



CITY OF

NEWPORT BEACH

City Council Staff Report

May 10, 2022
Agenda Item No. 10

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: 2020-2021 Playground Improvements Project – Notice of Completion
for Contract No. 7934-1

ABSTRACT:

On August 24, 2021, the City Council awarded Contract No. 7934-1, 2020-2021 Playground Improvements, to R.E. Schultz Construction, Inc. (R.E. Schultz) of Orange, California. The project consisted of removal and reconstruction of rubber surfacing and playground equipment at Bonita Creek Park. The work is now substantially complete and staff requests City Council acceptance and closeout of the contract.

RECOMMENDATION:

- a) Accept the completed work and authorize the City Clerk to file a Notice of Completion for the project;
- b) Authorize the City Clerk to release the Labor and Materials Bond 65 days after Notice of Completion has been recorded in accordance with applicable portions of the Civil Code; and
- c) Release the Faithful Performance Bond one year after acceptance by the City Council.

DISCUSSION:

Overall Contract Cost/Time Summary

Award Contract Amount	Final Cost at Completion	Total Contract Change Amount	Percent Contract Cost Change
\$ 279,915.00	\$ 284,265.00	\$ 4,350.00	1.6%
Allowed Contract Time (days)		30	Actual Time Under (-) or Over (+)
			-1

The work necessary for the completion of this contract consisted of removing and disposing of existing improvements at Bonita Creek Park, including existing rubber surface wear course and playground equipment; furnishing and installing flexible play surface systems; play equipment; and other incidental items to complete the work in place as required by the contract documents.

The contract has been completed to the satisfaction of the Public Works Department and the Recreation and Senior Services Department. A summary of the construction cost is as follows:

Original Bid Amount:	\$ 279,915.00
Actual Cost of Bid Items Constructed:	\$ 279,915.00
Total Change Orders:	\$ 4,350.00
Final Contract Cost:	\$ 284,265.00

Due to the limited budget, the sand replacement scope was removed from the project and resulted in a change order to protect and clean the existing sand. Additionally, demolition of the rubber layer exposed an additional two-inch rubber layer that needed to be removed.

A summary of the project schedule is as follows:

Estimate Start of Construction per Annual Baseline Schedule	August 16, 2021
Actual Issuance of Notice to Procure	November 9, 2021
Actual Start of Construction per Notice to Proceed	February 9, 2022
Actual Substantial Construction Completion Date	March 22, 2022

FISCAL IMPACT:

Funds for the construction contract were expended from the following Capital Improvement budget accounts:

<u>Account Description</u>	<u>Account Number</u>	<u>Amount</u>
Building Excise Tax (BET)	14101-980000-21P01	\$ 279,157
Building Excise Tax (BET)	14101-980000-20P01	\$ 5,108
Total:		\$ 284,265

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

ENVIRONMENTAL REVIEW:

On August 24, 2021, City Council found this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301_Class 1 (Rehabilitation of Deteriorated Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because this project results in no expansion of an existing use.

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