

RESOLUTION NO. 2023- ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO ALLOCATING AN ADDITIONAL \$1,500,000 FROM SAN BRUNO COMMUNITY FOUNDATION (SBCF) FUND TO THE RECREATION AND AQUATIC CENTER (RAC) PROJECT CONTINGENCY FUNDS; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE SBCF GRANT FUND AGREEMENT TO INCREASE THE NOT-TO-EXCEED GRANT FUND FROM \$50,000,000 TO \$51,500,000; AUTHORIZING THE TRANSFER OF \$250,000 FROM THE BECKNER SHELTER ROAD AND PARKING LOT REPAVING PROJECT (PROJECT #51022) TO THE RAC PROJECT; AND APPROVING THE PROJECT BUDGET INCREASE OF \$1,750,000 TO ADJUST THE TOTAL PROJECT BUDGET FROM \$60,540,228 TO \$62,290,228

WHEREAS, the new Recreation and Aquatic Center (RAC) will be located at 251 City Park Way, replacing the former Veterans Memorial Recreation Center, and will be a modern, 2-story, 49,500 square foot facility that will operate as the City's aquatic, recreation, and community center; and

WHEREAS, on June 8, 2021, the City Council adopted a resolution approving the FY2021-22 Budget that included an overall \$50,000,000.00 commitment to the City for the RAC project funded by 8 grants from the San Bruno Community Foundation (SBCF); and

WHEREAS, on June 8, 2021, the City Council adopted a resolution that executed a contract with Lathrop Construction, Inc., in an amount not to exceed \$43,031,000.00 and approved an additional construction contingency of \$4,687,046.00 (10.9% of the construction contract amount); and

WHEREAS, on February 8, 2022, the City Council adopted a resolution authorizing the City Manager to appropriate a not-to-exceed amount of \$1,039,456.00 from construction contingency to fund the project's soft costs, reducing the construction contingency from \$4,687,046.00 to \$3,647,590.00 (8.5% of the original construction contract amount); and

WHEREAS, on January 24, 2023, the City Council adopted a resolution to transfer \$201,600.00 from the construction contingency to fund the tree removal on Crystal Springs, reducing the RAC's construction contingency of \$3,647,590.00 to \$3,445,990.00 (8% of the original construction contract amount); and

WHEREAS, approved change orders in the contract, including Design Discrepancy Resolution (DDR) and Unknown and Unforeseen (UU) circumstances; Public Safety & Convenience (PS&C); Owner Request; and Value Engineering, amounted to \$2,095,714.69, reducing the construction contingency budget from \$3,445,990.00 to \$1,624,322.40 (3.77% of the original construction contract amount); and

WHEREAS, staff anticipate additional change orders in the amount of \$1,018,922.00, reducing the construction contingency from \$1,624,322.40 to \$605,400.75; and

WHEREAS, staff recommends replenishing the construction contingency with SBCF funds in the amount of \$1,500,000.00, increasing the overall total construction contingency to \$4,945,990.00 (11.5% of the original construction contract amount); and

WHEREAS, approximately \$15,000,000.00 worth of work remains, and the additional \$1,500,000 will supplement the forecasted \$605,400.75 remaining construction contingency balance, increasing the remaining total to \$2,105,400.75 (14% of the remaining work); and

WHEREAS, the Beckner Shelter Road and Parking Lot Repaving improvements was a project previously identified as an ancillary project to the RAC, allowing for funds from the Beckner Shelter Road and Parking Lot Repaving Project (Project #51022) to be shifted to the RAC project without utilizing additional SBCF funds; and

WHEREAS, the additional funds request of \$1,750,000.00 will be funded from the available SBCF funds in the amount of \$1,500,000.00 and a \$250,000.00 fund transfer from the General Fund Capital Reserve; and

WHEREAS, this additional contingency funding request has no environmental impact per the project Final Environmental Impact Report certified by the Planning Commission on May 19, 2020; and

WHEREAS, the project is currently operating under an approved City Council budget of \$60,540,228.00, and the proposed new budget for the RAC project will be increased to \$62,290,228.00;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby adopts a resolution approving the following:

1. Allocating an additional \$1,500,000 from the San Bruno Community Foundation (SBCF) Fund to the Recreation and Aquatic Center (RAC) Contingency Funds;
2. Authorizing the City Manager to execute an Amendment to the SBCF Grant Fund Agreement to increase the not-to-exceed Grant Fund from \$50,000,000 to \$5,150,000;
3. Authorizing the transfer of \$250,000 from the Beckner Shelter Road and Parking Lot Repaving Project (Project #51022) to the RAC Project;
4. Approving the Project Budget Increase of \$1,750,00 to adjust the total Project Budget from \$60,540,228 to \$62,290,228.

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I hereby certify that foregoing **Resolution No. 2023 - _____**
was introduced and adopted by the San Bruno City Council at a regular meeting on
_____, 2023, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers

ABSENT: Councilmembers:

Lupita Huerta, City Clerk