



**City of Santa Ana**  
**20 Civic Center Plaza, Santa Ana, CA 92701**  
**Staff Report**  
**October 15, 2024**

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**TOPIC:** Memorial Park Aquatics Center

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**AGENDA TITLE**

Award a Construction Contract to AMG & Associates, Inc. for the Memorial Park Aquatics Center Project (No. 22-1415) (Non-General Fund) (**Revive Santa Ana Program**)

**RECOMMENDED ACTION**

1. Approve an appropriation adjustment to recognize \$165,000 of accumulated Capital Outlay Fund account balance that will be appropriated for spending in the Capital Outlay Fund, Park Improvements, Building & Building Improvements expenditure account (05113263-66200). *(Requires five affirmative votes)*
2. Approve an appropriation adjustment recognizing \$50,000 in the Capital Outlay Fund (Cell Tower) revenue account and appropriate the same amount into the Capital Outlay Fund, Park Improvements, Buildings & Building Improvements expenditure account (05113263-66200). *(Requires five affirmative votes)*
3. Approve an appropriation adjustment reallocating \$1,194,500 in general fund from PRSCA Service Enhancement, Building and Building Improvements to Public Works Road Maintenance, Improvements Other than Buildings. This request is a housecleaning matter to expedite the Delhi channel fencing and resolve security and safety concerns. *(Requires five affirmative votes)*
4. Authorize a budget reallocation of \$3,927,265 in unspent funds from various other projects (detailed in the Discussion Section) to construction funds for the Memorial Park Aquatics Center Project (No. 22-1415).
5. Approve an amendment to the Fiscal Year 2024-2025 Capital Improvement Program to include an additional \$19,897,209 in construction funds for the Memorial Park and Aquatics Renovation Project (No. 22-1415).
6. Approve the Project Cost Analysis for a total estimated construction delivery cost of \$29,339,203, which includes \$26,326,548 for the construction contract; \$380,000 for contract administration, inspection, and testing; and a \$2,632,655 project

contingency for unanticipated or unforeseen work due to the complexity and extensive scope of this project.

7. Award a construction contract to AMG & Associates, Inc., the lowest responsible bidder, in accordance with the base bid in the amount of \$26,326,548, subject to change orders, for construction of the Memorial Park Aquatics Center Project (No. 22-1415), for a term beginning October 15, 2024 and ending upon project completion, and authorize the City Manager to execute the contract.
8. Determine that pursuant to the California Environmental Quality Act the recommended actions are exempt from further review. Categorical Exemption Environmental Review No. ER-2024-83 was filed for Project No. 22-1415.

**GOVERNMENT CODE §84308 APPLIES: No**

**DISCUSSION**

The Public Works Agency (PWA)'s Engineering Services is responsible for the administration and oversight of all Capital Improvement Projects in the City. Additionally, the PWA Parks Services Division is responsible for the planning and design of Capital Improvement Projects within the City's park system.

Memorial Park, located at 2102 South Flower Street (Exhibit 1), was dedicated in May 1959. The pool and community center are the original 1956 installation and maintain the traditional bath-house design. Due to facility deterioration, the facility must be rebuilt as routine maintenance and renovations are no longer effective. Because the pool and floor plan of the park did not meet today's programming, the pool was decommissioned in August 2023.

The new Memorial Park Aquatics Center Project (No. 22-1415) will consist of a complete demolition and rebuilding of the aquatics center, including the existing bathhouse building, pool, pool equipment building, and adjacent site work. The new aquatics center will include a new aquatic building, two swimming pools (recreational and competition), and a pool deck with seating areas (Exhibit 1). The aquatics building will include locker rooms, lifeguard offices, staff offices, a community room, and a pool equipment room. To ensure safety and accessibility, additional improvements will include exterior lighting, safety cameras, lighting fixtures, landscape, irrigation, site furnishings, entrance walkways, and meeting rooms.

**Public Outreach and Contractor Participation**

During the design process, staff and the consulting architectural firm attended five neighborhood association meetings, held five community events, led two site walks with residents, and conducted five presentations at Santa Ana Unified School District schools (Washington Elementary, Esqueda Elementary, and Lathrop, MacArthur, and McFadden Intermediate).

During the public bid process, to provide an opportunity for local vendors to submit bids, the City notified a total of 171 regional vendors via PlanetBids, many of which are Santa Ana based. Furthermore, staff specifically reached out to Santa Ana vendors to encourage their participation in bids. A total of five bids were received. Zero bids were received from Santa Ana contractors.

The project was advertised in PlanetBids from July 31, 2024 until September 4, 2024. Bids were received electronically via PlanetBids on September 4, 2024.

#### Bid Results Summary

<b>RANK</b>	<b>BIDDER'S NAME</b>	<b>LOCATION</b>	<b>BASE BID</b>
1	AMG & Associates, Inc.	Santa Clarita, CA	\$26,326,548
2	Pinner Construction Co., Inc.	Anaheim, CA	\$27,290,000
3	Woodcliff Corporation	Los Angeles, CA	\$28,477,800
4	New Dynasty Construction Co.	Tustin, CA	\$29,453,752
NR	Royal Construction Corporation	Arcadia, CA	Non-Responsive

Pinner Construction submitted a bid protest against Royal Construction Corporation and AMG & Associates, Inc. After review of the bid protest, staff has determined Royal Construction Corporation as non-responsive and AMG & Associates as the lowest responsive bidder.

A total of five bids were received and four were deemed responsive. AMG & Associates, Inc. submitted the lowest responsive base bid in the amount of \$26,326,548 (Exhibit 2). As specified in the bid documents, the lowest bid shall be determined on the basis of the Base Bid. Based on the bid analysis and a contractor's reference check, staff recommends awarding the construction contract to AMG & Associates, Inc. (Exhibit 3).

#### Project Delivery

To deliver a complete project, in addition to the construction contract, the estimated total project delivery cost includes budget allocation for construction administration and testing. Construction administration includes implementation of the labor requirements; and oversight of the park's construction management firm, Swinerton Management & Consulting, who will provide day-to-day construction management services, inspections of the Contractor's work to ensure contract compliance, workmanship and quality, and material testing.

Any of the allocated construction administration funds not spent are considered project savings and are returned to the respective fund balance upon close out of the project.

As indicated in the Cost Analysis (Exhibit 4) and as summarized in the table below, the estimated total construction delivery cost of the project is \$29,339,203.

<b>Project Item</b>	<b>Total</b>
Construction Contract Bid Amount	\$26,326,548
Construction Administration	\$150,000
Inspection *Performed by Swinerton Management & Consulting (Agreement No. A-2024-079)	\$0
Testing	\$230,000
Project Contingencies	\$2,632,655
<b>TOTAL ESTIMATED CONSTRUCTION DELIVERY COST</b>	<b>\$29,339,203</b>

**ENVIRONMENTAL IMPACT**

Pursuant to the California Environmental Quality Act (CEQA), the recommended actions are exempt from further review pursuant to Section 15302 of the CEQA Guidelines for projects consisting of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The proposed project continues to meet these parameters of the CEQA Guidelines, and Categorical Exemption Environmental Review No. ER-2024-83 was filed for Project 22-1415 (Exhibit 5).

**FISCAL IMPACT**

As indicated in the Cost Analysis, the estimated total construction delivery cost of the project is \$29,339,203. All funds are available for expenditure in Fiscal Year 2024-2025. Any remaining balances not expended at the end of the fiscal year will be carried forward into Fiscal Year 2025-2026.

The proposed contract authorizes staff a maximum of 10% in contingencies for construction contract change orders. Staff will return to City Council for authorization and appropriation of additional contingency if necessary.

Funds from other projects that have been completed, near completion, or put on hold will be reallocated toward this project. These projects include:

<b>Location</b>	<b>Cost</b>
Centennial Lake	\$100,000
Splash Pads	\$2,810,243
Ed Caruthers Park	\$11,961
PE Bike Trail	\$449,202
Flower Street Bike Trail	\$40,534
Zoo Goat Encounters	\$19,353
Santa Anita Park Improvement Phase II	\$150,000

Location	Cost
Dan Young Soccer Complex Field 1	\$121,464
Stadium Lights	\$10,508
Capital Outlay Deferred Maintenance	\$85,000
Wellness Plaza	\$50,000
Neighborhood Street Lights Phase I	\$17,000
Mobility Improvements I, II, III	\$47,000
Storm Water Fencing Phase III	\$15,000
Total	\$3,927,265

With the reallocation of these funds, the appropriations adjustments totaling \$215,000 from the Capital Outlay Fund and the existing budgeted funds, all funds are available for expenditure in Fiscal Year 2024-2025. The spendable portion of the Capital Outlay fund balance is estimated to be \$3,217,322 as of June 30, 2025, which is sufficient to allow for the recommended appropriation of \$215,000. The funds will be budgeted and available for this item in the accounts below. Any remaining balances not expended at the end of the fiscal year will be carried forward into Fiscal Year 2025-2026.

Fiscal Year	Accounting Unit – Account No. (Project No.)	Fund Description	Accounting Unit, Account Description	Amount
<b>CURRENT BUDGET</b>				
2024-25	18117013-66220 (22-1415)	American Rescue Plan Act (ARPA)	APRA-PWA, Improvements Other Than Buildings	\$3,341,639
2024-25	31313260-66200 (22-1415)	Residential Develop District 3	Acquisition & Development, Building and Building Improvements	\$9,998,266
2024-25	31313261-66200 (22-1415)	Residential Develop District 3	A & D In Lieu, Building and Building Improvements	\$41,829
2024-25	01113017-66200 (22-1415)	General Fund	PRCSA Service Enhancement, Building and Building Improvements	\$8,755,500
2024-25	01213020-66200 (22-1415)	Cannabis Public Benefit Fund	PRCSA Youth Services, Buildings & Building Improvements	\$3,059,704
<b>Sub-Total</b>				<b>\$25,196,938</b>
<b>APPROPRIATION ADJUSTMENT</b>				
2024-25	05113263-66200 (22-1415)	Capital Outlay Fund	Park Improvements, Building and Building Improvements	\$215,000

<b>Fiscal Year</b>	<b>Accounting Unit – Account No. (Project No.)</b>	<b>Fund Description</b>	<b>Accounting Unit, Account Description</b>	<b>Amount</b>
<b>REALLOCATION</b>				
2024-25	01213020-66200 (From Various)	Cannabis Public Benefit Fund	PRCSA Youth Services, Building and Building Improvements	\$3,213,020
2024-25	0511323-66200 (From Various)	Capital Outlay Fund	Park Improvements, Building and Building Improvements	\$95,508
2024-25	31313260-66200 (From Various)	Residential Develop District 3	Acquisition & Development, Building and Building Improvements	\$489,737
2024-25	18117013-66220 (From Various)	American Rescue Plan Act (ARPA)	APRA-PWA, Improvements Other Than Buildings	\$129,000
<b>Sub-Total</b>				<b>\$3,927,265</b>
<b>TOTAL</b>				<b>\$29,339,203</b>

**EXHIBIT(S)**

1. Location Map and Design
2. Bid Proposal
3. Construction Contract
4. Cost Analysis
5. Environmental Determination
6. Capital Improvement Project Worksheet

Submitted By: Nabil Saba, P.E., Executive Director – Public Works Agency

Approved By: Alvaro Nuñez, City Manager