



Legislation Text

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**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 10/02/2019

TO: Honorable Mayor and City Council Members

FROM: Library and Recreation Services Department
Maintenance Services Division

SUBJECT:

City Council consideration of Kompan Inc. agreement in the amount of \$197,517.52 for the purchase of inclusive playground equipment for the Capital Improvement Project No. 7385, titled "Lincoln Park ADA Playground Improvements."

RECOMMENDED ACTION:

That the City Council:

1. Make a determination under Corona Municipal Code (CMC) Section 3.08.140 (C) that competitive bidding is not required for the purchase of inclusive playground equipment for Lincoln Park based upon the fact that a competitive bid procedure has been conducted by another public agency.
2. Authorize the City Manager, or his designee, to execute the attached contract with Kompan Inc. for the purchase of playground equipment for Lincoln Park.
3. Authorize the Purchasing Manager to issue a purchase order to Kompan Inc. in the amount of \$197,517.52 as an exception to bid per CMC Section 3.08.140 (C) and approve necessary change orders or amendments up to the amount provided by CMC 3.08.080 (i).

ANALYSIS:

Due to the age and condition of playground equipment at Lincoln Park, and inability to obtain replacement parts, City of Corona ("City") staff identified a need to replace the aging playground equipment at Lincoln Park. This provided an opportunity for the City to partner with a local non-profit organization, the Corona Parks Foundation ("CPF"), to install an inclusive playground at Lincoln Park. Inclusive playgrounds are different than traditional or accessible playgrounds in that the playground is designed to truly engage all individuals, with and without disabilities, in the activity of play. Inclusive playgrounds provide a space that fosters interaction between all play participants, regardless of an

individual's age or physical abilities. With a promise of match funding provided by the CPF, the City applied for and successfully obtained a \$50,000 grant from Kompan Inc., through their "Make Your Playground Bloom" matched funding program. The Kompan "Make Your Playground Bloom" grant program was created in order to help communities, cities and schools in need of an innovative, inclusive play space or interactive fitness area, and requires that program participants install the playground equipment by the end of 2019. In addition to the \$50,000 in funding from the CPF and \$50,000 of in-kind contributions provided by Kompan, the Corona City Council also allocated an additional \$200,000 for this effort in the Fiscal Year 2019-2020 capital improvement budget.

Shortly after the new fiscal year began, the City conducted two meetings in order to receive feedback from the community regarding needs at an inclusive playground. Poster boards with information and sample equipment renderings were created to help start the conversation with the community. The two meetings were advertised through the City's website and social media outlets, as well as shared with both the Corona Norco Unified School District and Peppermint Ridge organization. Meetings were held at Lincoln Park on Saturday, July 13, 2019 at 10:00 a.m. and Thursday, July 18, 2019 at 6:00 p.m. Following the two meetings, an online survey was posted to allow for more input. A total of 249 online responses were received in addition to the in-person feedback. The most important topics expressed by the community focused on providing themed and imagination-based play, a place for both interactive play and socialization, and also providing the opportunity and equipment that would allow for independent play, such as the use of rubberized surfacing. Other subjects often mentioned included having a variety of activities and equipment, different areas for children of varying ages so children from the same family could all play in one location, and also shade and safety. The public also admired the look of the natural Robinia wood structures offered by Kompan, and most importantly expressed a desire to have a playground that benefits all children.

After analyzing the survey responses, the City worked with a local landscape architect firm, BMLA, Inc., and Kompan to come up with a final design that most accurately captured the community's vision. The resulting design can best be described as a medieval village, complete with a castle, cottages, and a meandering stream and pathways. The design capitalizes on the desire to have natural wood elements, themed play, a variety of activities, and equipment for children of various ages. The play elements are mostly ground level and provide an opportunity for group play. In addition, installation of rubberized surfacing will enable the ability for children with mobility issues to independently navigate the playground. Although all of the requests received from the public cannot be met due to budgetary and time constraints, staff believes that the City's inaugural inclusive playground will offer something for everyone to enjoy. The final design is illustrated on Exhibit "A" of this report.

Basis for Exception to Competitive Bidding

The project qualifies for an exception to competitive bidding pursuant to Corona Municipal Code ("CMC") Section 3.08.140 (C), which states as follows:

"(C) Competitive bidding already completed. When the purchasing agent and the authorized contracting party, with the approval of the City Manager, determines that:

(1) A competitive bid procedure has been conducted by another public agency including, but not limited to, another local agency, the state through the California Multiple Award Schedule (CMAS), the federal government through the General Services Administration (GSA), the U.S. Communities Government Purchasing Alliance, or the Western States Contracting Alliance (WSCA); and

(2) The price to the City is equal to or better than the price to that public agency.”

A Request for Proposal (RFP) process was conducted by another public agency. On January 25, 2017, the City of Charlotte, North Carolina, issued RFP #269-2017-028 for Playground Equipment, Outdoor Fitness Equipment, Surfacing, Site Accessories and Related Products and Services. The City of Charlotte, acting as the lead agency, competitively solicited and awarded a contract to Kompan through this process, and subsequently designated U.S. Communities as the administrative and marketing conduit for the distribution of its contract to participating public agencies. The City of Corona is a participating public agency that is a member of the U.S. Communities Government Purchasing Alliance. Attached is Exhibit C, which is the agreement between the City of Charlotte and Kompan, Inc. Additional documentation, including the RFP document, can be found online at <https://www.omniapartners.com/publicsector/contracts/supplier-contracts/kompan-inc>. The RFP was sent to 18 different companies and advertised publicly. Five companies responded to the RFP. All proposals received through this process were reviewed and scored by the U.S. Communities Advisory Board Members, which includes 30 agencies consisting of cities, counties, states and various universities and school districts. Multiple awards were issued as a result of the process, to Gametime and Kompan.

The RFP conducted by the City of Charlotte leveraged the buying power of multiple agencies, and therefore achieved the same or better pricing than the City of Corona would have obtained through a similar process. The resulting pricing in the U.S. Communities Contract results in list pricing less 10%, with additional volume discounts. The City of Corona not only received the discounted pricing, but was also awarded a \$50,000 in-kind grant from Kompan for the purchase and installation of playground equipment at Lincoln Park. A portion of the grant, \$20,000, has been applied to the material purchase, with the remaining \$30,000 available to the City if Kompan is awarded the installation through the competitive bidding process. By utilizing the U.S. Communities program, the City of Corona is saving over \$20,000 off of the list price, and the additional \$20,000 grant towards the materials helps realize over \$40,000 in savings. Kompan’s cooperative purchasing agreement with U.S. Communities, which under CMC Section 3.08.140 (C), achieves competitive bidding because the bidding process has been accomplished.

COMMITTEE ACTION:

This item was taken to the Parks and Recreation Commission on May 8, 2019 and August 14, 2019, as well as the Public Services Committee on June 6, 2019 as part of a presentation on upcoming playground replacements. Both the commission and committee recommended the project for City Council approval.

STRATEGIC PLAN:

This item supports the City’s Strategic Plan Goal 1: Promote Public Safety: Protect our Residents and Businesses; Objective C: Ensure adequate funding for investments and improvement in infrastructure that support public safety. The recommended action will help achieve these goals by replacing aging playground equipment at Lincoln Park. It further supports Strategic Plan goal 4: Actively engaging in public and private partnerships to provide services and amenities. Corona is partnering with Kompan and CPF to fund its first-ever inclusive playground in the community.

FISCAL IMPACT:

Funding for this project has been included in the “Lincoln Park Playground Equipment” Capital Improvement Project in the adopted Fiscal Year 2019-20 budget.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

PREPARED BY: TRACY MARTIN, UTILITIES PROJECT MANAGER

REVIEWED BY: DAVID MONTGOMERY-SCOTT, LIBRARY AND RECREATION SERVICES DIRECTOR

REVIEWED BY: TOM MOODY, GENERAL MANAGER

REVIEWED BY: CITA LONGSWORTH, PURCHASING MANAGER

REVIEWED BY: KIM SITTON, FINANCE MANAGER III

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

SUBMITTED BY: MITCHELL LANSDELL, INTERIM CITY MANAGER

Attachments:

1. Exhibit A - Lincoln Park Renderings and Layout
2. Exhibit B - Agreement with Kompan Inc.
3. Exhibit C - Kompan / U.S. Communities Agreement