June 2, 2009

TO: Mayor and City Council

FROM: Mark J. Madison, Director of Municipal Utilities

SUBJECT: CONSTRUCTION CONTRACT TO ODYSSEY LANDSCAPE FOR THE CONSTRUCTION OF VICTORY PARK PONDS IMPROVEMENT, PROJECT NO. M07032

RECOMMENDATION

It is recommended that the City Council adopt a resolution approving plans, specifications, addendum, all environmental and General Plan findings, and authorize the City Manager to execute a construction contract with Odyssey Landscape Company Incorporated in the amount of $352,144.95 for the construction of the Victory Park Ponds Improvement, Project No. M07032.

SUMMARY

This action will initiate repairs and the reconstruction of the two stormwater ponds in Victory Park. These ponds have been in operation since their construction in 1914 with no significant maintenance, cleaning, or repairs.

The work includes demolition and disposal of concrete pond edge, split rail fence, debris and outfall structure; draining, dredging and grading of ponds; construction of a new gunite pond edge, bentonite clay lining of the bottom, stormwater outfall structure, safety railing, concrete mowbands, pavement, and plantings; installation of floating aerators; and landscape maintenance. The project will improve the ponds water quality and their aesthetic value in Victory Park.

DISCUSSION

Background

The Victory Park ponds are part of the City's Stormwater collection system. Maintenance on this system includes routine inspection, cleaning and repairs of the main lines as well as catch basins, ponds, and pump station. The ponds in Victory Park are bounded by Argonne Drive on the north, Pershing Avenue on the east, and Picardy Drive on the south, as seen on the area map attached as Exhibit A. The ponds have existed in the park with no significant cleaning or repair since the park was established in 1914.

These ponds have a total surface area of approximately 27,000 square feet. In general, the ponds have appeared discolored, cloudy, and in poor condition for many years. An analysis of the ponds conducted in May 1997 by Clayton Environmental Consultants for the City of Stockton indicated the need for removal of accumulated sediment and debris. They
also recommended increasing the pond depth and installing of an aeration system. These were to improve the water quality of the ponds and control the growth of unwanted aquatic vegetation.

A project team consisting of Councilmember Susan Eggman, staff of the Municipal Utilities and Community Development Departments, and representatives of Callander Associates Landscape Architecture, Inc. has been meeting since Summer 2008 to collaboratively develop the improvement plans for the ponds. On January 15, 2009, the project team held a public meeting to unveil preliminary design plans and gather further input on the proposed improvement features. All Victory Park neighborhood residents were invited to attend and give the team their feedback and comments. Comments were positive and supportive of the project moving forward as presented.

Present Situation

On April 17, 2009, the Municipal Utilities Department advertised this project for bids. Bid specification packages were purchased by sixteen (16) firms interested in the project. The Municipal Utilities Department held a non-mandatory Pre-Bid Conference on April 30, 2009 to provide prospective bidders the opportunity to ask questions regarding the project. Twelve (12) potential bidders were in attendance in this meeting.

On May 14, 2009, five (5) sealed bids were received and opened with the following results:

<table>
<thead>
<tr>
<th>COMPANY NAME</th>
<th>BID PRICE</th>
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<tbody>
<tr>
<td>1. Odyssey Landscape Co., Inc., Lodi</td>
<td>$352,144.95</td>
</tr>
<tr>
<td>2. Preston Pipelines, Inc., Milpitas</td>
<td>$418,805.00</td>
</tr>
<tr>
<td>3. Robert Burns Construction, Inc., Stockton</td>
<td>$441,888.45</td>
</tr>
<tr>
<td>4. McNabb Construction, Inc., Lafayette</td>
<td>$474,312.00</td>
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<tr>
<td>5. Granite Construction, Inc., Watsonville</td>
<td>$576,484.00</td>
</tr>
<tr>
<td><strong>Engineer’s Estimate</strong></td>
<td><strong>$438,736.00</strong></td>
</tr>
</tbody>
</table>

The bid submitted by Odyssey Landscape Company, Incorporated, of Lodi, California, is responsive in all respects. The firm is properly licensed to perform this work. Therefore, it is recommended that Council authorize the City Manager to execute a contract with Odyssey Landscape Company Incorporated for the construction of the Victory Park Ponds Improvement, Project No. M07032.

Environmental Clearance

With regard to environmental clearance requirements for the Victory Park Ponds Improvement Project, it has been determined that this action/project is exempt from the requirements of the California Environmental Quality Act, since this type of action/project
CONSTRUCTION CONTRACT TO ODYSSEY LANDSCAPE FOR THE CONSTRUCTION OF VICTORY PARK PONDS IMPROVEMENT, PROJECT NO. M07032

has been granted a "Categorical Exemption" under Article 19, Section(s) 15301(c) and 15302(c) of the state California Environmental Quality Act Guidelines.

During plan development, staff received a public comment regarding concern over the potential presence of California Tiger Salamander, a federally endangered amphibian, within the project area. Given that the project area is located within the historic and current range of California Tiger Salamander, a field study and site assessment for the presence of the species was conducted for the City by Environmental Science Associates, a qualified wildlife biologist consultant. The site assessment determined that while historical records indicate California Tiger Salamander presence in the area, the present urban nature of the site and surrounding area no longer provide adequate aquatic and/or terrestrial habitat for this species.

General Plan Conformity

In accordance with Section 65402 of the Government Code and on behalf of the City Planning Commission, it has been determined that this project or action: (1) clearly conforms with the City's General Plan designation for the site and with the General Plan Policy Document, as amended, (2) was determined to be in conformity with the General Plan as part of the review of the City's Capital Improvements program, or (3) is exempt from Section 65402 of the Government Code, as applicable.

FINANCIAL SUMMARY

There are sufficient funds available in the Account No. 431-7788-670.20-62 (Stormwater CIP) to cover the cost of this project. This capital improvement project does not impact the General Fund.

PREPARED BY: Amin Kazemi

Respectfully submitted,

MARK J. MADISON, P.E.
DIRECTOR OF MUNICIPAL UTILITIES

APPROVED BY

J. GORDON PALMER, JR.
CITY MANAGER

MJM:AK:CW:cla

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RESOLUTION APPROVING THE PLANS, SPECIFICATIONS, ALL ADDENDA, ALL ENVIRONMENTAL FINDINGS, AND AWARDING A CONSTRUCTION CONTRACT, IN THE AMOUNT OF $352,144.95, TO ODYSSEY LANDSCAPE CO., INC. FOR THE VICTORY PARK PONDS IMPROVEMENT (PROJECT NO. M07032)

WHEREAS, the City Clerk of the City of Stockton did, on the 14th day of May 2009, open, examine, and publicly declare the sealed proposals or bids offered for the Victory Park Ponds Improvement (Project No. M07032); now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. That the plans, specifications, and all addenda contained in the bid for the Victory Park Ponds Improvement (Project No. M07032) are incorporated herein by reference and are hereby approved and adopted.

2. That all of said bids except that next herein mentioned are hereby rejected.

3. That said work is hereby authorized and the contract awarded to the lowest and best regular responsible bidder, to wit: Odyssey Landscape Co., Inc. in the amount of Three Hundred Fifty-two Thousand One Hundred Forty-four and 95/100 Dollars ($352,144.95).

4. That the City Manager is hereby authorized and directed to execute a contract with Odyssey Landscape Co., Inc. in accordance with the plans, specifications and all addenda for such work hereinabove adopted by the City Council.

5. That the City Clerk is hereby authorized to return to each of the unsuccessful bidders, the bidder’s bonds, certified checks and cashier’s checks which accompanied the respective bids for the above-mentioned work.

6. With regard to environmental clearance requirements for Victory Park Ponds Improvement, it has been determined that this action/project is exempt from the requirements of the California Environmental Quality Act ("CEQA") as specified in Section(s) 15301(c) and 15302(c) of the State CEQA Guidelines.

7. In accordance with Section 65402 of the Government Code, it has been determined that this project or action conforms to the City’s General Plan designation for the site and with the General Plan Policy Document, as amended.
8. The City Manager is hereby authorized and directed to take the appropriate actions to carry out the purpose and intent of this resolution.

PASSED, APPROVED AND ADOPTED ________________.

ATTEST: 

ANN JOHNSTON, Mayor of the City of Stockton

KATHERINE GONG MEISSNER 
City Clerk of the City of Stockton