



**City of Santa Ana**  
**20 Civic Center Plaza, Santa Ana, CA 92701**  
**Staff Report**  
**September 19, 2023**

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**TOPIC:** Standard – McFadden Park Project

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**AGENDA TITLE**

Approve an Appropriation Adjustment and Award a Construction Contract to Legion Contractors, Inc. in the Amount of \$3,366,625 for the Standard – McFadden Park Project, with an Estimated Project Delivery Cost of \$4,208,281 (Project No. 20-2729) (Non-General Fund)

**RECOMMENDED ACTION**

1. Approve an appropriation adjustment to recognize \$669,060 in revenue received from prior years into the Residential Development District 3, Park Acquisition & Development Fees revenue account and appropriate the same amount into the Residential Development District 3, Improvements Other Than Building expenditure account. (*Requires five affirmative votes*)
2. Approve an amendment to the FY 2023-24 Capital Improvement Program to include \$669,060 in construction funds for the Standard – McFadden Park Project (Project No. 20-2729).
3. Award a construction contract to Legion Contractors, Inc., the lowest responsible bidder, in accordance with the base bid in the amount of \$3,366,625, subject to change orders (not to exceed 25 percent of the base bid amount) in accordance with the Greenbook: Standard Specifications for Public Works Construction, for construction of the Standard – McFadden Park Project, for a term beginning September 19, 2023 and ending upon project completion, and authorize the City Manager to execute the contract subject to non-substantive changes approved by the City Manager and the City Attorney.
4. Approve the project cost analysis for a total estimated construction delivery cost of \$4,208,281, which includes \$3,366,625 for the construction contract; \$504,994 for contract administration, inspection, and testing; and a \$336,662 project contingency for unanticipated or unforeseen work.
5. Determine the recommended actions are exempt from further review in accordance with the California Environmental Quality Act as Categorical Exemption Environmental Review No. ER-2021-97 was filed for the project.

## **DISCUSSION**

The Standard—McFadden Park Project will transform the existing underutilized and poorly furnished City park located at the northeast corner of Standard and McFadden Avenue (Exhibit 1) into a park with an abundance of amenities catered to serve the surrounding community. The scope of work for this project (Exhibit 2) includes the removal of the existing asphalt alley, synthetic soccer field, chain link fencing, planter boxes, landscaping, and the construction of a new concrete alley, skate park, multi-purpose basketball court, playground and fitness equipment, site furnishings, lighting, wrought iron fencing and concrete masonry walls, decorative signage, landscaping, irrigation, and a security system. Standard – McFadden Park will contribute to the health and wellness of the surrounding community by providing valuable green space and active recreational opportunities.

### **Public Outreach and Contractor Participation**

To provide an opportunity for local vendors to submit bids, the City notified a total of 2,385 regional vendors via PlanetBids, many of which are Santa Ana based. Five vendors requested bidding documents and a total of five bids were received. No bids were received from any Santa Ana contractors.

As legally required, a Notice Inviting Bids was advertised in the Orange County Register newspaper on June 12, 2023 and June 19, 2023. The project was also advertised in PlanetBids from June 2, 2023 through July 20, 2023. Bids were received electronically via PlanetBids on July 20, 2023.

### **Bid Results Summary**

<b>Rank</b>	<b>Bidder's Name</b>	<b>Location</b>	<b>Base Bid</b>
1	Legion Contractors Inc.	San Francisco, CA	\$3,366,625
2	Urban Habitat	La Quinta, CA	\$3,705,794
3	California Landscape & Design Inc.	Upland, CA	\$3,835,313
4	Lucas Builders, Inc.	La Habra, CA	\$3,966,162
5	KASA Construction, Inc.	Chino, CA	\$4,599,871

A total of five bids were received, and all were deemed responsive. Legion Contractors, Inc. submitted the lowest responsive base bid in the amount of \$3,366,625 (Exhibit 3). 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 Legion Contractors, Inc., in the amount of the base bid totaling \$3,366,625 (Exhibit 4).

Legion Contractors, Inc. has not performed as a prime contractor in the City of Santa Ana within the past five years. A reference check was made and received good reviews from other public agencies regarding quality of work performed by Legion Contractors, Inc.

#### Project Delivery

To deliver a complete project, in addition to the construction contract bid amount, the estimated total project delivery cost includes construction administration, inspection, and testing, along with an allowance for contingencies to account for unexpected or unforeseen conditions. Construction administration and inspection includes construction management, workmanship, and quality; and materials testing. As indicated in the Cost Analysis (Exhibit 5) and as summarized in the table below, the estimated total construction delivery cost of the project is \$4,208,281.

<b>Project Item</b>	<b>Total</b>
Construction Contract Bid Amount	\$3,366,625
Construction Administration, Inspection, Testing	\$504,994
Contract Contingencies	\$336,662
<b>TOTAL ESTIMATED CONSTRUCTION DELIVERY COST</b>	<b>\$4,208,281</b>

#### **ENVIRONMENTAL IMPACT**

In accordance with the California Environmental Quality Act, the recommended actions are exempt from further review. Categorical Exemption Environmental Review No. ER-2021-97 was filed for the project.

#### **FISCAL IMPACT**

Project No. 20-2729 is the number assigned to the funding for tracking of all expenditures to deliver the construction of this project. As indicated in the Cost Analysis, the total construction delivery cost of the project is \$4,208,281 which includes construction, contract administration, inspection, testing, and contingency.

The proposed contract enables Staff to authorize a construction cost increase of up to 25% if necessary for contingencies. Staff expects to utilize other available Public Works appropriations if a contingency becomes necessary to complete the project. If there are no other available appropriations, then Staff will return to City Council with a project update and recommendations.

The following table summarizes the funds budgeted and available in current FY 2023-24 (Exhibit 6) for expenditure to deliver construction of this project. Any remaining balances not expended at the end of the fiscal year will be presented to City Council for approval of carryovers to FY 2024-25.

<b>Fiscal Year</b>	<b>Accounting Unit - Account No. (Project No.)</b>	<b>Fund Description</b>	<b>Accounting Unit, Account No. Description</b>	<b>Amount</b>
<b>EXISTING BUDGET</b>				
2023-24	16113264-66220 (20-2729)	PRCSA Capital Grants	2018 Parks Bond Act Program, Improvements Other Than Buildings	\$3,248,403
2023-24	31313260-66220 (20-2729)	Residential Development District 3	Acquisition & Development, Improvements Other Than Buildings	\$290,818
<b>APPROPRIATION ADJUSTMENT</b>				
2023-24	31313260-66220 (20-2729)	Residential Development District 3	Acquisition & Development, Improvements Other Than Buildings	\$669,060
<b>Additional Budget/Budget Reallocation Total</b>				<b>\$669,060</b>
<b>Complete Total</b>				<b>\$4,208,281</b>

**EXHIBIT(S)**

1. Location Map
2. Site Plan
3. Bid Proposal
4. Construction Contract
5. Cost Analysis
6. CIP Project Sheet

Submitted By: Nabil Saba, P.E., Executive Director – Public Works Agency  
Approved By: Kristine Ridge, City Manager