

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works/City Engineer

DATE: July 9, 2024

SUBJECT: Approve Design-Build Agreement and General Conditions with De La Secura Builders, Inc. for the Ronald Reagan Sports Park Hockey Rink, Project No. PW22-06

PREPARED BY: Nino Abad, Senior Civil Engineer
Kellen Freeman, Assistant Engineer

RECOMMENDATION: That the City Council:

1. Appropriate \$500,000 in Developer Contributions from the Extraordinary Benefit Payment received from the Rendezvous Apartments project to the Ronald Reagan Sports Park Hockey Rink, Project No. PW22-06; and
2. Approve the Design-Build Agreement and General Conditions with De La Secura Builders, Inc. with a Guaranteed Maximum Price amount of \$2,957,062, for the Ronald Reagan Sports Park Hockey Rink, Project No. PW22-06; and
3. Authorize the City Manager to approve construction contract change orders up to 10% of the agreement amount, \$295,706.20.

BACKGROUND: The Ronald Reagan Sports Park Hockey Rink is an existing facility located within Ronald Reagan Sports Park at 30875 Rancho Vista Road. For many years, the hockey rink has been utilized by various roller sports including inline hockey and roller derby.

At this time, the hockey rink and associated amenities are in need of various upgrades and repairs. The Ronald Reagan Sports Park Hockey Rink Project, PW22-06 proposes to upgrade the existing facility by replacing the play surface with sports tiling and replacing the existing dasher board around the rink. The project also includes construction of a new roof structure over the existing rink which will include lighting, a new scoreboard, and a push/pull fan system. Various ADA improvements to the bleachers and pathway from the parking lot to the facility are also included. Staff has determined that the design-build method of project delivery is the most appropriate contracting method for this project.

As required for Local Agency Design-Build Projects per California Public Contract Code (PCC) Section 22164, all bidders were pre-qualified. On September 27, 2023, the Department of Public Works posted a Request for Qualifications (RFQ) on the City's bid site, PlanetBids. Staff

evaluated the statements of qualifications received, and on November 14, 2023 the City Council Pre-Qualified the following two (2) firms:

1. Byrom-Davey, Inc.
2. De La Secura, Inc.

On December 20, 2023 the City issued a Request for Proposal (RFP) to the prequalified firms. However, the City was not able to issue a contract as the project budget was insufficient to design and construct the intended facility in a single phase. The RFP was reissued on March 8, 2024, with an increased budget amount. The new budget was approved on May 28, 2024, as part of the FY 2024/25 CIP Budget. Two (2) responsive proposals were received on March 29, 2024, from the following Design-Build firms:

1. Byrom-Davey, Inc.
2. De La Secura Builders, Inc.

Staff has evaluated the two (2) responsive design-build proposals and has determined that De La Secura Builders, Inc. (DLS) submitted the “best value” proposal per section 22164 of the Public Contract Code (PCC).

During negotiations with DLS, and in consultation with the City Manager’s office, staff negotiated an increase in project scope for replacement of the entire dasher board system as well as plexi glass around the entire rink in lieu of the combination plexi glass and chain-link in the original scope of the project. These improvements require an additional appropriation of funds.

Staff has completed negotiations with DLS and reached an agreement amenable to both parties. Therefore, it is the recommendation of staff that the Temecula City Council award the Design-Build Contract to DLS for the Ronald Reagan Sports Park Hockey Rink, Project No. PW22-06 for the Guaranteed Maximum Price of \$2,957,062.00. This price consists of \$90,909.00 for design, \$2,621,655.03 for construction, and \$244,497.97 for profit.

It is anticipated that the project will be deemed Categorically Exempt from the California Environmental Quality Act. The appropriate environmental studies, document, and clearance will be completed concurrent with the design phase, prior to construction.

FISCAL IMPACT: The Ronald Reagan Sports Park Hockey Rink project is identified in the City’s Capital Improvement Program (CIP) budget for Fiscal Years 2025-29 with funds including DIF (Quimby), DIF (Park & Rec Improvements), and Measure S. With the additional allocation of \$500,000 of Extraordinary Benefit Payment Developer Contributions from the Rendezvous Apartment Project, there are sufficient funds to award this Design-Build agreement for \$2,957,062.00, plus the \$295,706.20 contingency, for a total encumbrance of \$3,252,768.20.

- ATTACHMENTS:**
1. Design-Build Agreement
 2. General Conditions
 3. Project Description