



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Awarding Contract for Hale Park Sports Court Resurfacing Project, 209 East Locust Street, to First Serve Productions, Inc., of Danville (\$32,788.91)

MEETING DATE: April 17, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution awarding contract for Hale Park Sports Court Resurfacing Project, 209 East Locust Street, to First Serve Productions, Inc., of Danville, in the amount of \$32,788.91.

BACKGROUND INFORMATION: Acrylic court surfaces have a useful life of approximately 10 years under normal conditions. The Hale Park sports courts were last resurfaced in 2002 and are again in need of resurfacing.

This project includes resurfacing two sports courts at Hale Park (Exhibit A). The project consists of surface preparation and resurfacing of approximately 17,900 square feet of basketball and handball court surface, re-stripping the game lines, and modifying portions of the existing chain-link fencing around the perimeter of the court area.

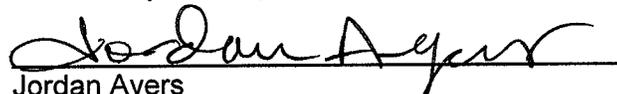
Plans and specifications for this project were approved on March 6, 2013. The City received the following bid for this project on March 27, 2013.

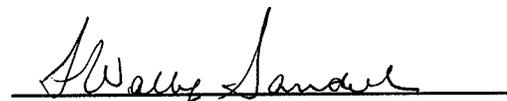
Bidder	Location	Bid
Engineer's Estimate		\$ 40,085.65
First Service Productions, Inc.	Danville	\$ 32,788.91*

*Corrected Total

FISCAL IMPACT: Aside from the Capital expenditure, the fiscal impact will be negligible.

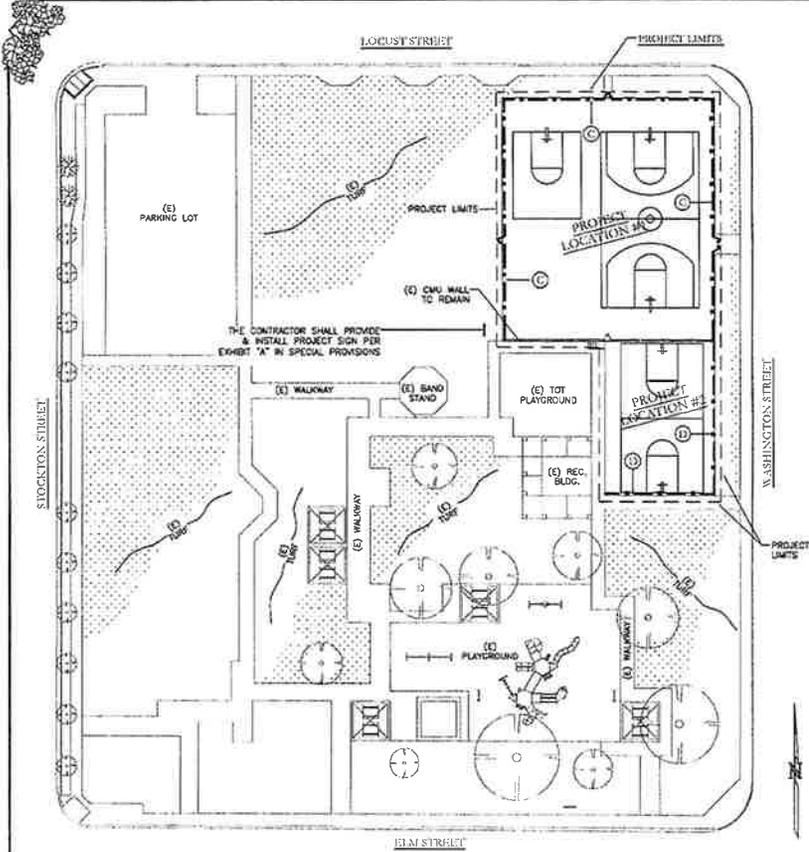
FUNDING AVAILABLE: Community Development Block Grant Funds (4591203)


 Jordan Ayers
 Deputy City Manager/Internal Services Director


 F. Wally Sardo
 Public Works Director

Prepared by Charles E. Swimley, Jr., City Engineer/Deputy Public Works Director
 FWS/CES/pmf
 Attachment
 cc: Neighborhood Services Manager
 Parks, Recreation & Cultural Services Director

APPROVED: 
 Konradt Bartlam, City Manager



Hale Park - Project Location
Scale 1"=30'

HALE PARK COURT RESURFACING PROJECT NOTES

THIS PROJECT CONSISTS OF (2) PROJECT LOCATIONS WITHIN THE EXISTING PARK SITE.

LOCATION #1 - CONCRETE SLAB RESURFACING
 A. THE CONTRACTOR SHALL PROVIDE AND INSTALL APPROXIMATELY 13,399 SQUARE FEET OF NEW ACRYLIC SPORTS COURT SURFACING AND NEW GAME LINES AS LAID OUT PER THE PLANS AND SPECIFICATIONS. THE EXISTING COURT IS A 4 INCH THICK CONCRETE SLAB WITH EXPANSION JOINTS. THIS LOCATION SHALL RECEIVE (1) 50'x34' FULL BASKETBALL COURT AND (1) 35'x45' HALF BASKETBALL COURT WITH PERIMETER APRONS.

LOCATION #2 - ASPHALT SLAB RESURFACING
 B. THE CONTRACTOR SHALL PROVIDE AND INSTALL APPROXIMATELY 4,400 SQUARE FEET OF NEW ASPHALT SPORTS COURT SURFACING AND NEW GAME LINES AS LAID OUT PER THE PLANS AND SPECIFICATIONS. THE EXISTING COURT IS A 2 INCH THICK COMPACTED ASPHALT SLAB WITHOUT JOINTS. THIS LOCATION SHALL RECEIVE (1) 42'x74' MODIFIED FULL BASKETBALL COURT WITH PERIMETER APRONS.

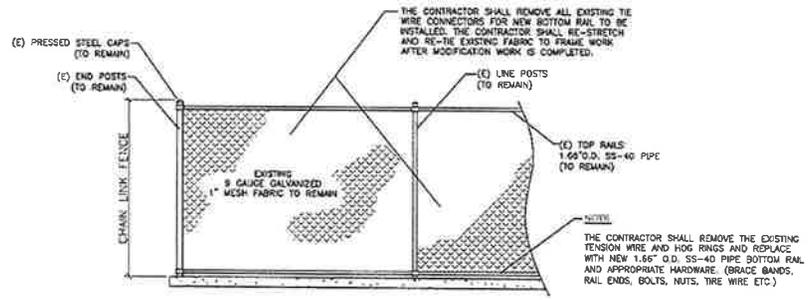
PROJECT CONDITIONS THAT APPLY TO BOTH PROJECT LOCATIONS
 1. EXISTING BASKETBALL COURT CHAIN LINK FENCING AND GATES SHALL REMAIN.
 2. EXISTING BASKETBALL STANDARDS SHALL REMAIN.
 3. EXISTING SPORTS LIGHTING STANDARDS SHALL REMAIN.
 4. EXISTING CHU MASONRY WALL TO REMAIN.

HALE PARK FENCING PROJECT NOTES

THIS PROJECT CONSISTS OF (2) PROJECT LOCATIONS WITHIN THE EXISTING PARK SITE.

LOCATION #1:
 C. THE CONTRACTOR SHALL REMOVE AND DISPOSE OF APPROXIMATELY 410 LINEAL FEET OF EXISTING BOTTOM TENSION WIRE AND INSTALL APPROXIMATELY 410 LINEAL FEET OF NEW 1.65" O.D. SS-40 BOTTOM RAIL PIPE WITH APPROPRIATE HARDWARE WHICH WOULD INCLUDE BRACE BANDS, RAIL ENDS, BOLTS, NUTS AND NEW TIE WIRE TO SECURE THE EXISTING CHAIN LINK FABRIC TO NEW BOTTOM RAIL.

LOCATION #2:
 D. THE CONTRACTOR SHALL REMOVE AND DISPOSE OF APPROXIMATELY 136 LINEAL FEET OF EXISTING BOTTOM TENSION WIRE AND INSTALL APPROXIMATELY 136 LINEAL FEET OF NEW 1.65" O.D. SS-40 BOTTOM RAIL PIPE WITH APPROPRIATE HARDWARE WHICH WOULD INCLUDE BRACE BANDS, RAIL ENDS, BOLTS, NUTS AND NEW TIE WIRE TO SECURE THE EXISTING CHAIN LINK FABRIC TO NEW BOTTOM RAIL.



Chain Link Fence Retrofit Work (See Sheet C3)
SCALE: 1/2"=1'-0"

CITY OF LODI PARKS & RECREATION DEPARTMENT 120 N. G ST., LODI, CA 95240 PHONE: (209) 338-6123 FAX: (209) 338-6125 www.ci.lo.ca.us	
Hale Park Court Resurfacing 2012 CDBG Project Location Plan & General Notes	
SHEET NO. 0131002-02	DATE 02/01/12
DRAWN BY C2	CHECKED BY U02 of U05

CITY OF LODI, CALIFORNIA

THIS CONTRACT made by and between the CITY OF LODI, State of California, herein referred to as the "City," and FIRST SERVE PRODUCTIONS, INC., herein referred to as the "Contractor."

WITNESSETH:

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

The complete Contract consists of the following documents which are incorporated herein by this reference, to-wit:

- | | |
|------------------------|-------------------------------------|
| Notice Inviting Bids | The July 1992 Edition, |
| Information to Bidders | Standard Specifications, |
| General Provisions | State of California, |
| Special Provisions | Business and Transportation Agency, |
| Bid Proposal | Department of Transportation |
| Contract | |
| Contract Bonds | |
| Plans | |

All of the above documents, sometimes hereinafter referred to as the "Contract Documents," are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all said documents.

ARTICLE I - That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City and under the condition expressed in the two bonds bearing even date with these presents and hereunto annexed, the Contractor agrees with the City, at Contractor's cost and expense, to do all the work and furnish all the materials except such as are mentioned in the specifications to be furnished by the City, necessary to construct and complete in a good workmanlike and substantial manner and to the satisfaction of the City the proposed improvements as shown and described in the Contract Documents which are hereby made a part of the Contract.

ARTICLE II - The City hereby promises and agrees with the Contractor to employ, and does hereby employ, the Contractor to provide all materials and services not supplied by the City and to do the work according to the terms and conditions for the price herein, and hereby contracts to pay the same as set forth in Section 5.600, "Measurement, Acceptance and Payment," of the General Provisions, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III - The Contractor agrees to conform to the provisions of Chapter 1, Part 7, Division 2 of the Labor Code. The Contractor and any Subcontractor will pay the general prevailing wage rate and other employer payments for health and welfare, pension, vacation, travel time, and subsistence pay, apprenticeship or other training programs. The responsibility for compliance with these Labor Code requirements is on the prime contractor.

ARTICLE IV - And the Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Plans and Contract Documents and the requirements of the Engineer under them, to-wit:

Perform the work necessary to resurface approximately 13,399 square feet of concrete slab sports court surface and approximately 4,480 square feet of asphalt slab sports court surface and modify the existing chain link fencing. The work shall include cleaning, washing and priming the existing surfaces; applying new acrylic sports court surface material; restriping; and other incidental and related work, all as shown on the plans and specifications for "Hale Park Sports Court Resurfacing, 209 East Locust Street".

CONTRACT ITEMS

ITEM NO.	DESCRIPTION	UNIT	EST'D. QTY	UNIT PRICE	TOTAL PRICE
1.	Furnish and Install 6 Foot Portable Temporary Fencing	LF	100	\$ 11.16	\$ 1,116.00
2.	Furnish and Install Project Sign and Posts (Per Exhibit A)	EA	1	\$ 1,016.00	\$ 1,016.00
3.	Furnish all Labor, Materials and Equipment to Resurface Existing Concrete Slab Acrylic Colored Sports Court	SF	13,399	\$ 1.09	\$14,604.91
4.	Furnish all Labor, Materials and Equipment to Resurface Existing Asphalt Slab Acrylic Colored Sports Court	SF	4,480	\$ 0.7625	\$ 3,416.00
5.	Furnish all Labor, Materials and Equipment to Apply New Game Lines	LS	1	\$ 2,116.00	\$ 2,116.00
6.	Furnish All Labor, Materials and Equipment to Modify Existing Chain Link Fencing	LS	1	\$ 10,116.00	\$10,116.00
7.	Sandblast and/or Acid Etch Court Surface	SF	5,000	\$ 0.0808	\$ 404.00
TOTAL					\$32,788.91

ARTICLE V - By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE VI - It is further expressly agreed by and between the parties hereto that, should there be any conflict between the terms of this instrument and the Bid Proposal of the Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE VII - The City is to furnish the necessary rights-of-way and easements and to establish lines and grades for the work as specified under the Special Provisions. All labor or materials not mentioned specifically as being done by the City will be supplied by the Contractor to accomplish the work as outlined in the specifications.

ARTICLE VIII - The Contractor agrees to commence work pursuant to this contract within 15 calendar days after the City Manager has executed the contract and to diligently prosecute to completion within **30 CALENDAR DAYS**.

WHEN SIGNING THIS CONTRACT, THE CONTRACTOR AGREES THAT THE TIME OF COMPLETION FOR THIS CONTRACT IS REASONABLE AND THE CONTRACTOR AGREES TO PAY THE CITY LIQUIDATED DAMAGES AS SET FORTH IN SECTION 6-04.03 OF THE SPECIAL PROVISIONS. CONTRACTOR AGREES THAT THIS AMOUNT MAY BE DEDUCTED FROM THE AMOUNT DUE THE CONTRACTOR UNDER THE CONTRACT. IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date written below.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date written below.

CONTRACTOR:

CITY OF LODI

By: _____
Konradt Bartlam
City Manager

By: _____

Date: _____

Attest:
Title

City Clerk

(CORPORATE SEAL)

Approved As To Form

D. Stephen Schwabauer
City Attorney 

RESOLUTION NO. 2013-56

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING
AND AUTHORIZING THE CITY MANAGER TO EXECUTE
CONTRACT FOR HALE PARK SPORTS COURT
RESURFACING, 209 EAST LOCUST STREET

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WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on March 27, 2013, at 11:00 a.m., for the Hale Park Sports Court Resurfacing, 209 East Locust Street, described in the plans and specifications therefore approved by the City Council on March 6, 2013; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as follows:

Bidder	Bid
First Serve Productions, Inc.	\$32,788.91*

*Corrected Total

WHEREAS, staff recommends awarding the contract for the Hale Park Sports Court Resurfacing, 209 East Locust Street, to the sole bidder, First Serve Productions, Inc., of Danville, California, in the amount of \$32,788.91.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby award the contract for the Hale Park Sports Court Resurfacing, 209 East Locust Street, to the sole bidder, First Serve Productions, Inc., of Danville, California, in the amount of \$32,788.91; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the contract.

Dated: April 17, 2013

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I hereby certify that Resolution No. 2013-56 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 17, 2013, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, and Katzakian

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Mounce and Mayor Nakanishi

ABSTAIN: COUNCIL MEMBERS – None


RANDI JOHL
City Clerk