recommending Council authorize the City Manager to execute said amendment on City's behalf.

This 30-year term amendment is consistent with City's goal to continue exploring and developing joint-use relationships with the school district, particularly in areas where there are park deficits. The cost of the court repairs and improvements, as per the agreement, are the sole responsibility of the City. Maintenance of the courts shall be the sole responsibility of PUSD at their cost. Under this amendment, the City-use period during the school year will be from 4:30 p.m. to 9:00 p.m. on weekdays and 9:00 a.m. to 8:00 p.m. on weekends with the exception of scheduled PUSD events. The City will be the primary operator during after-school hours. Summer weekday hours may potentially be increased due to limited summer school usage.

The scope of work for the McKinley School Pickleball and Tennis Courts contract consists of the following: crack repairs, re-surfacing, striping for pickleball and tennis courts; installation of new pickleball and tennis court posts and netting; chain link gate and fence repairs; installation of new site furnishings including benches; and trimming of trees and shrubs impacting the court playing area.

The following public meetings were held for the project:

- November 5, 2020 – Conceptual design options for proposed court layout presented to PUSD
- May 4, 2021 – Recreation and Parks Commission supported the proposed courts layout as presented

The Department of Public Works prepared construction plans and specifications for the subject contract. Bids were requested and received in accordance with Section 4.08.070 of the Pasadena Municipal Code. On May 5, 2022, a Notice Inviting Bids for McKinley School Pickleball and Tennis Courts project was published in the local paper as well as posted on PlanetBids. The posting generated notices to all vendors who have previously registered with the City for this particular commodity class. A total of 34 vendors

downloaded the specifications, of which one was local. One bid was received by the bid opening date.

Following advertising, bids were electronically received on May 19, 2022 and are as follows:

Bidder	Amount (\$)
1. NoHo Constructors, Studio City	\$174,100
<b>Engineer's Estimate</b>	<b>\$150,000</b>

The lowest responsible and responsive bid received is 16 percent higher than the Engineer's Estimate. Although the Engineer's Estimate was derived from unit costs for materials as experienced on other similar projects last year, material costs have continued to escalate significantly since. Also, given the general increase in construction activity in the region, contractors are busy and not as readily available to bid new jobs.

It is recommended that NoHo Constructors be awarded the contract for this project as they are the lowest responsive and responsible bidder. The proposed contract with NoHo Constructors fully complies with the Competitive Bidding and Living Wage Ordinances. In addition, the proposed contract fully complies with the Prevailing Wage Law (Senate Bill 7) per Resolution 9406 adopted by the City Council on December 14, 2014.

The contractor has indicated that the award of this contract will result in one new hire to the present work force. This contract is consistent with the City's goal to promote local business participation and its local hiring program. In accordance with Local Preference provisions of the contract, the contractor is encouraged to recruit Pasadena residents initially and to give them preference, if all other factors are equal, for any new positions generated from this contract.

NoHo Constructors has satisfactorily performed work for the City in the past, including Brookside Park Tennis Courts Renovations project in FY2018 for a contract amount of \$390,000, Hamilton Park Various Project – Phase II in FY2020 for a contract amount of \$713,100, and Robinson Park Outdoor Basketball Courts Renovation project in FY2021 for a contract amount of \$450,000. Staff has confirmed the contractor's license, and Department of Industrial Relations status is in good standing. Contractor received favorable reference checks from other agencies.

The contract will be set up as follows:

Base Bid	\$ 174,100
Contingency Allowance	<u>\$ 43,525</u>
Contract Not-to-Exceed Amount	\$ 217,625

A contingency of 25 percent is allocated to this contract given possible unforeseen conditions that may be encountered. It is anticipated that construction will begin in July

2022 and the work will be completed end of August 2022. The proposed dates include the material lead time required for manufacturing and delivery of items.

**COUNCIL POLICY CONSIDERATION:**

This contract is consistent with the City Council's goal to improve, maintain, and enhance public facilities and infrastructure as well as to provide activities to promote health and fitness among Pasadena residents.

**ENVIRONMENTAL ANALYSIS:**

The contract award has been determined to be categorically exempt under the CEQA Guidelines in accordance with Title 14, Chapter 3, Article 19, Section 15301, Class 1, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination. There are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances.

**FISCAL IMPACT:**

The total cost of this construction contract including contingency is \$217,625 and the total cost of this action is expected not to exceed \$257,625. Funding for this action will be addressed by the utilization of existing budgeted appropriations in the *Citywide Sports Facilities Improvements and Installations* (78044) CIP project. It is anticipated all costs will be expended in FY2023.

The following table represents a project summary.

Base Bid	\$	174,100
Contingency	\$	43,525
Contract Administration/Inspection	\$	40,000
<b>Total Fiscal Impact</b>	<b>\$</b>	<b>257,625</b>

Respectfully submitted,



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