

**HERCULES CITY COUNCIL
RESOLUTION NO. _____**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HERCULES, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT AMENDMENT NO.1 WITH BKF ENGINEERS, INC. (BKF) IN THE AMOUNT OF \$51,855 FOR THE CONSTRUCTION MANAGEMENT, INSPECTION AND QUALITY ASSURANCE TESTING SERVICES FOR THE REFUGIO AND FOXBORO PARK IMPROVEMENTS PROJECT, INCLUDING A TRANSFER OF \$40,855 FROM THE CONSTRUCTION CONTINGENCY TO FULLY FUND THE AMENDMENT, FOR A TOTAL CONTRACT AMOUNT OF \$233,925

WHEREAS, On December 16, 2025, the City received bids for the Refugio and Foxboro Park Improvements Project ("Project"), with Frontline General Engineering Construction, Inc. submitting the low bid, inclusive of the alternate bid item; and

WHEREAS, on January 13, 2026, the City Council awarded the project construction contract to Frontline General Engineering Construction Inc. and determined that the Project was exempt from review under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301 (existing facilities); and

WHEREAS, on January 27, 2026, the City awarded the construction management, inspection, and quality assurance testing services contract to BKF Engineers, Inc. (BKF) in the amount of \$193,070 to support management of the construction for this project inclusive of Construction Management, Inspection Services, Post-Construction Closeout and Quality Assurance and Laboratory Testing; however, \$11,000 in cost savings was subsequently incorporated into the scope of work and the executed construction management contract was in the amount of \$182,070; and

WHEREAS, Contract Amendment No. 1 in the amount of \$51,855 is now needed to address unanticipated minor changes to the scope of the construction contract including replacement of sand base beneath new playground equipment, additional time and costs associated with inspection of delayed and weekend work, and project scheduling issues with the contractor; and

WHEREAS, a transfer of \$40,855 from the construction contingency combined with the \$11,000 in cost savings will fully fund Contract Amendment No. 1 in the amount of \$51,855 with the remaining construction contingency projected to be sufficient to fully fund the construction contract; and

WHEREAS, there is sufficient funding in the Adopted FY 2025-26 Budget to fully fund the construction and construction management services.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hercules as follows:

1. The City Council hereby finds that amendment of the Professional Services Agreement for construction management services is within the scope of the Project and does not require further environmental review under CEQA.
2. The City Council hereby authorizes the City Manager to execute Contract Amendment No.1 with BKF Engineers, Inc. (BKF) in the amount of \$51,855 for the Construction Management, Inspection and Quality Assurance Testing Services for the Refugio and Foxboro Park Improvements Project, including a transfer of \$40,855 from the construction contingency to fully fund the amendment, for a total contract amount of \$233,925,

The foregoing Resolution was duly and regularly adopted at a regular meeting of the City Council of the City of Hercules held on the 28th day of July, 2026 by the following vote of the Council:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chris Kelley, Mayor

ATTEST:

Eibleis Melendez, City Clerk