



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 04/07/2026

ITEM NO: 7

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DATE: April 7, 2026  
TO: Mayor and Town Council  
FROM: Chris Constantin, Town Manager  
SUBJECT: **Authorize the Town Manager to Execute a Construction Contract with QLM, Inc. in the Amount of \$163,538 with Change Order Authority Not to Exceed \$16,354; Approve the Plans and Specifications (Design Immunity), and Authorize the Town Manager to Execute a Professional Services with Ninyo & Moore for an Amount Not to Exceed \$9,880 (Oak Meadow Bandstand Area Improvements Project)**

**RECOMMENDATION:** Staff recommends that the Town Council take the following actions regarding the Oak Meadow Bandstand Area Improvements Project (4218405, CIP No. 831-4007):

- a. Authorize the Town Manager to execute a public works contract with QLM, Inc. in the amount of \$163,538 with authority to approve construction change orders in an amount not to exceed \$16,354 (10% contingency);
- b. Approve the project construction plans and specifications per Government Code 830.6 (Design Immunity);
- c. Authorize the Town Manager to execute an Agreement for Professional Services with Ninyo & Moore for Materials Testing Services for a total agreement in an amount not to exceed \$9,880; and
- d. Find the project Categorical Exempt as a minor alteration under Section 15301(c) (Existing Facilities) of the California Environmental Quality Act.

**FISCAL IMPACT:**

Sufficient funding is available in the adopted CIP for the Oak Meadow Bandstand Area Improvements Project (CIP No. 831-4007, 4218405). Total authorized project expenditures under this action equal \$189,772, comprised of: QLM, Inc. construction contract (\$163,538),

**PREPARED BY:** Saurabh Nijhawan  
Senior Civil Engineer

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Reviewed by: Town Manager, Assistant Town Manager, Town Attorney, and Finance Director

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10% contingency (\$16,354), and materials testing services (Ninyo & Moore) NTE \$9,880. No additional General Fund appropriation is required.

STRATEGIC PRIORITY:

This item does not directly address a Strategic Priority; however, it aligns with the Core Goal of Quality Public Infrastructure.

BACKGROUND:

The adopted FY 2025/26-2029/30 Capital Improvement Program (CIP) Budget designates funding for the Oak Meadow Bandstand Area Improvements Project (CIP No. 831-4007) to enhance the perimeter outdoor space surrounding the Lyndon Bandstand at Oak Meadow Park and improve its functionality as an accessible and programmable event space.

The project was initiated to address increased demand for event space, as the Lyndon Bandstand has become a popular destination for larger events and activities. To accommodate the increased need for programmable and reservable space, the area around the bandstand needs improvements and modifications. The improvements will stabilize the area with decorative hardscape, improve accessibility, and enhance landscaping to support a broader range of public and private events.

DISCUSSION:

The Oak Meadow Bandstand Area Improvements Project (CIP No. 831-4007) was advertised for bid on January 23, 2026. On February 18, 2026, bid packages were opened, and eight contractors submitted bids. A summary of bid results is presented in Table 1 with QLM Inc. as the apparent low bidder. A detailed list of bid results is in Attachment 2.

**Table 1. Bid Summary for Oak Meadow Bandstand Area Improvements Project (CIP No. 831-4007)**

<b>Contractor</b>	<b>Base Bid</b>
Engineers Estimate	\$ 180,000.00
QLM Inc.	\$ 163,538.00
SAE Consulting Engineering	\$ 175,057.90
Silicon Valley Paving, Inc.	\$ 195,243.00
RAM-CON Corporation	\$ 200,154.93
SBAY CONSTRUCTION, INC	\$ 206,305.71
John Boylan Engineering, Inc.	\$ 224,845.45
BNO Builders	\$ 237,989.87
Raposo Engineering Inc	\$ 244,861.38

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Staff reviewed the bids received for responsiveness and responsibility. Based on this review, QLM Inc. was determined to be the lowest responsive and responsible bidder. The proposed construction contract amount of \$163,538 is within the approved project budget and consistent with the scope of work identified in the construction documents. The bid submitted by QLM, Inc. is approximately 9% below the Engineer's Estimate, indicating competitive pricing consistent with current market conditions.

Government Code 830.6 states that neither a public entity nor a public employee is liable under this chapter for an injury caused by the plan or design of a construction of, or an improvement to, public property where such plan or design has been approved in advance of the construction or improvement by the legislative body. Staff requests that the Town Council approve the construction plans for this project. Approval of the plans and specifications will provide design immunity pursuant to Government Code Section 830.6. The project construction plans are provided in Attachment 3.

The Town received proposals for materials testing, and staff recommends an agreement with Ninyo & Moore (Attachment 5), which is proposed based on the quality of their proposal and ability to perform the work successfully.

Construction is anticipated to begin in April 2026 and be completed within approximately 28 calendar days, minimizing disruption to park operations.

CONCLUSION:

Staff recommends the Town Council authorize the Town Manager to execute a public works contract with QLM, Inc., and a Professional Services agreement with Ninyo & Moore for the Oak Meadow Bandstand Area Improvement Project. The proposed actions would allow the Town to proceed with executing an agreement for construction services with QLM Inc. to build a decorative hardscape surrounding Lyndon Bandstand at Oak Meadow Park.

COORDINATION:

This project was coordinated with the Finance Department.

ENVIRONMENTAL ASSESSMENT:

This is a project defined under CEQA as being Categorical Exempt pursuant to CEQA Guidelines Section 15301(c). A Notice of Exemption has been filed.

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Attachments:

1. Construction Agreement
2. Bid Results
3. Construction Plans
4. Contract Specifications
5. Agreement for Material Testing Services