



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 10/15/2024

ITEM NO: 5

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DATE: October 10, 2024

TO: Mayor and Town Council

FROM: Katy Nomura, Interim Town Manager

SUBJECT: Approve the Following Actions Related to Civic Center Improvements:

- a. Authorize the Town Manager to Award and Execute a Contract with Alex Kushner General Inc., for the Americans with Disabilities Act (ADA) Restrooms and HR Offices Project (CIP No. 821-2117) in an Amount of \$450,000;
- b. Authorize Staff to Execute Change Orders in an Amount Not to Exceed Twenty Percent (20%) of the Contract Award Amount; and
- c. Approve the Project Construction Plans with Addenda

**RECOMMENDATION:**

Approve the following actions related to civic center improvements:

- a. Authorize the Town Manager to award and execute a contract with Alex Kushner General Inc., for the Americans with Disabilities Act (ADA) Restrooms and HR Offices Project (CIP 821-2117) in an amount of \$450,000 (Attachment 1);
- b. Authorize staff to execute change orders in an amount not to exceed twenty percent (20%) of the contract award amount; and
- c. Approve the Project Construction Plans with Addenda.

**BACKGROUND:**

In 2019, the Town's Capital Improvement Program (CIP) included a project to remodel two staff restrooms to make them compliant with ADA requirements. In 2020, an expansion of the Town's Human Resources (HR) Department was added to the project and the project was renamed "ADA Restrooms and HR Offices." During permitting review of the plans, it was determined that rebuilding the exterior ramp leading to the lower level of the Civic Center was

**PREPARED BY:** Dan Keller  
Facilities & Environmental Services Manager

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Reviewed by: Interim Town Manager, Town Attorney, Finance Director, and Parks and Public Works Director

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SUBJECT: Authorize the Town Manager to Award and Execute a Construction Agreement for the Base Bid Associated with Improvements to Human Resources Offices and the Exterior Ramp of Civic Center (CIP 821-2117)

DATE: October 10, 2024

**BACKGROUND:**

required to meet ADA standards. Design plans were produced, submitted and approved for the original scope and the additional work.

**DISCUSSION:**

Staff advertised all three projects (restroom, HR offices, and exterior access ramp) as one contract, separating out the restroom project as an add alternate. At the bid opening on September 18, 2024, seven bids were received as shown in Table 1.

**Table 1. Summary of Bid Results**

<b>Company Name</b>	<b>Base Bid</b>	<b>Add Alternate 1</b>	<b>Total Bid</b>
CWS Const. Group Inc.	\$900,000	\$895,000	\$1,785,000
S & H Const. Inc.	\$768,600	\$800,000	\$1,568,000
On Point Const.	\$662,750	\$863,312	\$1,526,062
Concore Dev. Group	\$630,000	\$615,000	\$1,245,000
Rodan Builders Inc.	\$595,000	\$624,700	\$1,219,700
JPB Designs Inc.	\$590,000	\$550,000	\$1,140,000
Alex Kushner Gen Inc.	\$450,000	\$450,000	\$900,000
Architect's Estimate	\$702,234	\$675,277	\$1,377,511

The total bids all exceeded the available funding for the work. Staff is recommending awarding the Base Bid (construction of new offices for the human resources team and the exterior handicap ramp) only at this time, to the low bidder Alex Kushner General Inc.

The add alternate would have rehabilitated the staff restrooms located downstairs in Civic Center. However, new men's and women's restrooms were provided during construction of the space for the New Museum of Los Gatos after the Library was relocated to its new building. These multi-stall restrooms are ADA compliant, currently available to staff during work hours and are maintained by the Town. Converting the existing restrooms would have also required that a space currently used by the Los Gatos-Monte Sereno Police Department (LGMSPD) for training would have been lost to their use and incorporated into the restroom.

In lieu of a major rehabilitation of the restrooms, Parks and Public Works staff will complete a minor renovation of these facilities using in-house resources and on-call contractors. Minor renovation may include replacement of fixtures and painting. The existing LGMSPD space will be converted to multi-purpose space that can be used as a conference room when not in use for law enforcement purposes.

SUBJECT: Authorize the Town Manager to Award and Execute a Construction Agreement for the Base Bid Associated with Improvements to Human Resources Offices and the Exterior Ramp of Civic Center (CIP 821-2117)

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Government Code 830.6 provides protection to the Town and its staff in the event an injury resulting from the design or construction of public improvements so long as the legislative body

has adopted the plans. Staff is seeking adoption of the project plans with this Town Council action. The project construction plans can be found at the following link:

<https://www.losgatosca.gov/CIP>.

CONCLUSION:

This action will allow construction to proceed on new offices for human resources staff and improve access to the lower level of the Civic Center to members of the public with disabilities. If authorized, this work will be completed through winter of FY 2024/25 with completion expected by June 30, 2025.

FISCAL IMPACT:

The adopted Fiscal Year 2024/25 – 2028/29 Capital Improvement Program (CIP) Budget for this project has sufficient funds for the Construction Agreement.

<b>Civic Center Americans with Disabilities Act (ADA) Restrooms and HR Offices</b>		
<b>CIP No. 821-2117</b>		
	<b>Budget</b>	<b>Costs</b>
GFAR	\$ 980,000	
<b>Total Budget</b>	<b>\$ 980,000</b>	
		<b>Costs</b>
Consultant Services		\$ 207,759
Construction Agreement with Alex Kushner General Inc. (Requested with this Staff Report)		\$ 450,000
Construction Agreement Contingency with Alex Kushner General Inc. (Requested with this Staff Report)		\$ 90,000
<b>Total Expenditures</b>		<b>\$ 747,759</b>
<b>Available Balance</b>		<b>\$ 232,241</b>

ENVIRONMENTAL ASSESSMENT:

This project is categorically exempt from the California Environmental Quality Action under Section 15301.

Attachment:

1. Contract