



## CONSENT CALENDAR

### City of San Bernardino Request for Council Action

**Date:** September 18, 2024

**To:** Honorable Mayor and City Council Members

**From:** Rochelle Clayton, Acting City Manager;  
Lynn Merrill, Director of Public Works

**Department:** Public Works

**Subject:** **Award of Agreement for Construction of Lytle Creek  
Futsal Field Project (Ward 3)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2024-206:

1. Approving the award of an Agreement with KYA Services, LLC. in the amount of \$633,472.00 for the Lytle Creek Futsal Field (Project).
2. Authorizing the construction contingencies, construction management, and administrative costs in the total amount of \$99,025.66 for construction of the Project.
3. Authorizing the Director of Finance and Management Services to amend the FY 2024/25 CIP budget with an additional \$140,000.00 from the Cultural Development Construction Fund to bring the total project budget to \$740,000.00.
4. Authorizing the City Manager or designee to execute all documents with KYA Services, LLC.
5. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the project.
6. Finding the Project exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines § 15303 ("New Construction or Conversion of Small Structures").

**Executive Summary**

Awarding the agreement for construction of the Lytle Creek Futsal Field would allow improve recreational opportunities, foster community engagement, and leverage federal assistance to benefit City of San Bernardino's residents. The agreement would allow the City to issue a Notice to Proceed to KYA Services LLC, initiating the process to construct the futsal field. The agreement will include KYA Services' Base Bid of \$609,540.00 and Additive Alternate construction cost of \$23,932.00 for a total of \$633,472.00. Additional funds are recommended for construction contingencies and construction management costs for a total of \$99,025.66. The total cost of construction, construction management and construction contingencies is \$732,497.66. Approving an additional \$140,000.00 from the Cultural Development Construction Fund will fund the project.

### **Background**

Lytle Creek Park, located at 380 S. K Street in Ward 3, is slated for a significant upgrade with the conversion of a currently disused parking lot into a futsal field. Funding for the Project in the amount of \$600,000 was previously established in FY 2021/22 CIP budget through the American Rescue Plan Act (ARPA) funds, as part of a broader allocation of \$1,200,000 approved by the Mayor and City Council on February 2, 2022, under Resolution No. 2022-026. The designated funds are focused on critical infrastructure projects within the city, including the futsal field conversion at Lytle Creek Park. The development of the futsal field aims to meet the growing demand for recreational sports facilities in the area, providing a valuable asset for local youth and community sports programs.

The Lytle Creek Park futsal field project is part of the City's strategic use of ARPA funds to enhance infrastructure in disproportionately impacted neighborhoods. By transforming underutilized spaces into active recreational areas, the project will not only improve access to well-maintained sports facilities but also contribute to broader public health and safety objectives. These investments reflect the City's commitment to leveraging federal assistance to enhance local infrastructure and benefit residents.

### **Discussion**

The Lytle Creek Park futsal field project involves resurfacing the existing parking lot and converting a portion of it to create a futsal field with synthetic turf and fencing. The City is recommending approval to award an agreement to KYA Services, LLC., in the amount of \$633,472.00 for the construction of the Lytle Creek Futsal Field. Additionally, Staff are requesting authorization for the allocation of construction contingencies, management, and administrative costs to ensure the project is fully funded and can proceed without delays.

Furthermore, Staff recommends authorizing the City Manager or their designee to execute all necessary documents with KYA Services, LLC., and to manage the project, including the expenditure of contingency funds if needed. These actions are necessary to ensure the successful completion of the Lytle Creek Futsal Field project, which will provide a valuable recreational facility for the community. The recommended actions are aimed at facilitating the timely and efficient progress of this project.

The Project was advertised for public bidding on May 22, 2024 on PlanetBids. On June 6, 2024, Staff held a non-mandatory pre-bid meeting and in attendance were six prospective bidders. Six sealed bids were received and opened on July 30, 2024. The total base bid prices are as follows:

<b>Bidder</b>	<b>City</b>	<b>Base Bid</b>
KYA Services, LLC	Santa Ana, CA	\$609,540.00
California Landscape Design Inc	Upland, CA	\$615,565.00
HZS Engineering Inc	Orange, CA	\$637,560.00
Hellas	Austin, TX	\$649,285.00
Orange Blue General Contractors	Laguna Hills, CA	\$734,450.00
Jergensen Construction Inc	Oak Hills, CA	\$857,435.40

Staff has reviewed all bid packages and determined KYA Services LLC of Santa Ana, Ca, is the lowest responsible and responsive bidder with a total base bid amount of \$609,540.00. Staff also recommends award of Additive Alternate No. 1, which includes applying a type II slurry seal on the area around the futsal field before striping in the amount of \$23,932.00 for a total bid award of \$633,472.00. This additive item is to slurry the existing parking lot prior to striping the pavement to have a complete project. The benefit of slurry sealing this parking lot will add about seven to ten years of useful life. Additional funding is also recommended for construction contingencies, construction management, and administrative costs in the amount of \$99,025.66. The total cost of construction, construction contingencies, construction management, and administrative costs is \$732,497.66.

To accommodate these costs, Staff are also requesting that the Director of Finance and Management Services be authorized to amend the FY 2024/25 CIP budget with additional funds from the Cultural Development Construction Fund in the amount of \$140,000. This amendment will bring the total project budget to the necessary amount to cover all expenses.

Initially, \$600,000.00 was adopted for this project. From this amount, several expenses have been deducted, including \$292.54 for staff time, \$1,209.80 for a Daily Journal advertisement, and \$6,000.00 for field survey and mapping services provided by Vanlen Consulting. After accounting for these expenditures, the remaining available budget is \$592,497.66.

**Cost**

Adopted CIP ARPA Budget	\$600,000.00
Staff Time	(\$292.54)
Daily Journal Advertisement	(\$1,209.80)
Vanlen (Field Survey & Mapping)	(\$6,000.00)
Remaining Budget	\$592,497.66

The lowest bid received for the construction was \$609,540.00. Additionally, there is an identified need for an Additive Alternate No. 1, which amounts to \$23,932.00. This could involve optional work or enhancements to the project that are considered beneficial but are not part of the base bid. In addition to the construction cost, staff anticipates the need for additional funding to provide construction contingencies and administrative costs in the amount of \$99,025.66.

**Bid**

Lowest Bid	\$609,540.00
Additive Alternate No. 1	\$23,932.00
Contingency	\$99,025.66
Total Project Need	\$732,497.66

The total project need surpasses the existing budget of \$592,497.66, highlighting a shortfall of \$140,000.00. The final chart presents the budget summary for the Lytle Creek Futsal Field project. The remaining budget is \$592,497.66, which falls short of the total project need of \$732,497.66.

**Budget**

Existing Budget	\$592,497.66
Total Project Need	\$732,497.66
<b>Additional Funding Required</b>	<b>(\$140,000.00)</b>

**Proposed Budget**

Adopted CIP ARPA Budget	\$600,000.00
ADD Cultural Development Fund	\$140,000.00
Total Project Budget	\$740,000.00

Below is the tentative construction schedule outlining the anticipated timeline and key milestones for this Project, emphasizing that it is subject to adjustments due to contingencies and unforeseen circumstances. The Contractor shall complete all work required by the Contract Documents within ninety (90) calendar days from the commencement date stated in the Notice to Proceed.



### **Environmental Impact**

The Project is categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures ("Class 3"). The Class 3 exemptions allows for the conversion of existing facilities from one use to another where only minor modifications are made to the facility. Here, the Project involves resurfacing the existing parking lot and using a portion to create a futsal field with synthetic turf and fencing.

The City has also considered whether the proposed Project is subject to any exception to the Class 3 exemption, as set forth in State CEQA Guidelines section 15300.2. No exception applies for the following reasons:

- a) The location exception only applies to Class 3, 4, 5, 6, and 11 exemptions, none of which are being utilized here.
- b) The proposed Project would not result in any significant cumulative impacts on the environment. The cumulative impacts exception does not apply because the Project has no incrementally significant impacts on the environment.
- c) A categorical exemption may be subject to an exception where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The proposed Project does not involve any unusual circumstances and has no potential to result in a significant impact on the environment.
- d) Under the "scenic highways" exception, a categorical exemption

may be subject to an exception where the project may result in damage to scenic resources within a highway officially designated as a state scenic highway. The exception does not apply here as the Project would not damage any scenic resources within a state scenic highway.

- e) The Project is not located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- f) The Project site does not contain a historical resource.

### **2021-2025 Strategic Targets and Goals**

Authorizing the execution of this agreement aligns with the Key Target No. 3: Improved Quality of Life. The completion of this project will improve the community's quality of life by providing safe and well-maintained futsal field facilities.

### **Fiscal Impact**

There is no General Fund impact associated with this action.

### **Conclusion**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2024-206:

1. Approving the award of an Agreement with KYA Services, LLC. in the amount of \$633,472.00 for the Lytle Creek Futsal Field (Project).
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4. Authorizing the City Manager or designee to execute all documents with KYA Services, LLC.
5. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the project.
6. Finding the Project exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines § 15302 ("Replacement or Reconstruction").

### **Attachments**

Attachment 1	Resolution No. 2024-206
Attachment 2	Agreement with KYA Services Inc.
Attachment 3	Bid Tabulation
Attachment 4	Bid Proposal
Attachment 5	Location Map

**Ward:**

Third Ward

**Synopsis of Previous Council Actions:**

February 2, 2022, Mayor and City Council adopted Resolution No. 2022-026  
Assignment of American Rescue Plan Funds (ARP) (All Wards)