

From: [Jacob Patterson](#)
To: [City Clerk](#)
Subject: Public Comment -- 4/28/25 CC Mtg., Item No. 8D, Bainbridge Park
Date: Monday, April 28, 2025 12:09:27 PM
Attachments: [DOC042825.pdf](#)

City Council,

I am forwarding the bid package from the recommended contractor for your review, albeit without much time to review it before tonight. IMO, the bid packages should always be included in the agenda materials (at least from the lowest responsive bidder) so you can actually make an informed decision. One of the alternative actions is to not award the contract and solicit bids again. You might want to do that sometimes because staff may have overlooked an important aspect of the project or proposal that merits further review or the bid price is too high and we want to see if we can do better with another round. You only have summary information in the staff report and you are being asked to approve a contract without all of its component parts (the bid package is incorporated by reference). I would never approve a contract without reviewing all substantive provisions and the bid is a very substantive provision.

Normally, I would assume that staff did an acceptable job reviewing the project prior to bringing it forward but this project has already had several concerning issues and errors that suggest a more careful review is necessary (e.g., opening the playground without first having a fully accessible surface and only partially addressing that after much public pressure to do so). In fact, the reason why I wanted to review the full bid package is to ensure that the contractor either has the requisite specialized expertise or has identified a subcontractor with it, to implement the playground surface component of this overall project. I fear that they do not and the City might end up paying for a contractor to install the playground surfacing in a manner that doesn't meet ADA requirements. I am particularly concerned about the slopes of the surface, which are highly regulated. The issue is the playground equipment itself was installed prior to the design of the underlying surfacing and it appears to have been installed at relative heights that won't permit the surface to meet the slope requirements for accessible paths of travel. Normally, accessible playground surfaces are installed by specialist contractors not just any general contractor with experience with hardscaping because of the more stringent regulations for playgrounds. A lot of contractors don't follow the regulations because they don't know them. A perfect example is what happened at the intersection of Oak and Harold you already know about. IMO, we have set up a similar situation here and may end up with an expensive playground that doesn't meet requirements and the various parties will be pointing fingers at everyone else as the cause. Well, the City should ensure that won't happen but I have no evidence that has been adequately addressed. Note: I raised this issue with Isaac and PW for Oak and Harold BEFORE THE NONCOMPLIANT WORK WAS DONE, and it was ignored with assurances that my concerns had been addressed in the design phase. Well, we all know that wasn't actually the case and I suspect the City won't be able to recover the replacement work and we will end up having to pay for it ourselves or end up paying ADA damage awards. This can be avoided through rigorous planning but only if someone is paying attention to these specific issues. The City can award this contract but should research the qualifications and expertise of the firm actually proposed to install the playground and the plans should be reviewed by an ADA expert who has specialized knowledge of the very stringent regulations that only apply to playgrounds rather than generally. (We also had issues with mandatory slopes when we installed the EV charging stations at the Footlighters parking lot so this is a common issue that slips through the review and planning cracks.)

Moreover, the CEQA analysis is incorrect and should be amended, IMO. This project presents two potentially significant issues that require actual analysis rather than reliance on an exemption. That analysis actually has already been done, it just wasn't properly documented in an Initial Study (IS). The two issues are the artificial turf component which I have addressed in prior comments, and the significant increase in impermeable surfaces compared to current baseline conditions. (Oddly, the staff report asserts that "there is no significant increase in pervious surface area" but that is both grammatically and substantively incorrect.) Pervious surfaces are surfaces that drain and percolate, staff obviously meant impervious. The playground, stage area, and additional walkways are all impervious where they are currently pervious. The soccer field is also going to present a change in percolation where the turf will be installed, although it is partially pervious, just less so than the current open grass. In any case, the two issues should have been analyzed and included in an Initial Study that was briefly circulated for public review and comment. That didn't happen even though it is a minimal burden to do so. Technically, the City still has time to do that rather than asserting an arguably inapplicable categorical exemption, thus properly covering its bases and eliminating the risk of delay and expense due to improper reliance on a categorical exemption since you don't have to delay the contract award or planning to circulate an IS that would probably take less than an hour to draft due to the limited issues and project design and planning that reduced the potential impacts. The City should get in the practice of relying on brief Initial Studies rather than recurring reliance on dubious exemptions as a best planning practice. (That also mitigates legal risk and the small investment in staff time is well worth that "insurance" against avoidable delays and potential legal expenses--lawyers are supposed to help reduce risk, not just try to justify what staff was already doing.)

Best,

--Jacob

STATEMENT OF QUALIFICATIONS QUESTIONNAIRE

Bidders shall complete the entire Statement of Qualifications Questionnaire and submit it in accordance with the Instructions to Bidders and Statement of Qualifications Instructions. Failure to complete the questionnaire or inclusion of any false statement(s) shall be ground for immediate disqualification.

CONTACT INFORMATION

Company Name: A.B.S. BUILDERS, INC.
City of Company: COLUSA
Contact Person: AMY SCHMIDT
Address: 1023 MAIN ST, COLUSA, CA 95932
Phone: 530-458-2299 Fax: 530-458-2238
Email: amy@absbuildersinc.com

PART A: GENERAL INFORMATION

1. Does Bidder possess a valid and current California Contractor's license for the work proposed?	Yes <u>X</u> No <u> </u>
2. Does Bidder have the minimum liability insurance coverage required in the Insurance and Indemnification document?	Yes <u>X</u> No <u> </u>
3. Has Bidder's Contractor's License been revoked at any time within the last five years?	Yes <u> </u> No <u>X</u>
4. Has Bidder been "default terminated" by any City (other than for convenience), or has a Surety completed a contract for Bidder within the last five years?	Yes <u> </u> No <u>X</u>
5. Has Bidder been convicted more than twice for failure to pay prevailing wages in the last three years?	Yes <u> </u> No <u>X</u>
6. Are Bidder and all listed subcontractors registered and qualified with the Department of Industrial Relations pursuant to Labor Code Section 1725.5?	Yes <u>X</u> No <u> </u>

Bidder may be disqualified if any answer to questions 1, 2, or 6 is No.

Bidder may be disqualified if any answer to questions 3, 4, or 5 is Yes.

PART B: SAFETY, PREVAILING WAGE, DISPUTES AND BONDS

(SAFETY)

Has Cal/OHSA, Federal OSHA, the EPA or any Air Quality Management Agency cited Bidder in the past five years? If yes, attach description of each citation.

Yes No X

(PREVAILING WAGE PROVISIONS)

Has Bidder been fined, penalized or otherwise found to have violated any prevailing wage or labor code provision? If yes, attach description of each occurrence.

Yes _____ No X _____

(LICENSE PROVISIONS)

Has Bidder changed names or license numbers in the past five years? If so, please state reason for change.

Yes _____ No X _____ Reason: _____

(DISPUTES)

In the past five years, has Bidder on any project that Bidder performed construction services made any written claim against any City for additional compensation or additional time, that the City disputed, exceeding on a per project basis an aggregate amount of \$100,000 or 10% of the original contract sum? If yes, attach description of each instance including details of total claim(s) amount, resolution description including amount, and City's name and phone number.

Yes _____ No X _____

In the past five years, has any City on any project that Bidder performed construction services asserted any written claim against Bidder for delay, defective work, warranty work, back charges and/or offsets, that the Bidder disputed, exceeding on a per project basis, an aggregate amount of \$100,000 or 10% of the original contract sum? If yes, attach description of each instance including details of total claim(s) amount, resolution description including amount, and City's name and phone number.

Yes _____ No X _____

(BONDING)

Bonding Capacity – Provide documentation from Bidder's surety identifying the following:

Name of bonding company/surety: SURETY 1 -TRAVELERS CASUALTY & SURETY COMPANY OF AMERICA

Name of Surety Agent: RYAN TASH

Surety Agent address: 3225 MONIER CIRCLE, SUITE 100, RANCHO CORDOVA, CA 95742

Surety Agent phone number: 916-737-5736

Is surety a California-admitted surety? Yes X No _____

Is surety listed in the current edition of the California Department of the Treasury's Listing of approved sureties? Yes X No _____

List surety's A.M. Best Rating: A_++ (SUPERIOR)

What is Bidder's total bonding capacity? 2 MILLION AGGREGATE

What percent does Bidder pay for bonds? 1.8%

PART C: EXPERIENCE OF PRIME CONTRACTOR

The nature of this Project requires prior similar experience for the firm and the Key Personnel assigned.

Summarize similar project experience below and provide the detailed project information requested:

Prime Contractor

List three (3) projects of similar size and scope to the Work of the Contract, completed in the past, and indicate who were the superintendent, project manager and scheduler. NOTE: This listing will be used to assess compliance with the stated minimum qualifications in Paragraph 2.01 of the Instructions.

Project Name/Description	Construction Cost (\$)	Address	Contact Person & Phone Number
PORTABLE BUILDINGS & SITEWORK - 3 SCHOOL SITES Installation of five portable classrooms at 3 school sites. Scopes include earthwork, utility connections (water/sewer/electrical), foundations, path of travel, landscaping, playground. Project Manager: Amy Schmidt Site Superintendent: William Schmidt Project Scheduler: Amy Schmidt	\$507,648	Marysville Joint Unified School Dist 1919 B St Marysville, CA 95901	Doug Trower 530-713-8452
WILLIAMS UNDERGROUND UTILITY Connected various underground utilities including plumbing and electrical for the installation of new portable classrooms. Landscaping work included irrigation system relocation and repair, tree, sod, and shrubbery installation, and tree removals. Project Manager: Amy Schmidt Site Superintendent: William Schmidt Project Scheduler: Amy Schmidt	\$354,350	Colusa County Office of Education 345 5th Street Colusa, CA 95932	Mike West 530-682-5507
RELOCATION OF 3 CLASSROOM BUILDINGS AT EGLING MIDDLE SCHOOL Scope of work included earthwork, utility connections (including water/sewer/electrical), foundations, path of travel work (concrete and asphalt), landscaping repair and replace, play structure and shade installations. Project Manager: Amy Schmidt Site Superintendent: William Schmidt Project Scheduler: Amy Schmidt	\$545,424	Colusa Unified School District 745 10th Street Colusa, CA 95932	Jamie Lay 530-701-2311

Key Personnel

List Key Personnel that will be assigned to the Work of the current Project and their experience/training with the projects listed above:

Project Manager: AMY SCHMIDT

Project Superintendent: WILLIAM SCHMIDT

Project Scheduler: AMY SCHMIDT

Recent Projects

Provide information about three (3) of Bidder's most currently completed projects. Names and references must be current and verifiable. NOTE: This listing will be used to assess compliance with the stated minimum qualifications in Paragraph 1.01 of the Instructions. If a separate sheet is used, it must contain all of the following information:

1. Project Name: RELOCATE CLASSROOM BUILDINGS AT EGLING MIDDLE SCHOOL

Location: EGLING MIDDLE SCHOOL

City: COLUSA, CA

City Contact (name and phone): DISTRICT CONTACT: JAMIE LAY 530-701-2311

Architect/Engineer: ALAN CHAMBERS

Architect/Engineer Contact (name and phone number): ALAN CHAMBERS 530-898-0123

Const. Mgr. or Project Mgr. (name and phone number): JAMIE LAY 530-701-2311

Description of Project, Scope of Work Performed: Scope of work included earthwork, utility connections (including water/sewer/electrical), foundations, path of travel work, and landscaping.

Total Construction Cost: \$545,424

Total Change Order Amount: \$46,218

Did Change Orders exceed 10% of original contract sum? no If yes, please explain on separate sheet.

Original Scheduled Date of Completion: August 5, 2024

Time Extensions Granted (number of Days): 0

Actual Date of Completion: 08/05/2024

Number of Stop Notices filed by Subcontractors or Suppliers: 0

2. Project Name: PORTABLE BUILDING SITE WORK AT ELLA, JOHNSON PARK, & CEDAR LANE PROJECT

Location: MARYSVILLE, CA

City: MARYSVILLE, CA

City Contact (name and phone): Doug Trower 530-713-8452

Architect/Engineer: SYNTHESIS PARTNERS

Architect/Engineer Contact (name and phone number): JAYCEN RUSSEL 530-298-7298 x101

Const. Mgr. or Project Mgr. (name and phone number): Doug Trower 530-713-8452

Description of Project, Scope of Work Performed: Scope include eathwork, utility connections (water/sewer/electrical), foundations, path of travel, landscaping.

Total Construction Cost: \$507,648

Total Change Order Amount: \$8,080

Did Change Orders exceed 10% of original contract sum? NO If yes, please explain on separate sheet.

Original Scheduled Date of Completion: 12/31/2024

Time Extensions Granted (number of Days): 14 DAYS

Actual Date of Completion: 01/14/2025

Number of Stop Notices filed by Subcontractors or Suppliers: ZERO

3. Project Name: REVITALIZATION OF LAUNDRY FACILITY AT WILLIAMS MIGRANT HOUSING

Location: WILLIAMS, CA

City: WILLIAMS, CA

City Contact (name and phone): MELISSA KITTS 530-458-0580

Architect/Engineer: N/A

Architect/Engineer Contact (name and phone number): N/A

Const. Mgr. or Project Mgr. (name and phone number): DUSTY WHITING 530-682-2743

Description of Project, Scope of Work Performed: RENOVATED LAUNDRY FACILITY SCOPE INCLUDED HVAC, LIGHTING, WATER SYSTEM UPGRADE, INTERIOR RENOVATIONS, WINDOW REPLACEMENT, EPOXY FLOOR

Total Construction Cost: \$210,949

Total Change Order Amount: \$11,035.00

Did Change Orders exceed 10% of original contract sum? NO If yes, please explain on separate sheet.

Original Scheduled Date of Completion: 02/12/2024

Time Extensions Granted (number of Days): 0

Actual Date of Completion: 2/12/2024

Number of Stop Notices filed by Subcontractors or Suppliers: 0

PART D: EXPERIENCE OF DESIGNATED SUBCONTRACTOR
[See Paragraph 202.A of Instructions]

General Contractor Name: ABS Builders

Designated Subcontractor Name: Fort Bragg Electric, Inc.

The nature of this Project requires prior similar experience for the Designated Subcontractor Trade(s) performing the Work. Summarize similar project experience below and provide the detailed project information requested:

Designated Subcontractor. List three (3) projects of similar size and scope to the Work of the Contract, completed in the past, and indicate who were the superintendent, project manager and scheduler. NOTE: This listing will be used to assess compliance with the stated minimum qualifications in Paragraph 1.01 of the Instructions for this form.

Project Name/Description	Construction Cost (\$)	Address	Contact Person & Phone Number
Solar Grid Tie System for Fort Bragg Food Bank	\$104,898.00	910 North Franklin St Fort Bragg, CA 95437	Nancy Severy 707-961-2802
Fort Bragg Sewage Lift Stations	\$1,457,135.00	Multiple Sites Fort Bragg, CA 95437	John Smith 707-961-2823
Anderson Valley JR/SR High School Temporary Classrooms Project	\$93,622.00	18200 Mountain View Rd Boonville, CA 95415	Don Alameida 707-895-3496

Key Personnel.

List Key Personnel that will be assigned to the Work of the current Project and their experience/training with the projects listed above:

Project Manager: Josh Margerison 21yrs, Michael Mercado 5yrs, Richard Neils 30Yrs

PART D: EXPERIENCE OF DESIGNATED SUBCONTRACTOR
[See Paragraph 2.02.A of Instructions]

General Contractor Name: ABS Builders

Designated Subcontractor Name: Green Works ATS LLC

The nature of this Project requires prior similar experience for the Designated Subcontractor Trade(s) performing the Work. Summarize similar project experience below and provide the detailed project information requested:

Designated Subcontractor. List three (3) projects of similar size and scope to the Work of the Contract, completed in the past, and indicate who were the superintendent, project manager and scheduler. NOTE: This listing will be used to assess compliance with the stated minimum qualifications in Paragraph 1.01 of the Instructions for this form.

Project Name/Description	Construction Cost (\$)	Address	Contact Person & Phone Number
Boulware Park Renovations PIP surfacing and synthetic turf	\$4,199,221	410 Fernando Ave Palo Alto CA	Edgar With Flex ground +1 (916) 990-2013
Allan Witt Inclusive F PIP surfacing and sy Synthetic turf	\$3472624	1741 West Texas St Fairfield Ca	Kelvin Spectra turf (279) 220-9074
Chinese American International School PIP and small synthetic Turf soccer field Private project	\$38,000 Only our labor Price	3250 19th Ave San Francisco Ca	Edgar With Flex ground +1 (916) 990-2013

Key Personnel.

List Key Personnel that will be assigned to the Work of the current Project and their experience/training with the projects listed above:

Project Manager: Cristian Leon

PART E: FINANCIAL INFORMATION

1. Has Bidder ever reorganized under the protection of bankruptcy laws?
Yes _____ No X If yes, please state when _____
2. If Bidder has had the general liability carrier identified in the Bidder Registration and Safety Experience Form for less than five years, please provide additional information below for balance of the last five years: WE HAVE HAD THE SAME CARRIER FOR LONGER THAN 5 YEARS

Agency Name: _____

Contact Name: _____

Phone Number _____

Carrier: _____ A.M. Best Rating: _____

Carrier: _____ A.M. Best Rating: _____

Carrier: _____ A.M. Best Rating: _____

3. Has Bidder ever had insurance terminated by a carrier? Yes _____ No X
If yes, explain on a separate signed sheet marked with correlating cross-reference to this paragraph of the questionnaire.

Bidder hereby declares under penalty of perjury that all the information provided in this questionnaire is true and correct.



SIGNATURE

PRESIDENT

TITLE

SUBCONTRACTORS LIST

[See Instructions to Bidders paragraph 2.03.D]

Subcontractor Name and Business Location	Description of Work	Subcontract Amount	Subcontractor License No.	DIR Registration Number	DBE?
FORT BRAGG ELECTRIC FORT BRAGG, CA	ELECTRICAL	\$171,031.00	391464	1000000561	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
GREEN WORKS ATS LLOC SAN JOSE, CA 95133	RUBBER SURFACING TURF INSTALL	\$313,962.00	1090925	1000998209	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No
					<input type="checkbox"/> Yes <input type="checkbox"/> No

(Bidder to attach additional sheets if necessary)