



## Legislation Text

File #: 2020-083, Version: 1

### Report to Mayor and City Council

Tuesday, March 17, 2020

Consent

#### **SUBJECT:**

**CONSIDERATION TO ACCEPT AS COMPLETE PROJECT NO. 1550: DOLPHIN PARK PLAYGROUND AREA FOR CHILDREN OF DIFFERING ABILITIES (CITY COUNCIL)**

#### **I. SUMMARY**

Project No. 1550: Dolphin Park Playground Area for Children of Differing Abilities has been completed in accordance with approved plans and specifications.

Staff requests that the City Council accept the work as complete and authorize staff to file the Notice of Completion.

#### **II. RECOMMENDATION**

TAKE the following actions:

1. ACCEPT as complete Project No. 1550: Dolphin Park Playground Area for Children of Differing Abilities.
2. AUTHORIZE staff to file a Notice of Completion

#### **III. ALTERNATIVES**

1. DO NOT ACCEPT the project as complete. However, Civil Code section 9204 requires a public entity record a Notice of Completion after completion of work, upon the completion and settlement of all public works project claims, if any.
2. TAKE another action the city council deems appropriate and consistent with the requirements of the law.

#### **IV. BACKGROUND**

Dolphin Park is an existing 12-acre facility, located at 21205 S. Water Street, with two lighted ball diamonds, two multi-purpose rooms, an outdoor fitness course, an existing playground area (approximately 9,500 sq. ft.), two lighted tennis courts, one multi-purpose game court, a picnic area, a snack bar, and a parking lot (Exhibit No. 1). A donation totaling \$1,250,000.00 from Marathon Petroleum (formally Tesoro and then Andeavor) was made to the City to improve the existing facility by constructing a new play area that provides equal opportunities for children ages 2 to 12 with varying abilities.

In September of 2018, engineering staff issued a Request for Proposals (RFP) to interested companies to design and build this project. On March 19, 2019, the City Council approved the award of a design-build contract for \$1,073,394.00 to Micon Construction, Inc. (Micon) and authorized the expenditures of construction contingencies in the amount of \$176,606.00. The scope of work included, but was not limited to:

- New Canopies and shade structures, picnic tables, benches, trash cans and barbecues.
- Upgrades to existing bathrooms, concrete walkways, curb ramps and parking stalls to bring to ADA compliance.
- New All-Inclusive Playground set with rubberized surface and sensory garden area for children ages 2-12.

Micon and its consultants, in collaboration with City staff, generated three concept designs for consideration. To involve the community, City staff advertised and organized a Community Meeting on June 5, 2019 at 6:00 pm at Dolphin Park, where the Community had the opportunity to ask questions, provide comments and feedback, and vote for their favorite concept. On June 18<sup>th</sup> and July 2<sup>nd</sup> staff presented the community-preferred design option to City Council for approval.

Micon and team generated construction documents, were issued required permits and began construction on September 20, 2019. The project was substantially completed by the end of 2019 and a grand opening for the park was held on January 16, 2020. The construction of this project has been completed in a satisfactory manner; all permits associated with this work have been closed out. Staff is requesting the City Council accept the project as complete and authorize staff to proceed with filing the Notice of Completion.

#### **V. FISCAL IMPACT**

Funding in the amount of \$1,250,000.00 was provided through a restricted donation from Marathon Petroleum in the City's Restricted Donations Accounts No. 202-80-820-904-8008.

The project budget and expenses are summarized in the table below:

Fund Source	Account Number	Amount
Restricted Donation from Marathon Petroleum	202-99-999-999-4999	\$1,250,000.00
<b>TOTAL BUDGET</b>		<b>\$1,250,000.00</b>

Consultant/Contractor	Description	Approved Amount	Actual Expenditure
Micon Construction	Design and Construction	\$1,073,394.00	\$1,227,678.00
City Staff Labor & Material	Actual		\$11,252.09
<b>TOTAL EXPENDITURE</b>			<b>\$1,239,203.09</b>
SURPLUS			\$10,796.91

The actual expenditures are less than the amount budgeted for this project and there is a surplus of \$10,796.91. Based on conversations between City Staff and Marathon Petroleum, prior to the playground grand opening on January 16<sup>th</sup>, Marathon has stated that the donation surplus may be kept by the city, to be used for future maintenance of the playground area and park.

## **VI. EXHIBITS**

1. Location Map (pg. 4)

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