



Folsom City Council Staff Report

MEETING DATE:	12/10/2024
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 11307 - A Resolution Ratifying the Additional Expenditures for the Folsom Zoo Sanctuary Perimeter Fence Project
FROM:	Parks and Recreation Department

RECOMMENDATION / CITY COUNCIL ACTION

The Parks and Recreation Department recommends that the City Council pass and adopt Resolution No. 11307 – A Resolution Ratifying the Additional Expenditures for the Folsom Zoo Sanctuary Perimeter Fence Project

BACKGROUND / ISSUE

The Folsom Zoo Sanctuary receives an operating license through the United States Department of Agriculture (USDA), following regular inspections to ensure general standards for humane care and treatment of animals exhibited to the public are met. The Zoo Sanctuary was notified in 2022 by the new USDA inspector, that there would be an extremely thorough inspection conducted in 2024 that would include things that may have been overlooked or not inspected in previous years. Of particular concern at that time, was the perimeter fence for the 6.7 acre Zoo Sanctuary property. The existing perimeter fence was as low as 6' in many locations, including near the front entry. It was stated that the required height of the perimeter fencing should be 8' minimum and that all trees and shrubs within three feet of the fence must be removed or trimmed per the requirement.

The perimeter fence replacement project was issued for bid in June 2023, and in July 2023, a contract in the amount of \$590,291 was awarded to Golden Bay Fence Plus Ironworks, Inc. by the City Council. The project included a 10% contingency in the amount of \$59,029, as required in the *Folsom Municipal Code 2.36.080- Award of Contracts*. The contingency is used for unanticipated issues that arise during the construction process. Several unanticipated issues occurred during the construction of the perimeter fence and corresponding change orders were

issued. The total amount of the change orders is \$83,313, which exceeds the original 10% contingency by \$24,284.

POLICY / RULE

Section 2.36.080, Award of Contracts of the Folsom Municipal Code states, in part, that contracts for supplies, equipment, services, and construction with an estimated value of \$70,952 or greater shall be awarded by City Council.

ANALYSIS

The change orders for this project are as follows:

1. Extra tree work to remove branches and a tree that was within the 3' clear area at the fence because of fence location modifications that were adjusted in the field.
2. Providing two additional gates in the perimeter fence that were not included in the original plans. This replaced old gates that didn't meet the 8' height requirement.
3. Providing expanded metal mesh to the decorative tube-steel section of fence near the main entry and barn exit. The USDA inspector was concerned small animals could pass through the 4" on-center fence pickets.
4. Extending the barbed-wire metal arms to provide a nominal 9' high fence. The terrain around the zoo perimeter fence varies greatly with an elevation change of approximately 75'. To provide an 8' fence, a standard 7' chain link fence with 1' of barbed wire on top was originally specified for the entire perimeter. The barbed wire portion of the fence is on metal arms and extends out from the top of the chain link fence at an angle of approximately 45 degrees. The top of the barbed wire portion of the fence is therefore located one foot horizontally from the face of the chain link fence. With the elevation variations, this results in sections of the fence that were then up to 2" short of the required 8' height requirement. The most cost and time-efficient solution to ensure the fence was a minimum of 8' high was to extend the barbed wire metal arm an additional 1', resulting in a 9' high fence.

The original 10% contingency was \$59,029 The sum total for all four change orders is \$83,313, which exceeds the contingency by \$24,284. Considering the scope of the project, the extreme terrain and elevation changes, and the necessity of the fence meeting USDA requirements for the Zoo Sanctuary to have a license to operate, staff recommends ratifying the additional project expenditures.

FINANCIAL IMPACT

At the July 25, 2023 City Council meeting, the City Council passed and adopted Resolution No. 11079 authorizing the City Manager to execute an agreement for the Zoo Perimeter Fence Project with Golden Bay Fence Plus Iron Works, Inc. for a not to exceed amount of \$649,320, which included a 10% contingency in the amount of \$59,029. The contingency is intended to be used for unanticipated issues that arise during construction. A total of four change orders were issued for the perimeter fence project for issues that were not anticipated. The costs for the change orders are below.

Change Order 1	\$3,209.38
Change Order 2	\$3,415.00
Change Order 3	\$38,033.00
Change Order 4	\$38,655.51
Total Change Order	\$83,312.89

The sum total of the change orders is \$83,313, which exceeds the original 10% contingency by \$24,284. Staff is recommending the City Council ratify the \$24,284 in additional expenditures incurred to complete the project within the USDA timeframe to meet their license requirements and avoid the up to \$10,000 per day fines. Sufficient funds are budgeted and available in the American Rescue Plan Act (ARPA) funds from savings other Parks and Recreation ARPA-funded projects which were completed under budget.

ENVIRONMENTAL REVIEW

In accordance with the California Environmental Quality Act, the proposed project is Categorically Exempt per Article 19, 1500.1 - Relation to Ministerial Projects.

ATTACHMENTS

Resolution No. 11307– A Resolution Ratifying the Additional Expenditures for the Folsom Zoo Sanctuary Perimeter Fence Project

Submitted,

Kelly Gonzalez, Parks & Recreation Director

RESOLUTION NO. 11307

**A RESOLUTION RATIFYING THE ADDITIONAL EXPENDITURES FOR THE
FOLSOM ZOO SANCTUARY PERIMETER FENCE PROJECT**

WHEREAS, the City of Folsom desires to replace the perimeter fence of the Folsom Zoo Sanctuary to be in compliance with United States Department of Agriculture requirements; and

WHEREAS, Parks & Recreation Staff prepared the bid package, solicited sealed bids, and received five bids on June 29, 2023, with Golden Bay Fence Plus Ironworks, Inc. being the lowest responsive and responsible bidder; and

WHEREAS, an Agreement was executed with Golden Bay Fence Plus Ironworks, Inc. for the Folsom Zoo Perimeter Fence Project in the amount of \$590,291; and

WHEREAS, a 10% contingency in the amount of \$59,029 was included in the agreement for a total project budget of \$649,320; and

WHEREAS, justifiable construction change orders were issued totaling \$83,313; and

WHEREAS, \$24,284 is currently available in American Rescue Plan Act (ARPA) funding; and

WHEREAS, the agreement will be in a form acceptable to the City Attorney:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom ratifies the \$24,284 in additional expenditures incurred to complete the Folsom Zoo Perimeter Fence Project for an updated total project cost of \$673,604.

PASSED AND ADOPTED this 10th day of December, 2024, by the following roll-call vote:

AYES: Councilmember(s):
NOES: Councilmember(s):
ABSENT: Councilmember(s):
ABSTAIN: Councilmember(s):

MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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CITY OF
FOLSOM
DISTINCTIVE BY NATURE