



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 “PARK RESTROOM CONSTRUCTION AND REPLACEMENT,” PROJECT NO. 428-2590-XXXXX-71079 AND AWARD CONSTRUCTION CONTRACT

RECOMMENDATION:

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

- 1) **RESOLUTION NO. 2024-200 - 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 \$1,349,671 OF AVAILABLE AMERICAN RESCUE PLAN (ARP) FUNDS AND \$25,000 OF AVAILABLE CAPITAL IMPROVEMENT PROJECT FUND RESERVES TO “PARK RESTROOM CONSTRUCTION AND REPLACEMENT,” PROJECT NO. 428-2590-XXXXX-71079;**
- 2) Award a construction contract to the apparent lowest bid from ARC Construction, Inc. for “Park Restroom Construction and Replacement,” Project No. 428-2590-XXXXX-71079, to include all Base Bid A, B & C items, plus Additive Alternate Items No. 5 & 6 in the total amount of \$3,276,373;
- 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 increasing the budget and awarding a Public Works Contract to ARC Construction, Inc. in the total amount of \$3,276,373 to include the Base Bid items A, B & C and Additive Alternate items 5 & 6, for “Park Restroom Construction and Replacement,” Project No. 428-2590-XXXXXX-71079 (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 to increase the project budget (Attachment No. 1) and award a construction contract in the amount of \$3,276,373. The following table details the fiscal impacts associated with the recommended actions:

Category	“Park Restroom Construction and Replacement,” Project No. 428-2590-XXXXXX-71079
Beginning Project Budget	\$2,500,000
Appropriation of ARP Funds	\$1,349,671
Appropriation of Capital Improvement Fund Reserves	\$25,000
Revised Budget	\$3,874,671
Less Expenditures/Encumbrances (as December 4, 2024)	(\$595,276)
Construction Contract Award	(\$3,276,372.74)
Budget Remaining	\$3,022.26

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 “Park Restroom Construction and Replacement,” Project No. 428-2590-XXXXXX-71079 was posted on the City’s electronic bidding platform, Planet Bids, on September 30, 2024.

PREVIOUS RELATED ACTION:

On December 6, 2021, the City Council approved Resolution No. 2021-154 to amend the FY 2021-22 (CIP) Budget by creating a new project for “Park Restroom Construction and Replacement,” Project No. 428-2590-XXXXX-71079 and appropriating \$2,500,000 of American Rescue Plan (ARP) Funding to the project.

On October 17, 2022, the City Council awarded a Design Contract to Architerra Design Group for Professional Landscape Architectural Services for “Park Restroom Construction and Replacement,” Project No. 428-2590-XXXXX-71079, in the amount of \$475,040.

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:

The Project will provide for construction of new and replacement of existing park restrooms throughout the parks in the City of Pomona (City). Nearly all of the parks within the City are located within a Qualified Census Tract (QCT).

The Park Restrooms included in the Base Bid items are Tony Cerda Park, Washington Park, and Palomares Park.

Additive Alternates No. 1-3 are for landscape improvements for the Base Bid A, B, & C parks.

Additive Alternate No. 4 is for Ted Greene Park, which **will not** be included in this Public Works Contract.

Additive Alternates 5 & 6 are John F. Kennedy Park and Martin Luther King, Jr. Park, both will be included in this Public Works Contract.

On September 30, 2024, the City issued an Invitation for Bids (IFB) No. 2024-57 “Park Restroom Construction and Replacement,” Project No. 428-2590-XXXXX-71079 via the City’s electronic bidding platform, Planet Bids. The solicitation was disseminated to 733 potential bidders, with 99 of them downloading the IFB, resulting in the City receiving six responsive bids that were due on October 29, 2024, and were thoroughly qualified. There were also 3 bids deemed nonresponsive. The apparent lowest bidder is ARC Construction, Inc., per the table below:

	Contractor	Total Base Bid A, B & C	Total Additive Alternates (1-6)	Total Base Bids & All Additive Alternates 1-6
1	ARC Construction, Inc.	\$1,786,270.74	\$2,530,336.85	\$4,316,607.59
2	Keystone Builders, Inc.	\$1,738,967.50	\$2,710,343.76	\$4,449,311.26
3	Bedrock Group, Inc.	\$1,977,090.00	\$2,768,988.00	\$4,746,078.00
4	Caliba, Inc.	\$1,965,775.22	\$2,872,157.73	\$4,837,932.95

5	MMC, Inc.	\$2,509,505.00	\$3,471,155.00	\$5,980,660.00
6	SAS Construction	\$3,401,149.18	\$2,596,720.00	\$5,997,869.18
	Engineer's Estimate			\$4,900,000.00

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:

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Program Assistant

Attachment No. 1 – Resolution No. 2024-200