



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL **DATE: JULY 16, 2024**

FROM: PARKS, RECREATION AND COMMUNITY SERVICES DEPARTMENT **WARD: 1**

SUBJECT: MEASURE Z - AWARD BID NO. 8036 TO ORTIZ & SON, INC. DBA ORTIZ TRACTOR/CONSTRUCTION SERVICES OF BUENA PARK, CALIFORNIA FOR THE FAIRMOUNT PARK STORM DRAIN MAINTENANCE GRADING PROJECT IN THE AMOUNT OF \$611,950; AUTHORIZE 10% CHANGE ORDER AUTHORITY UP TO \$61,195 FOR A CONTRACT AMOUNT NOT-TO-EXCEED \$673,145; AND AUTHORIZE A SUPPLEMENTAL APPROPRIATION OF \$261,242.50 OF REGIONAL PARK SPECIAL CAPITAL IMPROVEMENT FUNDS

ISSUE:

Award Bid No. 8036 to Ortiz & Sons, Inc., dba Ortiz Tractor/Construction Services of Buena Park, California, for the Fairmount Park Storm Drain Maintenance Grading Project in the amount of \$611,950.00; authorize a 10% change order authority up to \$61,195.00 for a total contract amount not-to-exceed \$673,145.00; and authorize a supplemental appropriation of \$261,242.50 from the Regional Park Special Capital Improvement funds and transfer to the Fairmount Park Weir Dam and Storm Drain project account.

RECOMMENDATIONS:

That the City Council:

1. Award Bid No. 8036 to Ortiz & Sons, Inc., dba Ortiz Tractor/Construction Services of Buena Park, California, in the amount of \$611,950.00 for the Fairmount Park Storm Drain Maintenance Grading Project;
2. Authorize 10% change order authority in an amount up to \$61,195.00 for project changes including, but not limited to, unforeseen conditions or necessary design changes, for a total contract amount not-to-exceed \$673,145.00;
3. Authorize the City Manager, or his designee, to execute a Construction Agreement with Ortiz & Sons, Inc., dba Ortiz Tractor/Construction Services of Buena Park, California including making minor and non-substantive changes; and
4. With at least five affirmative votes, authorize the Chief Financial Officer, or designee, to record a supplemental appropriation in the amount \$261,242.50 from Regional Park Special Capital Improvement Fund available fund balance to the Fairmount Rose Garden Project.

BACKGROUND:

On June 22, 2021, the City Council adopted a resolution approving the proposed Annual Budget for Fiscal Year 2021/22, including increasing Measure Z funding for Parks & Recreation in the amount of \$800,000 for the Fairmount Park Weir Dam and Storm Drain Improvements project. The weir dam repairs have been substantially completed with about \$50,000 worth of follow-up work anticipated in the next couple months. The remaining funding in the project account will be used towards this storm drain project.

DISCUSSION:

Fairmount Park is a 280-acre park designed by the world-renowned Olmsted Brothers landscape architecture firm in 1911. The park is a major point of interest in the Downtown Riverside area, and includes lakes, playgrounds, water play splash pad, shaded picnic areas, golf course, boat house, band shell, rose garden, the Izaak Walton clubhouse, and acres of open space and wildlife habitat. The lake system is a functional component of the area's stormwater conveyance system. Fairmount Park is situated at the junction where water runoff from the Springbrook Arroyo joins the Santa Ana River (SAR). During most of the year, when there is a low volume of water flowing in Springbrook Arroyo, water flows into the lake system and is detained in the lakes by a dam at the western end of the lake before being released to flow into the SAR. During rain events when flow is much higher, water bypasses the lake system and is conveyed by the underground storm drainpipe to the downstream side of the dam into the open space area of the park, sometimes referred to as the Boy Scout Camp or wilderness area. Over time, the outlet of the storm drain has become blocked by sediment and storm water is backing up in the pipe and flooding roads and facilities in the park during rain events. This project will perform maintenance grading to clear the storm drain outlet and restore positive flow of water downstream to the SAR to eliminate flooding. Due to the vegetation/habitat growing in around the stormwater pipe outflow flowline, biological monitoring/oversight is required during construction and mitigation planting work is required afterwards to restore habitat impacted by this work. The biological monitoring and habitat restoration work will be under a separate contract managed by Parks, Recreation, and Community Services Department (PRCSD).

On November 9, 2023, the Purchasing Division posted Bid No. 8036 on the City's website for the Fairmount Park Storm Drain Maintenance Grading project. The City notified 897 vendors and had 58 Prospective Bidders listed, 39 of which were classified as potential Prime bidders.

On December 19, 2023, four bids were received. Per the attached Bid Award Recommendation, the lowest responsive and responsible bidder is Ortiz & Sons, Inc., dba Ortiz Tractor/Construction Services of Buena Park, 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	City	Amount Bid
Ortiz & Sons, Inc.	Buena Park, CA	\$611,950.00
Matcon General Engineering, Inc.	Corona, CA	\$721,420.00
Voltaire Engineering	Redlands, CA	\$749,986.43
Vance Corporation*	Beaumont, CA	\$808,800.00

*Vendor failed to provide required documents Exhibit J – Lump Sum Breakdown, and Exhibit H – Sample Project Qualifications Information Table.

The Parks, Recreation and Community Services Department (PRCSD), therefore, recommends that a construction contract in the amount of \$611,950.00 be awarded to Ortiz & Sons, Inc., for the Fairmount Park Storm Drain Maintenance Grading Project including:

- Base Bid Item I-A: Storm Drain Maintenance Grading, Access Road Grading, Cutoff Wall, Rip-Rap (\$568,050.00),
- Additive Item II-A: Hydroseeding (\$43,900.00)

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. 8036 to Ortiz & Sons, Inc. 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** – This project has been discussed at meetings with the community. As stewards of the park’s resources and public roads, this work is being performed to serve the public interest and will improve safety and reduce damage to roads and park facilities.
2. **Equity** – As a regional park, Fairmount serves the entire community and is open to everyone.
3. **Fiscal Responsibility** – The competitive procurement of services for this project is in accordance with Purchasing Resolution No. 24101 Section 508.
4. **Innovation** – This work will use current civil engineering practices to restore stormwater flow and reduce flooding. The project will create access allowing for recurring maintenance of the storm drain outlet to prevent the build-up of sediment that has caused flooding in the past.
5. **Sustainability & Resiliency** – This project extends the usable life and longevity of existing infrastructure, ensuring facilities are available for future use.

FISCAL IMPACT:

The fiscal impact to award the bid is \$673,145.00 including contract award and 10% construction contingency as outlined in Table 1 below. This project also requires biological monitoring and mitigation resulting in additional expenses shown in Table 1.

Table 1. Project Cost

Construction Contract Award	\$611,950.00
Construction Contingency (10%)	\$61,195.00
5% Permits, construction admin	\$30,597.50
Mitigation planting (separate contract)	\$30,000.00
Consultant services for biological monitoring (separate contract)	\$100,000.00
TOTAL	\$833,742.50

Sufficient funds are not available in the Fairmount Weir Dam and Storm Drain Project Account to cover award of the contract, the mitigation planting, and the consultant services for biological monitoring. \$50,000.00 of previously allocated Measure Z funding is available in the Santa Ana River (SAR) Fire Access account and a budget adjustment will transfer this amount to the Fairmount Storm Weir Dam and Storm Drain project account. The SAR Fire Access project has been awarded by City Council and has remaining funding. A budget adjustment will also transfer \$261,242.50 of Measure Z funds previously allocated for the Fairmount Rose Garden to the Fairmount Weir Dam and Storm Drain project account.

Table 2. Funding

Fund	Project	Account	Amount
Measure Z	Fairmount Weir Dam and Storm Drain	9922909-462050	\$522,500.00
Measure Z	SAR Barriers Martha McLean Anza Narrows	9925109-440301	*\$50,000.00
Measure Z	Fairmount Rose Garden	9918109-440301	*\$261,242.50
Total			\$833,742.50

***Denotes Budget Adjustment**

Upon Council approval, a supplemental appropriation of \$261,242.50 from the Regional Park Special Capital Improvement Fund balance to replace the Measure Z funds taken from the Fairmount Rose Garden project will be recorded as indicated in the table below.

Table 3. Supplemental Appropriation

Fund	Project	Account	Amount
Regional Park Special Capital Improvement	Fairmount Rose Garden	9918154-440305	\$261,242.50

Per City Resolution No, 21308, Regional Park funds are to be used for acquisition and improvement of regional parks and reserves. The storm drain work does not qualify for use of Regional Park funds since it is deferred maintenance. However, Regional Park funds can be used for the planned capital improvements at the Fairmount Rose Garden

Prepared by: Alisa Sramala, Principal 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