



City Council Memorandum

City of Arts & Innovation

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TO: HONORABLE MAYOR AND CITY COUNCIL DATE: SEPTEMBER 10, 2024

FROM: PARKS, RECREATION AND COMMUNITY WARDS: ALL
SERVICES DEPARTMENT

SUBJECT: AMERICAN RESCUE PLAN ACT - AWARD BID NO. 8109 TO JMJ CONSTRUCTION COMPANY OF WINCHESTER, CALIFORNIA FOR THE INSTALLATION OF MULTIPLE PLAYGROUNDS IN THE AMOUNT OF \$1,572,019.00; AND AUTHORIZE 10% CHANGE ORDER AUTHORITY UP TO \$157,201.90 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$1,729,220.90 AND \$78,600.95 FOR PERMITS, TESTING, INSPECTIONS, AND ADMINISTRATION FOR A TOTAL PROJECT COST OF \$1,807,821.85.

ISSUE:

Award Bid No. 8109 to JMJ Construction Company of Winchester, California, for the installation of multiple playgrounds citywide in the amount of \$1,572,019.00; authorize a 10% change order authority up to \$157,201.90 for a total contract amount not-to-exceed \$1,729,220.90 and \$78,600.95 for permits, testing, inspections, and administration for a total project cost of \$1,807,821.85.

RECOMMENDATIONS:

That the City Council:

1. Award Bid No. 8109 to JMJ Construction Company of Winchester, California, in the amount of \$1,572,019.00 for the installation of multiple playgrounds citywide;
2. Authorize 10% change order authority in an amount up to \$157,201.90 for project changes including, but not limited to, unforeseen conditions or necessary design changes, for a total contract amount not-to-exceed \$1,729,220.90; and
3. Authorize the City Manager, or designee, to execute a Construction Agreement with JMJ Construction Company of Winchester, California including making minor and non-substantive changes;

LEGISLATIVE HISTORY:

On March 11, 2021, President Biden signed into law the American Rescue Plan Act to facilitate the recovery from the devastating economic and health effects of the COVID-19 pandemic. The

American Rescue Plan Act established the Coronavirus State Fiscal Recovery Fund and Coronavirus Local Fiscal Recovery Fund, which provides a combined \$350 billion in assistance to eligible state, local, territorial, and Tribal governments to assist in the economic and health recovery by providing resources to address impacts resulting from the crisis.

BACKGROUND:

The American Rescue Plan Act (ARPA) established the Coronavirus Local Fiscal Recovery Fund to provide resources to support communities that are struggling with the impacts resulting from the COVID-19 pandemic. The US Department of the Treasury (Treasury) first released the Interim Final Rule providing eligibility guidance as well as regularly updated Frequently Asked Questions (FAQ). The Interim Final Rule provided initial guidance and served to help communities develop proposals for funding.

On November 9, 2021, the City Council approved the ARPA funding Expenditure Category Plan for the first allocation in the amount of \$36,767,594 following the Interim Final Rule guidelines. Additionally, the City Council directed staff to return with an itemized list for Parks infrastructure needs during the second allocation of funding for consideration. The Final Rule was issued on January 6, 2022, and became effective on April 1, 2022.

On February 7, 2023, the City Council approved the ARPA expenditure plan for the second allocation of grant funds in the amount of \$36,767,594 and reallocated \$1,600,000 from the first plan to the Park Maintenance Project funding. These approvals allocated \$10 million for Parks Deferred Maintenance Projects. The approval of the ARPA funding allows the City to make an initial investment towards addressing the City's deteriorating park infrastructure priority needs, including renovations of parking lots, the replacement of HVAC systems, flooring replacements and playground renovations equitably throughout all wards.

On June 21, 2023, the Parks and Recreation Commission received an update on the ARPA funding received and the planned projects.

On October 10, 2023, City Council approved the \$2,534,063.54 purchase of playground equipment through a Sourcewell cooperative purchasing agreement with Landscape Structures, Inc. Most of this equipment has been delivered to the city and is ready to be installed.

DISCUSSION:

Construction contract award for playground installations:

The PRCSD is committed to maintaining playgrounds at park sites to provide safe and healthy recreational opportunities for children. Playgrounds are highly valued in the City of Riverside and often serve as the heart of a public neighborhood park. Playgrounds improve quality of life for families. The existing playgrounds in this project are over twenty years old and spare parts are hard to get to repair and upgrade the equipment. This investment will revitalize the parks and create a positive gathering space for new parents, grandparents, and children to build a strong and healthy community.

On June 25, 2024, the Purchasing Division posted Bid No. 8109 on the City's website for the Playground Installations Project. The city notified 1,650 vendors, in addition to an advertisement that was posted in the Press Enterprise informing the public of the procurement. The bid had seventy-three (73) Prospective Bidders listed, 38 of them being listed as prospective Prime

bidders. No pre-bid meeting was held as locations are all easily accessible to the public during daylight hours.

On July 19, 2024, eight (8) bids were received. Five (5) of which were deemed responsive. Per the attached Bid Award Recommendation, the responsible bidder is JMJ Construction Company of Winchester, California. Staff’s review of this bidder’s references has elicited no negative information. Further, the State Contractor’s Licensing Board records indicate that this bidder’s license is current, active, and in good standing.

Bidders	Amount	Ranking
JMJ Construction Company	\$1,572,019.00	1
KYA Services, LLC	\$1,669,500.00	2
R E Schultz Construction, Inc.	\$1,738,030.00	3
Construction Corporation	\$2,111,777.00	4
Calibra Inc.	\$2,124,414.14	Non-Responsive*
Pub Construction Inc.	\$2,205,359.52	Non-Responsive*
California Landscape & Design Inc.	\$2,453,820.00	5
Construction Companies, Inc.	\$2,566,188.00	Non-Responsive*

*No DIR, No Bid Bond, No 50% Self Performance, or No SAM.gov registration

The Parks, Recreation and Community Services Department (PRCSD), therefore, recommends that a construction contract in the amount of \$1,572,019.00 be awarded to JMJ Construction Company, for the Project including:

- Base Bid Item I-A: Dario Vasquez Park Play Equipment, Detached Shade Structures and Rubber Surfacing Installation (\$255,300.00)
- Base Bid Item I-B: Collett Park Play Equipment Including Integrated Shade Structures, Site Furnishing, and Engineered Wood Fiber Installation (\$152,830.00)
- Base Bid Item I-C: Harrison Park Play Equipment Including Detached and Integrated Shade Structures and Rubber Surfacing Installation (\$274,392.00)
- Base Bid Item I-D: Taft Park Play Equipment Including Integrated Shade Structures, Site Furnishing and Engineered Wood Fiber Installation (\$152,753.00)
- Base Bid Item I-E: Hunt Park Play Equipment Including Integrated Shade Structures, Site Furnishing, and Rubber Surfacing Installation (\$275,990.00)
- Base Bid Item I-F: Castlevew Park Play Equipment Including Integrated Shade Structures, Site Furnishing and Engineered Wood Fiber Installation (\$152,446.00)
- Base Bid Item I-G: Thundersky Park Play Equipment Including Integrated Shade Structures, Site Furnishing and Engineered Wood Fiber Installation (\$157,706.00)
- Base Bid Item I-H: Bergamont Park Play Equipment Including Integrated Shade Structures, Site Furnishing and Engineered Wood Fiber Installation (\$150,602.00)

The Purchasing Resolution No. 24101 Section 508 states that “Contracts procured through Formal Procurement shall be awarded by the Awarding Entity to the Lowest Responsive and Responsible Bidder.”

The Purchasing Manager concurs that the recommendation to award Bid No. 8109 to JMJ Construction Company is in compliance with Purchasing Resolution No. 24101 Section 508.

STRATEGIC PLAN ALIGNMENT:

The work contributes to the “Arts, Culture and Recreation” priority of the Envision Riverside 2025 Strategic Plan, which aims to provide diverse community experiences and personal enrichment opportunities for people of all ages.

The work contributes to goals 1.3, to improve parks, recreational amenities, open space, and trail development, and fulfill critical lifecycle and facility maintenance needs, and goal 1.4, to prioritize safety at parks, trails, arts, cultural and recreational facilities.

1. **Community Trust** – The City has worked with the community to assess needs and gain feedback on the listed projects, and will continue to involve the community as the projects move forward.
2. **Equity** – Project outcomes will benefit the entire community by providing supporting infrastructure for safe and fun recreation opportunities for all residents. The projects are geographically spread throughout the City.
3. **Fiscal Responsibility** – The competitive procurement of services for these projects are in accordance with Purchasing Resolution No.24101.
4. **Innovation** – Riverside is committed to responding to the community’s on-going and changing needs and preparing for the future through fulfillment of projects extending the usable life of facilities and infrastructure using ARPA funding.
5. **Sustainability & Resiliency** – This project extends the usable life and longevity of existing infrastructure, ensuring facilities are available for future use.

FISCAL IMPACT:

The contract award will be \$1,572,019 with 10% construction contingency in the amount of \$157,201.90 for a total fiscal impact of this action is \$1,729,220.90. The total cost of the project which includes the contract, contract contingency and other costs associated with the project is \$1,807,821.85 as detailed in Table 1 below. Sufficient funding is available in the ARPA Citywide Park Improvement Playgrounds project account as indicated in Table 2 below.

Table 1. Project Costs:

Construction Contract Award	\$1,572,019.00
Construction Contingency (10%)	\$157,201.90
Permits, testing, inspections, administration (5%)	\$78,600.95
TOTAL	\$1,807,821.85

Table 2. Project Funding:

Fund	Project	Account	Amount
Grants & Restricted Programs	Citywide Park Improvement Program (ARPA), Playground	9279500-440120	\$1,807,821.85

Prepared by: Ali Borujerdi, Park Project Manager
Approved by: Pamela M. Galera, Parks, Recreation and Community Services Director
Certified as to
availability of funds: Kristie Thomas, Finance Director/Assistant Chief Financial Officer
Approved by: Kris Martinez, Assistant City Manager
Approved as to form: Phaedra A. Norton, City Attorney

Attachments:

1. Bid Award Recommendation
2. Presentation