



Legislation Text

File #: 2023-0336, Version: 1

Report to Mayor and City Council

Tuesday, May 16, 2023

Consent

SUBJECT:

CONSIDER APPROVING A PUBLIC WORKS AGREEMENT WITH SILVERLINE NEVADA, LTD, DBA CALIFORNIA FENCE & SUPPLY, FOR THE INSTALLATION OF NEW FENCING AND GATES, AND ELIMINATING CALIFORNIA CORNERS FOR PICKLE BALL COURT CONVERSION AT HEMINGWAY PARK (CITY COUNCIL)

I. SUMMARY

Due to the extensive demand for pickleball play at Hemingway Park, staff solicited bids from qualified vendors to perform the fencing or gating work needed for the conversion of the tennis courts to pickleball courts at the City's parks. Included in this project is a request to eliminate what are called California corners, which are 45-degree angles installed at the corners of a tennis court perimeter so that tennis balls can bounce back into the court for easy retrieval. This design does not allow for the 6-foot clearance required for courts that can be utilized for pickleball tournaments, which is one of Recreation's goals. Though the City Council previously approved the conversion, the project is on hold pending the elimination of the California corners.

No formal IFB process was conducted nor required, as the estimated cost of the work is below the applicable \$60,000 threshold for public projects. In response to the solicitation, two proposals were received by the deadline. After extensive review, staff recommends approval of a Public Works contract with Silverline Nevada, LTD, dba California Fence & Supply ("Cal-Fence") for a not-to-exceed Contract Sum of \$50,134.04. Staff also recommends the approve of a 10% (\$5,013) contingency for any unforeseen work that may be necessary to complete the project. Under the proposed agreement (Exhibit 1), work would be completed within 30 days of City's issuance of a notice to proceed.

II. RECOMMENDATION

TAKE the following actions:

1. APPROVE the elimination of California corners to allow for future pickleball tournaments at Hemingway Park.

2. APPROVE a Public Works Agreement with Silverline Nevada, LTD, dba California Fence & Supply for a total not-to-exceed Contract Sum of \$50,134.04 (Exhibit 1).
3. AUTHORIZE the expenditure of a construction contingency in the amount of \$5,013 (10% of the not-to-exceed total Contract Sum) for any unforeseen construction work including, but not limited to, substructure conflicts, contaminated soil removal and disposal, and material testing that may be necessary to complete the project.
4. AUTHORIZE Mayor to execute the Agreement, following approval as to form by the City Attorney.

III. ALTERNATIVES

TAKE any other action the City Council deems appropriate, consistent with the requirements of applicable law.

IV. BACKGROUND

Pickleball was reportedly invented in 1965 on Bainbridge Island, located near Seattle, Washington, by Joel Pritchard, Bill Bell, and Barney McCallum as a means of entertaining their children during the summer. By 1990, it was being played in all fifty states. In the time since, the sport of pickleball has exploded in popularity, with the number of courts for play doubling since 2010 to nearly 4,000 locations on the USAPA's (USA Pickleball Association) "Places 2 Play" map. The spread of Pickleball is largely attributed to its popularity within community centers, PE classes, YMCA facilities, and retirement communities. Pickleball continues to grow, with many municipalities implementing programs at their parks, and converting tennis courts to pickleball courts.

The Recreation Division has received multiple inquiries about offering pickleball over the past year. Due to this interest, pickleball is currently being played at Hemingway Park utilizing temporary setups. This opportunity for conversion is timely, as resurfacing Hemingway tennis courts is slated for 2023. The conversion project would include, but not be limited to, removing existing six- and twelve-foot-high fencing and V-shape chain link fence posts; installing new vinyl coated fencing and posts with 90-degree corners, which would remove the California corners; and fencing and gates between the new pickleball courts to allow for four pickleball courts for everyone prior tennis court (Exhibit 2). The work is necessary for the new pickleball courts to conform to official pickleball court specifications.

The endeavor constitutes a public project. Under Public Contract Code Section 22032(a) of the Uniform Public Construction Cost Accounting Act (adopted by the City under Carson Municipal Code Section 2612), "public projects of sixty thousand dollars (\$60,000) or less may be performed by the employees of a public agency by force account, by negotiated contract, or by purchase order." The proposed Agreement is a negotiated contract under this authority. Therefore, no formal or informal bidding procedure or award to lowest responsible bidder is required, as the Agreement is under \$60,000. The bid amount includes, and the Agreement provides for, payment of prevailing wage rates as required by

Labor Code Section 1720 *et seq.*, as well as performance and payment bonds.

Cal-Fence's qualifications and background have been assessed by staff, and this contractor has been determined to possess the requisite ability to complete the work. Moreover, the firm provided a detailed approach that would effectively and efficiently provide the required services.

The City Council is now asked to approve the Agreement with Cal-Fence for a total do-not-exceed Contract Sum of \$50,134.04, plus a 10% (\$5,013) contingency in the event there is a need for unforeseen work to be done by Cal-Fence to complete the job.

V. FISCAL IMPACT

Funds for this service are available in the FY 2022/23 General Fund Budget in the following accounts:

- 101-90-950-159-6027 - \$13,474.16
- 101-90-950-680-6027 - \$41,672.88

VI. EXHIBITS

1. Cal-Fence Agreement (Pgs. 4 - 40)
2. Proposed Layout (Pgs. 41 - 42)

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