



## Legislation Details (With Text)

**File #:** 23-288      **Version:** 1      **Name:**  
**Type:** Consent Item      **Status:** Passed  
**File created:** 3/20/2023      **In control:** City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency  
**On agenda:** 4/17/2023      **Final action:** 4/17/2023

**Title:** SUBJECT: Approval of a Memorandum of Understanding (MOU) Between the City of Merced and the Merced County Office of Education (MCOE) to Accept \$650,000 to Install a Futsal Court at Community Park 42 Regional Sports Facility and Award Bid to American Paving Co. for the Community Park 42, Project Number CP220061, in the Amount of \$5,800,580.70

### REPORT IN BRIEF

Considers approving of a Memorandum of Understanding (MOU) between the City of Merced and the Merced County Office of Education (MCOE) to accept \$650,000 for the installation of a futsal court at Community Park 42 Regional Sports Facility and awarding a construction contract to American Paving Co. in the amount of \$5,800,580.70 for the Community Park 42 Regional Sports Facility project.

### RECOMMENDATION

City Council - Adopt a motion:

- A. Approving a Memorandum of Understanding between the City of Merced and Merced County Office of Education to install a futsal court at Community Park 42 Regional Sports Facility; and,
- B. Authorizing the City Manager or the Deputy City Manager to execute the MOU; and,
- C. Accepting revenue from MCOE of \$650,000 in Fund 5001-Park Reserve and appropriating the same to project CP220061; and,
- D. Awarding the Community Park 42, Project No. CP220061 to American Paving Co., in the amount of \$5,800,580.70; and,
- E. Authorizing the City Manager or Deputy City Manager to execute the necessary construction contract and to approve change orders not to exceed 10% of the total contract; and,
- F. Authorizing the Finance Officer to make necessary budget adjustments.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Bid Results, 2. Construction Contract.pdf, 3. Memorandum of Understanding (MOU).pdf

Date	Ver.	Action By	Action	Result
4/17/2023	1	City Council/Public Finance and Economic Development Authority/Parking Authority/Successor Agency to the Redevelopment Agency	approved	Pass

*Report Prepared by: Amber Minami, Engineering Project Manager, Engineering Department*

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## ALTERNATIVES

- 1. Approve, as recommended by staff; or,
- 2. Approve, subject to conditions other than recommended by staff (identify specific findings and/or conditions amended to be addressed in the motion); or,
- 3. Deny; or,
- 4. Refer to staff for reconsideration of specific items (specific items to be addressed in the motion); or,
- 5. Continue to a future meeting (date and time to be specified in the motion).

## AUTHORITY

Charter of the City of Merced, Article XI, Section 1109 - Contracts on Public Works, and Merced Municipal Code Chapter 3.04, Article IV - Public Works Contracts.

## CITY COUNCIL PRIORITIES

As provided for in the 2022-23 Adopted Budget.

## DISCUSSION

During the December 6, 2021, Public Hearing, City Council adopted the American Rescue Plan Act (ARPA) Strategic Investment Plan that included an allocation of \$5,000,000 to fund the Community Park 42 Regional Sports Facility. The allocation of ARPA funds was approved by City Council on April 18, 2022.

On May 2, 2022, City Council accepted and appropriated grant funds in the amount of \$177,952.00 from State of California - Natural Resources Agency Department for the development of two restrooms at Community Park-42. The grant requires a matching fund of \$44,488.00 from the City of Merced.

MCOE agrees to pay the City of Merced \$650,000 for expenses to construct a futsal court with the understanding that the MCOE will have equal access to the Sports Complex at no charge per a Joint Use Agreement.

Under the direction of City Staff, O'Dell Engineering prepared plans and specifications for the Community Park 42 project. The project was advertised, and bids were opened on February 28, 2023, with the following results:

1 American Paving Co., Hilmar, CA	\$ 5,800,580.70
2 TBS Contractors	\$ 5,850,867.98
3 Harris Builders, Inc.	\$ 5,887,062.98
4 Merced Fraser Company	\$ 7,218,069.42

The engineer's estimate for construction was \$5,500,000 to \$6,000,000.

The following is the proposed budget for the project:

Construction	\$ 5,800,580.70
Contingency	\$ 580,058.07
Engineering, Testing & Inspection	\$ 290,029.00
<b>TOTAL:</b>	<b>\$ 6,670,667.77</b>

## IMPACT ON CITY RESOURCES

This project was established as a Capital Improvement Project to be funded by American Rescue Plan Act (ARPA), State of California - Natural Resources Agency Department, MCOE, Sewer System and Water System. There is sufficient funding to complete this project.

## ATTACHMENTS

1. Bid Results
2. Construction Contract
3. MCOE Memorandum of Understanding