



CITY OF POMONA COUNCIL REPORT

December 16, 2024

To: Honorable Mayor and Members of the City Council

From: Anita D. Scott, City Manager

Submitted By: Mark J. Gluba, Assistant City Manager

SUBJECT: A RESOLUTION TO AMEND THE FY 2024-25 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET FOR “MARTIN LUTHER KING, JR. PARK - SKATE PARK EXPANSION/LIGHTS,” PROJECT NO. 428-2590-XXXXX-71092 AND AWARD CONSTRUCTION CONTRACT

RECOMMENDATION:

It is recommended that the City Council approve the following actions:

- 1) **RESOLUTION NO. 2024-199 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA TO AMEND THE FY 2024-25 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET BY APPROPRIATING \$100,000 OF CAPITAL IMPROVEMENT PROJECT FUND RESERVES TO “MARTIN LUTHER KING, JR. PARK - SKATE PARK EXPANSION/LIGHTS,” PROJECT NO. 428-2590-XXXXX-71092;**
- 2) Award a construction contract to the apparent lowest bid from C.S. Legacy Construction, Inc. for “Martin Luther King, Jr. Park – Skate Park Expansion/Lights,” Project No. 428-2590-XXXXX-71092, to include all Base Bid A items, plus Additive Alternate Items No. 2 and 3 in the total amount of \$370,974;
- 3) Find that the project referenced above is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) and that the proposed project will not have a significant effect on the environment; and
- 4) Authorize the City Manager to execute the construction contract and any subsequent change orders on behalf of the City, and any memoranda of understanding with City Departments necessary to effectuate the same.

EXECUTIVE SUMMARY:

Approval of the recommended actions will result in awarding a Public Works Contract to C.S. Legacy Construction, Inc. in the total amount of \$370,974 to include the Base Bid item A and Additive Alternate items 2 & 3, for “Martin Luther King, Jr. Park – Skate Park Expansion/Lights,” Project No. 428-2590-XXXXX-71092 (Project).

SB1439/GOVERNMENT CODE §84308 APPLICABILITY:

When this box is checked, it indicates the agenda item is subject to the Levine Act SB1439 requirements. Councilmembers are reminded to check their campaign contributions and determine whether they have received a campaign contribution of \$250 or more that would require disclosure and/or recusal from discussing or acting on this agenda item. Campaign contributions of \$250 or more made 1) by any person or entity who is identified in the agenda report as the applicant or proposer or 2) on behalf of the applicant or participant, including a parent, subsidiary or otherwise related business entity, or 3) by any person who has a financial interest in the agenda item requires a councilmember to comply with SB1439.

FISCAL IMPACT:

Approval of this action will adopt a Resolution (Attachment No. 1) to amend the CIP FY 2024-25 Budget (see Table below) and award a construction contract in the amount of \$370,974. The following table details the fiscal impacts associated with the recommended actions:

Category	“Martin Luther King, Jr. Park – Skate Park Expansion/Lights,” Project No. 428-2590-XXXXX-71092
Beginning Project Budget	\$341,100
Appropriation of CIP Fund Reserves	\$100,000
Revised Budget	\$441,100
Less: Expenditures/Encumbrances (as November 20, 2024)	(\$67,430)
Construction Contract Award	(\$370,973.93)
Remaining Available Budget	\$2,696

PUBLIC NOTICING REQUIREMENTS:

In accordance with Section 2-1003 - Formal Procedure of the City’s Purchasing Ordinance, a Notice of Inviting Bids for construction for “Martin Luther King, Jr. Park – Skate Park Expansion/Lights,” Project No. 428-2590-XXXXX-71092 was posted on the City’s electronic bidding platform, Planet Bids, on September 26, 2024. A Notice for Bids was published in the Inland Valley Daily Bulletin on October 1, 2024, and October 15, 2024.

PREVIOUS RELATED ACTION:

On July 17, 2023, the City Council approved a Resolution to amend to FY 2023-24 (CIP) Budget by creating a new project for “Martin Luther King, Jr. Park – Skate Park Expansion/Lights,” Project No. 428-2590-XXXXX-71092 and appropriating \$350,000 of American Rescue Plan (ARP) Funding from District 2 and Mayoral Funds, as well as, accepting and increasing revenue for a Donation of \$1,100 from “Cords for Boards” for the project.

On April 8, 2024, the City Council approved a Resolution to amend to FY 2023-24 (CIP) Budget by unappropriating \$10,000 of District 2 American Rescue Plan (ARP) Funding from “Martin Luther King, Jr. Park – Skate Park Expansion/Lights,” Project No. 428-2590-XXXXX-71092 and appropriating them to “Public Safety Improvements – District 2,” Project No. 428-2590-XXXXX-68584.

ENVIRONMENTAL IMPACT:

The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c), in that it meets the guidelines for the implementation of CEQA because the project consists of the operation, repair and maintenance of existing facilities.

DISCUSSION:

This Project will provide for the expansion of the existing skate park to include additional ramps, rails, lighting, and other skate park amenities. The existing restroom structure will also be demolished and removed to provide additional space for expansion. Martin Luther King, Jr. Park is a 5.22-acre park located in District 2, with a need for expansion and upgrades. There currently exists a very small skate park that is consistently utilized by the youth. During a community meeting held in 2022 at the park, the desire for an expanded skate park was voiced and supported by many in attendance.

On September 26, 2024, the City issued an Invitation for Bids (IFB) No. 2024-56 “Martin Luther King, Jr. Park – Skate Park Expansion/Lights,” Project No. 428-2590-XXXXX-71092 via the City’s electronic bidding platform, Planet Bids. The solicitation was disseminated to 342 potential bidders, with 63 of them downloading the IFB, resulting in the City receiving six (6) proposals. Bids were due on November 5, 2024. The apparent lowest bidder was Spohn Ranch; however, after further review, their bid was found to have errors and was deemed nonresponsive. Additionally, We R Builders, Inc. was also found have errors and was deemed nonresponsive. As a result, the next apparent low bidder is C.S. Legacy Construction, Inc., per the table below:

	Contractor	Total Base Bid A, B & C	Total Additive Alternates (1-3)	Total Base Bids & All Additive Alternates 1-3
1	C.S. Legacy Construction, Inc.	\$301,919.18	\$115,643.50	\$417,562.68
2	Elegant Construction, Inc.	\$360,180.00	\$98,500.00	\$458,680.00
3	Venture Construction & Management	\$400,306.00	\$113,000.00	\$513,306.00

4	AVA Builders, Inc.	\$388,000.00	\$128,091.60	\$516,091.60
	Engineer's Estimate			\$300,000.00

COUNCIL PRIORITIES & GOALS:

This item supports the 2021-22 City Council Priority 5: Goal O: Improve Parks facilities in the following general order of priority: 1) ensuring that existing amenities are functioning; 2) rehabilitating bathrooms and other park facilities and equipment; 5) adding new bathrooms; and 6) adding additional recreation and playground equipment.

Prepared by:

Stephanie Carbajal, PMP
Program Assistant

Attachment No. 1 – Resolution No. 2024-199