



**TOWN OF LOS GATOS  
COUNCIL AGENDA REPORT**

MEETING DATE: 4/18/2023

ITEM NO: 12

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DATE: April 6, 2023  
TO: Mayor and Town Council  
FROM: Laurel Prevetti, Town Manager  
SUBJECT: Americans with Disabilities Act (ADA) Restroom at the Adult Recreation Center (CIP No. 821-2601):  
a. Reject All Bids Received and Opened on March 24, 2023 for the Project; and  
b. Authorize the Town Manager to Re-Bid the Project with a Revision to a Contractor License Requirement.

**RECOMMENDATION:**

Approve the following two actions for the Americans with Disabilities Act (ADA) compliant restroom at the Adult Recreation Center (CIP No. 821-2601):  
a. Reject all bids received and opened on March 24, 2023 for the project; and  
b. Authorize the Town Manager to re-bid the project with a revision to a contractor license requirement.

**BACKGROUND:**

On February 20, 2023, the Town Council authorized the bidding for construction of an ADA compliant public restroom in the Adult Recreation Center located at 208 E. Main St. Staff worked closely with an architect to develop design plans. The project was advertised for bid on March 3, 2023 and bids were opened on March 24, 2023. Two bids were received, one was significantly under and the other was 25% over the Engineer Estimate. The high bidder contested the bid results citing a contractor license error. This error was a conflict with one of multiple listings of the contractor licensing requirements in the bid package. Staff recommends rejecting both bids and re-bidding the project. With the re-bidding, staff would modify the requirement to accept an A or B contractor license in all areas of the bid package.

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

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

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SUBJECT: Americans with Disabilities Act (ADA) Public Restroom - Adult Recreation Center Project (CIP No. 821-2601); Reject All Bids and Authorize Re-bidding

DATE: April 18, 2023

DISCUSSION:

The project consists of the construction of an ADA compliant public restroom in the Adult Recreation Center. In rebidding the project, the Town continues to have an opportunity to utilize grant funding for the project.

Once authorized by the Town Council to advertise for bid, the following is the anticipated schedule for the project:

<u>Milestones</u>	<u>Anticipated Timeline</u>
Advertise the Project for Bid	April 20, 2023
Bids Due	May 10, 2023
Award and Execute Agreement	May 31, 2023
Start Construction	June 15, 2023
Anticipated Completion	August 18, 2023

CONCLUSION:

This Council action will allow staff to implement the construction of an ADA compliant public restroom in the Adult Recreation Center, which will provide patrons with a needed amenity.

FISCAL IMPACT:

The adopted Fiscal Year (FY) 2022/23-2026/27 Capital Improvement Program (CIP) Budget is sufficient for the construction contract as noted in the table below. Funding sources for the project are noted below. The County of Santa Clara Board of Supervisors Grant funding in the amount of \$250,000 was approved specifically for the purpose of adding an ADA compliant restroom in the Adult Recreation Center. Staff intends to utilize all of those grant funds for the project. Funds remaining after the completion of this project (from General Fund Appropriated Reserve and Community Development Block Grant) have the potential to be put towards other Town projects.

SUBJECT: Americans with Disabilities Act (ADA) Public Restroom - Adult Recreation Center Project (CIP No. 821-2601); Reject All Bids and Authorize Re-bidding

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FISCAL IMPACT (continued):

<b>Americans with Disabilities Act (ADA) Public Restroom Upgrade - Adult Recreation Center CIP No. 821-2601</b>		
	<b>Budget</b>	
GFAR	\$ 183,000	
Grant Funding - Santa Clara County Board of Supervisors	\$ 250,000	
CDBG Grant Funding	\$ 218,979	
<b>Total Budget</b>	<b>\$ 651,979</b>	
		<b>Costs</b>
Prior Consultant Expenses		\$ 35,000
Construction Contract (including 20% contingency)		\$ 261,898
<b>Total Costs</b>		<b>\$ 296,898</b>
<b>Available Balance</b>		<b>\$ 355,081</b>

ENVIRONMENTAL ASSESSMENT:

This is a project as defined under CEQA but is categorically exempt under Section 15301 (Existing Facilities). A Notice of Exemption will be filed.