

**EAST BAY REGIONAL PARK DISTRICT  
BOARD OF DIRECTORS MEETING  
AGENDA STAFF REPORT**

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**DATE** July 30, 2024

**TITLE** Authorization to Award to and Execute a Construction Contract with Swinerton, Inc. in the Amount of \$59,847,000 and Appropriate Approximately \$39,000,000 of 2024 Promissory Note Funds and \$950,000 in 2012 Promissory Note Funds for the Improve Peralta Oaks North Project: 2955 Peralta Oaks Court

**DIVISION** Acquisition, Stewardship, and Development

**FROM** Ren Bates, Chief of Design & Construction  
Ken Wysocki, Assistant General Manager of Acquisition, Stewardship & Development

**APPROVED** Sabrina Landreth, General Manager 

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**RECOMMENDATION**

The General Manager recommends that the Board of Directors award and authorize execution of a construction contract with Swinerton Incorporated (Swinerton) of Oakland, California, the lowest responsive bidder, in the amount of \$59,847,000 for construction of the Improve Peralta Oaks North Project (Project) at 2955 Peralta Oaks Court. This report also recommends appropriating the funds received from the sale of the 2024 Promissory Note Funds, expected to be approximately \$39,000,000 as well as approximately \$950,000 in unappropriated 2012 Promissory Note Funds. The exact amount of funds to be appropriated will be determined when the bonds are sold on July 29, 2024.

**BACKGROUND**

The East Bay Regional Park District (Park District) acquired the building at 2955 Peralta Oaks North in 2019 at a negotiated price of \$14.4 million. The property was purchased with the intent of renovating the building to meet the Park District's need for a new Public Safety and additional administrative space (Resolution No. 2019-03-043). The project was proposed for the following reasons: (1) the Park District's current headquarters at 2950 Peralta Oaks Court cannot accommodate all current administrative personnel and allows no room for growth; (2) the current public safety building has long outlived its useful life and cannot accommodate all current public safety personnel; (3) the Board of Directors meeting room is undersized, difficult to access, and needs technological upgrades. The Public Safety Division includes the Park District's Police, Fire, Emergency Dispatch and Lifeguard Services Departments. This division plays a critical role fulfilling the mission of the Park District, including protecting natural resources with the wildfire reduction/fuels management program and providing a safe environment for park users.

The Peralta Oaks North building was initially constructed in 1983 and was purpose built for use by the State Compensation Insurance Fund. It is a four-level, steel frame building of approximately 107,000 square feet, of which approximately 65,000 square feet are occupiable. It has been the Park District's intent to renovate the building to meet current code requirements and be certified LEED

Gold, and to meet the Park District’s specific programmatic and operational needs.

Due to the scale and complexity of this Project, staff utilized a prequalification process to identify general contractors who have the requisite experience and fiduciary capacity to successfully construct this Project. A Request for Qualifications from general contractors was developed and was advertised. The Park District received five qualification packages that the Park District’s construction management consultant team and staff reviewed. On January 16, 2024, the Board of Directors approved the following four prequalified general contractors to be eligible to bid on construction for the Improve Peralta Oaks North Project (resolution no. 2024-01-11):

- HITT Contracting, San Francisco, Ca.
- Roebbelen Contracting, Inc., Concord, Ca.
- Amoroso Construction, Redwood City, Ca.
- Swinerton, Inc., Oakland, Ca.

Subsequently, the Park District advertised the construction contract on April 25, 2024, with bids due June 5, 2024. The project was available through the Park District’s online planroom to the four prequalified general contractors. Two bids were submitted and Swinerton, with a bid amount of \$59,847,000, was the lowest responsive bidder. The engineer’s estimate was \$81,000,000. Staff recommends awarding the contract to Swinerton.

As the project advances towards the construction phase, permitting and utility connection fees will require timely direct payment. Staff is requesting authorization for direct payment of these fees, estimated to not exceed \$200,000 and authorization to enter into agreements with the associated utility agencies.

This will be a multi-year construction project that is scheduled to begin later this summer and continue through spring of 2026. It is anticipated that the building will be ready for occupancy in the second half of 2026.

### **ANALYSIS**

The basis for determination of the low bid for this project is the aggregate amount of the bidder’s base bid:

NAME OF BIDDER	TOTAL BASE BID
1. Swinerton, Inc.	\$ 59,847,000
2. SJ Amaroso Construction Co., LLC.	\$ 63,367,000
ENGINEER’S ESTIMATE	\$ 81,000,000

The recommended action is for the Board to award and authorize the execution of a construction contract with Swinerton to construct this project. Without approval, the Park District will not be able to move forward with this project.

### **FISCAL IMPACT**

Project expenses to-date have been funded through the Improve Peralta Oaks North Project (159300). Additional existing funding sources for the Project have been identified, including unappropriated interest earnings in the 2012 Promissory Note project, and another existing project entitled Future Office Needs (558600).

At the July 16, 2024 Board Meeting, the Board of Directors approved the issuance of Promissory Notes for the Project, in an amount not to exceed \$39.5 million (including an estimated \$500,000 which will

be used for cost of issuance). The table below provides details regarding the expected sources of funding for the construction contract.

<b>SOURCES OF FUNDS</b>	
Improve Peralta Oaks North Proj (159300)	\$334,800
Appropriate 2012 Promissory Notes	950,000
Future Office Needs Proj (558600)	33,400,000
2024 Promissory Notes (anticipated)	39,000,000
Total Sources	\$73,684,800

<b>USES OF FUNDS</b>	
Construction Contract	\$ 59,847,000
Project Costs (e.g. soft costs, permit fees, utility fees, contingency)	13,837,900
Total Uses	\$73,684,800

## **ATTACHMENTS**

- I. Peralta Oaks North Project Location Map



**EAST BAY REGIONAL PARK DISTRICT  
RESOLUTION NO. 2024-07-  
JULY 30, 2024**

**AUTHORIZATION TO AWARD TO AND EXECUTE A CONSTRUCTION CONTRACT WITH SWINERTON, INC. IN THE AMOUNT OF \$59,847,000 AND APPROPRIATE APPROXIMATELY \$39,000,000 OF 2024 PROMISSORY NOTE FUNDS AND \$950,000 IN 2012 PROMISSORY NOTE FUNDS FOR THE IMPROVE PERALTA OAKS NORTH PROJECT: 2955 PERALTA OAKS COURT**

**WHEREAS**, on June 6, 2012, by Board Resolution No. 2012-06-149, the Board of Directors of the East Bay Regional Park District (Board), authorized issuance of Promissory Notes for the purpose of providing a new Public Safety Headquarters and expansion of the Park District's administrative offices; and

**WHEREAS**, on March 5, 2019, by Board Resolution No. 2019-03-043, the Board authorized the purchase of the 4.01± acre property and office building located at 2955 Peralta Oaks Court in Oakland, California (Peralta Oaks North Property); and

**WHEREAS**, the East Bay Regional Park District (Park District) desires to renovate the building and project site at 2955 Peralta Oaks Court; and

**WHEREAS**, on January 16, 2024, by Board Resolution No. 2024-01-11, the Board approved four prequalified general contractors to be eligible to bid on construction for the Improve Peralta Oaks North Project (Project), and approved Metro contract group of Pleasanton, California, as the furniture dealer to provide all furniture, fixtures, and equipment for the project; and

**WHEREAS**, the Park District has developed construction documents for the Project; and

**WHEREAS**, the Park District issued those documents for public bidding beginning on April 25, 2024, and received bids on June 5, 2024; and

**WHEREAS**, two (2) bids were received by the bid deadline and Swinerton, Inc. was the lowest responsive and responsible bidder; and

**WHEREAS**, on July 16, 2024, by Board Resolution No. 2024-07-151 the Board authorized issuance of not to exceed \$39,500,000 in 2024 Promissory Notes;

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors award a construction contract to Swinerton Incorporated of Oakland, California, in the amount of \$59,847,000 for construction of the Improve Peralta Oaks North Project (No. 159300) at 2955 Peralta Oaks Court; and

**BE IT FURTHER RESOLVED**, that the Board of Directors authorizes the General Manager to execute a construction contract with Swinerton Incorporated of Oakland, California, in the amount of \$59,847,000 for construction of the Improve Peralta Oaks North Project (no. 159300) at 2955 Peralta oaks court; and

**BE IT FURTHER RESOLVED**, that the \$33,400,000 balance of the Future Office Needs project (558600) unappropriated balance of the 2012 Promissory Notes of approximately \$950,000 will be transferred and appropriated to the Project; and

**BE IT FURTHER RESOLVED**, that the sale of the 2024 Promissory Notes is anticipated to generate approximately \$39,000,000 in proceeds that will be appropriated to the Project; and

**BE IT FURTHER RESOLVED**, that the Board of Directors authorizes the General Manager or her designee make any project related payments for permitting and utility connection fees in an amount not to exceed \$200,000, and authorizes the General Manager or her designee to enter into associated utility service agreements; and

**BE IT FURTHER RESOLVED**, that the General Manager is hereby authorized and directed, on behalf of the Park District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director \_\_\_\_\_, and seconded by Director \_\_\_\_\_, and adopted July 30, 2024, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: