



# **Agenda Report**

## **Fullerton City Council**

**MEETING DATE:** JANUARY 21, 2025

**TO:** CITY COUNCIL / SUCCESSOR AGENCY

**SUBMITTED BY:** DAISY PEREZ, DEPUTY CITY MANAGER  
STEPHEN BISE, P.E., PUBLIC WORKS DIRECTOR

**PREPARED BY:** DAVID GRANTHAM, P.E., CITY ENGINEER  
NICK ESPOSITO, P.E., CIVIL ENGINEER

**SUBJECT:** CONTRACT WITH AGUILAR AND CALDERON CORPORATION FOR EMERY PARK PLAYGROUND RENOVATION

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### **SUMMARY**

Award \$466,155 construction contract to Aguilar & Calderon Corporation for Emery Park Playground Renovation Project as bid with engineered wood fiber surfacing. The Parks and Recreation Commission requested staff evaluate pour-in-place rubber surfacing which would require plans and specifications modification and rebidding.

### **PROPOSED MOTION**

Option 1:

1. Approve Emery Park Playground Renovation Project plans and specifications.
2. Approve the following budget transfers and appropriations in Project 54045 Emery Park Playground Renovation:
  - \$97,000 Park Dwelling Funds (Fund 39) budget transfer and appropriation from fund balance to Project 54045 Emery Park Playground Renovation within the Capital Projects Fund (Fund 74).
  - \$91,000 Infrastructure Funds (Fund 74) budget transfer from Project 55057 Citywide ADA Improvements to Project 54045 Emery Park Playground Renovation within the Capital Projects Fund (Fund 74).
3. Award \$466,155 construction contract for Emery Park Playground Renovation Project to Aguilar & Calderon Corporation and authorize City Manager, or designee, to execute and administer the contract, in a form approved by the City Attorney.

4. Authorize Public Works Director, or designee, to approve any future change orders for construction and professional engineering construction support services within the approved project budget.

#### Option 2

1. Reject all bids.
2. Direct staff to revise the plans and specifications to include pour-in-place rubber surfacing and rebid the project.

#### ALTERNATIVE OPTIONS

- Approve the Proposed Motion.
- Other options brought by City Council.

#### STAFF RECOMMENDATION

Staff recommends the Proposed Motion Option 1.

#### CITY MANAGER REMARKS

None.

#### PRIORITY POLICY STATEMENT

This item matches the following Priority Policy Statements:

- Infrastructure and City Assets.

#### FISCAL IMPACT

##### *Option 1*

The Fiscal Year 2024-25 Adopted Capital Improvement Program (CIP) Budget has \$500,000 Park Dwelling Funds to fund Project 54045 Emery Park Playground Renovation. This funding would not cover the full cost of the project and staff recommends a \$97,000 Park Dwelling fund balance (Fund 39) budget transfer and appropriation to Project 54045 Emery Park Playground Renovation (Fund 74) and a \$91,000 Infrastructure Funds (Fund 74) budget transfer from Project 55057 Citywide ADA Improvements to Project 54045 Emery Park Playground Renovation within the Capital Projects Fund (Fund 74).

##### *Option 2*

Staff estimates an additional \$300,000 in addition to the fiscal impact detailed in Option 1 need to incorporate the pour-in-place rubber surfacing. This additional funding would address engineering design costs, increased contractor and construction costs and additional staff time. Staff would bring the project award recommendation and fiscal impact back after redesign and rebidding for City Council consideration.

Staff attached a budget Data Sheet / Summary of Bids and the Contractor Bid Schedule for reference (Attachments 1 and 2).

## BACKGROUND AND DISCUSSION

Emery Park is an 8.2-acre neighborhood park located at 1021 Sunny Ridge Drive as shown on Attachment 3. Park amenities include a winding pathway, picnic tables, expansive open space and outdated playground that has reached the end of its useful life. City Council approved a contract for new playground purchase and installation on August 20, 2024. The equipment is currently in fabrication and tentatively scheduled for delivery and installation in March 2025.

Project improvements would require site improvements to accommodate the new playground equipment including grading, replacing walkways to meet accessibility requirements, new picnic tables including accessible seating, irrigation modifications, turf repair and seeding, new landscaping and trees and a new park monument sign. The improvements would protect large trees located near the project as well as provide improved accessibility. The City utilized its ADA Transition Plan to plan and design park improvements.

The City received three bids on December 18, 2024 with Aguilar and Calderon Corp. of Whittier, CA submitting the \$393,920 lowest responsible base bid. The low bid submitted is approximately 2.3% lower than the \$403,250 estimate. Staff reviewed the bid and found it acceptable.

The bid documents require the City award the contract on the base bid amount. However, this project also included a bid alternative to provide accessible parking adjacent to the project site on Sunny Ridge Road. This work involves widening the street to provide an accessible parking stall, constructing a curb ramp, minor slope grading and replacing street sidewalk to meet accessibility requirements. This bid alternative costs \$72,235. The annual Citywide ADA Improvements Project would fund this work in the public right of way. Staff reviewed this cost and recommends awarding the bid alternative resulting in a \$466,155 total contract amount.

### Playground Surfacing

This project proposes using engineered wood fiber surfacing (EWF) for the playground area, similar to recent playground renovations at Pacific Drive Park, Rolling Hills Park and Acacia Park. The Parks and Recreation Commission met on August 12, 2024 and requested staff research using pour-in-place rubber surfacing (PIP) for this project and present findings to City Council.

Staff recommends using EWF over PIP for this playground project. PIP rubber surfacing is a crumb rubber combined with binding agents to create a smooth playground surface with a two- to five-inch thick top surface over a minimum four-inch-thick stable base, typically concrete. Surface longevity requires grading the base and creating proper drainage. PIP also requires ongoing maintenance, including regular sealing to prevent cracking and damage - a persistent issue at parks with PIP.

EWF is made of natural wood fibers, not bark, that knit together to create a shock-absorbing surface and resist movement which aids with preventing slips, trips and falls.

It provides a safer alternative to traditional wood chips, as it does not pose the risk of splinters and adheres to basic American with Disabilities Act (ADA) requirements. EWF typically has a 12-inch deep surface with a sloped subgrade to provide positive flow to the site drainage system. EWF requires limited periodic refilling maintenance.

EWF is significantly more cost-effective to install and maintain. PIP for this project costs an additional estimated \$300,000. PIP costs would also include an additional estimated \$200,000 for PIP installation and additional consultant costs related to redesigning the playground area, site construction costs to revise the grading, drainage system and potentially adding water treatment devices due to the increased site impervious paving and potential construction delay costs. All City playgrounds renovated in the past six years used EWF, ensuring consistency and equity across City parks.

Construction would tentatively start on March 3, 2025 with anticipated project completion in May 2025 for EWF surfacing. Switching to PIP would create a two to four month delay.

Staff ordered the playground equipment for this project with expected arrival in mid-March 2025. Selecting PIP could push back the equipment shipping date, further delaying project completion. Staff recommends proceeding with EWF to complete the project in a timely and cost-effective manner while maintaining consistency with City park standards.

Staff will notify impacted residents and businesses of upcoming project construction and potential impacts.

Staff prepared an environmental assessment in accordance with California Environmental Quality Act Guidelines and determined the project categorically exempt.

Attachments:

- Attachment 1 – Budget Data / Summary of Bids
- Attachment 2 – Bid Schedule
- Attachment 3 – Project Location Map
- Attachment 4 – Draft Agreement

cc: City Manager Eric J. Levitt