



CONSENT CALENDAR

City of San Bernardino Request for Council Action

Date: June 4, 2025

To: Honorable Mayor and City Council Members

From: Bill Gallardo, Interim City Manager;
Lynn Merrill, Director of Public Works

Department: Public Works

Subject: **Approve Amendment No. 1 to the Agreement with Z & K Consultants, Inc. for Nicholson Park Construction Management and Construction Inspection Services in the amount of \$144,158.90 (Ward 6)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Approve Amendment No. 1 to the Professional Services Agreement with Z & K Consultants, Inc. in the amount of \$144,158.90 for the Construction Management and Construction Inspection Services at Nicholson Park Improvements, increasing the not to exceed amount to \$663,221.90 (Project); and
2. Authorize additional project contingencies in the total amount of \$14,415.89 for the Construction Management and Construction Inspection Services of the Project; and
3. Authorize the City Manager or designee to execute all documents with Z & K Consultants, Inc.; and
4. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

Executive Summary

Amending the Agreement for construction management and construction inspection services with Z & K Consultants will increase their total contract amount for the Nicholson Park Improvement Project by \$144,158.90. The new not to exceed amount will increase to \$663,221.90. Approval of this amendment will enable Z & K

Consultants to proceed with the required work, ensuring that financial resources are available to complete the revised project scope. This amendment will extend their term from February 21, 2024 to July 31, 2025 and is funded by the previously approved Measure S contingency budget.

Background

Nicholson Neighborhood Park, located at 2737 West 2nd Street, is a City-owned 9.52-acre park facility that includes recreational amenities and a community center building. The recreational area of the park currently consists of two baseball diamonds with a concession/score keeper area (restroom included), a community garden, outdoor basketball court, picnic shelter, 10 picnic tables, two barbeque grills, a playground area, restrooms, and parking lot. While the park area continues to see some general community use, the community center building has been closed for programming for several years due to financial challenges.

Over the past several years, Nicholson Neighborhood Park has become a target for vandalism due to the lack of programmed activities at the site. Many of the supporting outbuildings, irrigation, and lighting systems have been damaged beyond repair. During preparation of the FY 2020/21 Capital Improvement Program (CIP), staff recommended rehabilitation of the park to return the property to a safe and attractive condition. Restoration of the park and its amenities will assist in drawing positive activities back to the area and restore recreational opportunities for the surrounding neighborhood.

On December 6, 2023, the Mayor and City Council awarded a construction agreement to Urban Habitat in the amount of \$8,147,197.56 and approved additional funds for construction contingencies and construction management costs in the amount of \$1,290,000.

On February 21, 2024, the Mayor and City Council awarded a Professional Services Agreement to Z & K Consultants, Inc. in the amount of \$471,876.00 and approved additional funds for construction management and inspection services contingency costs in the amount of \$47,187.00.

On September 4, 2024, the Mayor and City Council authorized allocating an additional \$745,128 from Measure S funds to increase the construction contingency and construction management budget for this project.

Discussion

Additional services are needed through Summer 2025 due to the long lead time for construction materials and the prefabricated restroom/concession building. Amendment No. 1 for Z&K Consultants includes an additional amount of \$144,158.90 for the construction inspection services. This amendment will extend their term from February 21, 2024 to July 31, 2025.

An additional \$14,415.89 is allocated to the contingency fund to address any unforeseen expenses or issues that may arise. Together, the total increase is \$158,574.79. This ensures that sufficient funds are available to cover the increased workload and any unexpected costs that may come up as the project progresses.

Proposed Amendment

Item	Amount
Z&K Consultants Amendment No. 1	\$144,158.90
Contingency	\$14,415.89
Total	\$158,574.79

As a result, the new construction management and inspection services total, reflecting the original agreement, Amendment No. 1 and contingencies, is \$677,637.79.

Construction Management & Inspection Services Cost

Original Agreement - ARPA	\$471,876.00
Initial Contingency & Administrative Cost	\$47,187.00
Additional Scope Cost	\$144,158.90
Additional Contingency & Administrative Cost	\$14,415.89
New Total	\$677,637.79

The available Measure S balance is \$721,245.53. The remaining Measure S balance after accounting for Amendment No. 1 and additional contingencies is \$562,670.74, which is still available for future project needs or expenditures.

Measure S Budget

Measure S Balance	\$721,245.53
Amendment No. 1	\$144,158.90
Contingency	\$14,415.89
Remaining in Measure S	\$562,670.74

2021-2025 Strategic Targets and Goals

Approving the Amendment No. 1 of this agreement aligns with Key Target No. 4: Economic Growth & Development. The additional amenities to Nicholson Neighborhood Park will improve community participation for new recreational activities and provide a safe and well-maintained community park.

Fiscal Impact

There will be no fiscal impact to the General Fund associated with this item.

Conclusion

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Approve Amendment No. 1 to the Professional Services Agreement with Z & K Consultants, Inc. in the amount of \$144,158.90 for the Construction Management and Construction Inspection Services at Nicholson Park Improvements, increasing the not to exceed amount to \$663,221.90 (Project); and
2. Authorize additional project contingencies in the total amount of \$14,415.89 for the Construction Management and Construction Inspection Services of the Project; and
3. Authorize the City Manager or designee to execute all documents with Z & K Consultants, Inc.; and
4. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

Attachments

Attachment 1	Amendment No. 1
Attachment 2	Proposal from Z & K Consultants, Inc.
Attachment 3	Original Professional Services Agreement
Attachment 4	Location Map

Ward:

Sixth Ward

Synopsis of Previous Council Actions:

December 6, 2023	Award of Agreement with Urban Habitat for Construction of Nicholson Neighborhood Park Improvements (Ward 6)
February 21, 2024	Approval of Agreement for Construction Management and Inspection Services for the Nicholson Park Improvements (Ward 6)
September 4, 2024	Recommendation to Increase the Construction Contingency and Construction Management Budget for Nicholson Park Improvement Project (Ward 6)