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# **NEWPORT BEACH**

## **City Council Staff Report**

May 27, 2025  
Agenda Item No. 5

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** David A. Webb, Public Works Director - 949-644-3311,  
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**TITLE:** San Miguel Park Accessibility Playground Improvements – Notice of Completion for Contract No. 9371-1 (24P01)

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**ABSTRACT:**

On October 8, 2024, the City Council awarded Contract No. 9371-1 for the San Miguel Park Accessible Playground Improvements to R.E. Schultz Construction, Inc. (R.E. Schultz). The project involved replacing the existing playground equipment with new, accessible features, removing physical barriers and accommodating disability access. The work is now complete and staff requests City Council acceptance and close out of the contract.

**RECOMMENDATION:**

- a) Accept the completed work and authorize the City Clerk to file a Notice of Completion for the project.

**DISCUSSION:**

**Overall Contract Cost/Time Summary**

Awarded Contract Amount	Final Total Contract Amount	Total Contract Change Amount	Percent Contract Cost Change
\$819,475	\$804,778.50	- \$14,696.50	- 1.8%
Allowed Contract Time + Approved Extensions (Days) =		54	Actual Time Used (Days) 54

This project involved replacing the existing play equipment with accessible play equipment, installing new rubber surfacing, and replacing the adjacent sidewalk to meet current ADA guidelines.

The design of the new play equipment incorporated feedback received from public outreach meetings and includes over 20 ground accessible components for all ability levels along with additional elevated components accessible by transfer platforms.

The contracted work has been completed to the satisfaction of the Public Works Department. A summary of the construction cost is as follows:

Original bid amount:	\$	819,475.00
Actual Cost of Bid Items Constructed:	\$	786,137.50
Total Change Orders:	\$	18,641.00
<b>Final contract cost:</b>	<b>\$</b>	<b>804,778.50</b>

The final total contract amount was \$804,778.50, which is approximately 1.8% less than the original bid amount. Two contract change orders were provided to replace additional grass areas, re-paint the existing shade structure, replace a belt swing with an ADA bucket swing, and replace the existing deteriorated bike rack.

A summary of the project schedule milestones is as follows:

Estimated Start of Construction per Annual Baseline Schedule	January 20, 2025
Actual Start of Construction Per Notice to Proceed	January 13, 2025
Estimated Completion per Annual Baseline Schedule	March 21, 2025
Substantial Completion Date Inclusive of Extra Work	April 1, 2025

Due to unforeseen weather delays and contract change orders for requested additional playground improvements, the contractor was granted nine additional workdays to complete the project.

### **FISCAL IMPACT:**

The San Miguel Park Accessible Playground Improvements were funded from the Fiscal Year 2024-25 Capital Improvement Program Budget. Funds for the construction contract were expended from the Community Development Block Grant (CDBG) and Building Excise Tax (BET) in the following accounts:

<u>Account Description</u>	<u>Account Number</u>	<u>Amount</u>
CDBG	12001-980000-24P01	\$ 607,680.00
BET Fund	14101-980000-24P01	\$ 197,098.50
	<b>Total:</b>	<b>\$ 804,778.50</b>

The City Council approved the CDBG federal grant funding for this project with Resolution Nos. 2023-23 and 2024-30 in the CDBG Annual Action Plans for the 2023-2024 and 2024-2025 fiscal years.

The BET fund is used to account for property development taxes imposed on construction and occupancy of all residential, commercial, industrial units, and mobile home parks for which a building or construction permit is issued. BET funds can be used for acquiring, improving, expanding and equipping City fire stations, libraries and parks as provided by Chapter 3.12 of Newport Beach Municipal Code.

**ENVIRONMENTAL REVIEW:**

On October 8, 2024, the City Council found this project exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1 Section 15301 Class 1 (rehabilitation of deteriorated facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

**ATTACHMENT:**

Attachment A – Location Map