

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOSTER CITY AUTHORIZING THE AWARD OF A CONSTRUCTION CONTRACT TO MCGRATH RENTCORP DBA MOBILE MODULAR MANAGEMENT CORPORATION FOR THE CONSTRUCTION OF THE RECREATION CENTER REBUILD MODULAR BUILDINGS PROJECT (CIP 301-678) (CEQA STATUS: ADOPTED MITIGATED NEGATIVE DECLARATION FOR THE RECREATION CENTER REBUILD PROJECT)

CITY OF FOSTER CITY

WHEREAS, at the regular City Council meeting on November 6, 2023, the City Council by Minute Order No. 1946, accepted a report on the temporary facilities and operations plan during the Recreation Center closure and authorized the rental and installation of temporary modular buildings; and

WHEREAS, at the regular City Council meeting on February 20, 2024, the City Council adopted Resolution No. 2024-7 approving the plans and specifications and authorizing the call for bids for the Recreation Center Modular Buildings (CIP 301-678) as part of the Recreation Center Rebuild Project; and

WHEREAS, bids were opened on March 14, 2024, at 2:00 PM and only one responsive bid was received, and it was over the engineer's estimate; and

WHEREAS, at the meeting on April 1, 2024, the City Council adopted Resolution No. 2024-24 approving the plans and specifications, rejecting all bids and authorizing a new call for bids for the Recreation Center Modular Buildings as part of the Recreation Center Rebuild Project (CIP301-678); and

WHEREAS, CIP 301-678 involves the installation, rental and removal of temporary facilities for the Recreation Center uses; and

WHEREAS, bids were reopened on April 25, 2024 and one (1) bid was received, McGrath RentCorp DBA Mobile Modular Management Corporation submitted the lowest responsible and responsive base bid in the amount of \$363,415.94; and

WHEREAS, a project contingency in the amount of \$20,000 will enable expedient resolution of changes to the plans resulting from any unforeseen conditions; and

WHEREAS, in July 2023, the City of Foster City, in accordance with the requirements of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines adopted by the Secretary of Resources, and the City of Foster City Environmental Review Guidelines, prepared an Initial Study and Mitigated Negative Declaration IS/MND (SCH # 20231009) with Standards Conditions and Mitigation Monitoring and Reporting Program (SCAMMRP), and CEQA Findings for the Recreation Center Rebuild Project; and

WHEREAS, on November 16, 2023, the City Planning Commission adopted the IS/MND and approved the Use Permit for the Project. Pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15164(b), the City prepared an Addendum to the adopted IS/MND. Only minor additions are being made to the Project by installing three (3) modular classroom buildings and a restroom trailer on or near the existing tennis courts at Leo Ryan Park for the anticipated 22 months of construction and removing them after construction is completed. Additionally, none of the conditions described in CEQA Guidelines section 15162 are met as there are no substantial changes to the Project or new information of substantial importance; and

WHEREAS, on February 20, 2024, the CEQA addendum was adopted to the IS/MND for the Recreation Center Rebuild Project; and

WHEREAS, total funding in the amount of \$55,374,250 is available in the approved project budget for the complete project of CIP 301-678; and

WHEREAS, based on the Engineer's Estimate for the modular buildings, adequate funding is available in CIP 301-678 to fully fund construction of the temporary facilities with the understanding that additional funding will be requested for the Recreation Center Rebuild Project; and

WHEREAS, construction and installation of the modular buildings is estimated to begin in July 2024 with a rental period of the modular buildings of 22 months.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Foster City does hereby authorize:

1. The Mayor to execute an agreement with McGrath RentCorp DBA Mobile Modular Management Corporation, dated May 20, 2024, in the amount of \$363,415.94 for the construction of the Recreation Center Rebuild Modular Buildings Project (CIP 301-678); and
2. The establishment of a contingency in the amount of \$20,000 with authorization given to the City Manager or his designee, to execute contract change orders up to the contingency amount; and

BE IT FURTHER RESOLVED minor, non-substantive revisions may be approved by the City Manager and the City Attorney, and any other documents may be executed as necessary to effectuate the terms of the Agreement as authorized above.

PASSED AND ADOPTED as a resolution of the City Council of the City of Foster City at the regular meeting held on the 20th day of May 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

PATRICK SULLIVAN, MAYOR

ATTEST:

PRISCILLA SCHAUS, CITY CLERK