

**REPORT/RECOMMENDATION TO THE BOARD OF DIRECTORS  
OF BLOOMINGTON RECREATION AND PARK DISTRICT  
AND RECORD OF ACTION**

**September 13, 2022**

**FROM**

**BRENDON BIGGS, Director, Department of Public Works – Special Districts**

**SUBJECT**

Amendment to Construction Contract for the Old Ayala Park Demolition Project

**RECOMMENDATION(S)**

Acting as the governing body of the Bloomington Recreation and Park District, approve **Amendment No. 1 to Construction Contract No. 22-503** with AD Improvements, Inc. in the amount of \$41,842, increasing the total contract amount from \$177,300 to \$219,142, to compensate the contractor for additional work required for completion of the Old Ayala Park Demolition Project.

(Presenter: Brendon Biggs, Director, 387-7906)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Promote the Countywide Vision.**

**Pursue County Goals and Objectives by Working with Other Agencies and Stakeholders.**

**FINANCIAL IMPACT**

Approval of this item will not result in the use of additional Discretionary General Funding (Net County Cost). The Old Ayala Park Demolition Project (Project), including the \$41,842 cost of this amendment, is funded through a \$500,000 allocation from the San Bernardino County General Fund to the Bloomington Recreation and Park District (District). This allocation was approved by the Board of Supervisors (Board) on January 25, 2022 (Item No. 64) as part of the 2021-22 Mid-Year Budget Report. Sufficient appropriation for the Project is included in the District's 2022-23 budget.

**BACKGROUND INFORMATION**

The Project consists of the demolition of all structures, park features, and improvements at the former Ayala Park location in the Bloomington area, returning the property to native compacted grade with planning for later use. There will be no expansion of use and all work is being completed within the existing property.

On June 14, 2022 (Item No. 86), the Board awarded a construction contract (No. 22-503) to AD Improvements, Inc. in the amount of \$177,300 for the Project. Following the commencement of demolition work, which began on July 19, 2022, the contractor encountered and discovered additional fire and burn damage to one Project structure. Because of the fire damage, it was determined that additional asbestos abatement survey, work plans, and abatement were required to complete the removal of the structure. It was also discovered that additional unknown and concealed utility lines, irrigation lines, conduit and other piping were present onsite. These hidden conditions were unknown and unanticipated at the time of bid. Consequently, the

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September 13, 2022**

performance of the following extra work is required to facilitate the proper completion of the demolition:

1. Additional Asbestos Abatement Survey and Work Plan.
2. Additional Asbestos Abatement and Removal of Fire Damaged Structure.
3. Removal of utility lines, irrigation lines, conduit, and other piping.

Approval of this item will amend the construction contract with AD Improvements, Inc. to add these three new items to the Project's scope of work and provide further compensation to the contractor, in the amount of \$41,842, for the additional work. No additional time will be added or provided to the Project's completion date. Board approval of this item is needed because the cost of this additional work will exceed the authorized amount (\$17,730) for the Director of the Department of Public Works (Department) to approve change orders pursuant to Public Contract Code Section 20142(a) and 20143.

**PROCUREMENT**

AD Improvements, Inc. was awarded the Project's construction contract after the Department conducted a competitive bid process, pursuant to Public Contract Code sections 22032(c) and 22037, which determined that AD Improvements, Inc. was the lowest responsible bidder. The additional work required to complete the Project is related to events that occurred after the competitive bid process. No additional procurement activities are required.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Aaron Gest, Deputy County Counsel, 387-5455) on August 22, 2022; Finance (Tom Forster, Administrative Analyst, 387-4635) on August 24, 2022; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on August 28, 2022.

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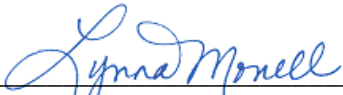
Record of Action of the Board of Directors  
Bloomington Recreation and Park District

**APPROVED (CONSENT CALENDAR)**

Moved: Joe Baca, Jr. Seconded: Janice Rutherford

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, SECRETARY

BY   
DATED: September 13, 2022



cc: BR&PD - Brammer w/agree  
Contractor - C/O BR&PD w/agree  
File - w/agree

CCM 09/30/2022