



**KERMAN CITY COUNCIL
NOTICE OF SPECIAL CALLED MEETING AND AGENDA**

Friday, June 12, 2026 at 5:00 PM

Kerman City Hall, 850 S. Madera Avenue, Kerman, CA 93630

NOTICE IS HEREBY GIVEN that a Special Meeting of the City Council of the City of Kerman is hereby called.

1. OPENING CEREMONIES

- A. Call to Order
- B. Roll Call
- C. Flag Salute

2. PUBLIC COMMENTS

Members of the public may address the Council on items on this agenda as an item is called. Speakers should limit their comments to three minutes.

3. AGENDA

The sole business to be conducted is as follows:

- A. **SUBJECT:** Resolution Approving Construction Contract Change Order No. 5 for the Hart Ranch Community Park Project (JG)

RECOMMENDATION: Council by motion adopt the resolution:

- 1. Approving Construction Contract Change Order No. 5 for the Hart Ranch Community Park Project to Avison Construction, Inc. in the amount of \$127,443.00; and
- 2. Authorizing the City Manager to sign Construction Contract Change Order No. 5 on behalf of the City.

4. ADJOURNMENT

NOTICE OF AVAILABILITY OF AGENDA MATERIALS: Any writings or documents provided to a majority of the City Council within 24 hours of the meeting regarding any item on this agenda will be made available for public inspection at the City Clerk's Office located at 850 S. Madera Ave., Kerman, CA 93630 and on the City website at www.cityofkerman.gov.

ADA COMPLIANCE AND REASONABLE ACCOMMODATION. The Council has adopted a Reasonable Accommodation Policy, which is available on the City website at www.cityofkerman.gov or upon request by emailing the City Clerk at publicmeeting@cityofkerman.gov or calling (559) 550-1510. The Policy provides a procedure for receiving and resolving requests for accommodation to participate in this meeting. If you need assistance in order to attend this Council meeting or require auxiliary aids or services, e.g., hearing aids or signing services to make a presentation to the Council, please contact the City Clerk at (559) 550-1510 or email at publicmeeting@cityofkerman.gov so such aids or services can be arranged. Accommodations should be requested as early as possible as additional time may be required in order to provide the requested accommodation. The meeting room is accessible to persons with physical disabilities.

AGENDA POSTING CERTIFICATION

I, Dalia Santana-Zamudio, City Clerk for the City of Kerman, do hereby declare under penalty of perjury that I caused the above agenda to be posted at City of Kerman Council Chambers at 850 S. Madera Ave., Kerman, CA 93630 and on the City website at www.cityofkerman.gov.

Date: June 11, 2026 /s/ Dalia Santana-Zamudio, City Clerk



STAFF REPORT

MEETING DATE: June 12, 2026

PRESENTER: Jesus A. Gonzalez, City Engineer

SUBJECT: Resolution Approving Construction Contract Change Order No. 5 for the Hart Ranch Community Park Project (JG)

RECOMMENDATION: Council by motion adopt the resolution:

1. Approving Construction Contract Change Order No. 5 for the Hart Ranch Community Park Project to Avison Construction, Inc. in the amount of \$127,443.00; and
2. Authorizing the City Manager to sign Construction Contract Change Order No. 5 on behalf of the City.

EXECUTIVE SUMMARY:

On November 13, 2024, the Hart Ranch Community Park (Project) construction contract was awarded by City Council to Avison Construction, Inc. (Avison) in the amount of \$12,453,125.00. Additionally, a construction contingency in the amount of \$622,700.00, representing 5% of the construction contract, was approved. A construction activities Notice to Proceed was issued to Avison with a start date of February 5, 2025. On September 10, 2025, a construction contingency increase was approved by City Council to an amount of \$1,245,400.00, representing an industry standard of 10% of construction contract amount. The proposed resolution approves Change Order No. 5.

Time is of the essence on this project as the Land and Water Conservation Fund grant, in the amount of \$2,500,000.00, is set to expire on September 30, 2026. The contractor has informed the City that its specialty lake edge sub-contractor has only a two-week window of availability starting on June 15, 2026. Delay in approval of the change order would cause delay to completion of Project and potential negative consequences for City if the state grant requirements are not met.

BACKGROUND:

As the work has progressed on this high priority project, design clarifications, regulatory requirements, and field conditions have necessitated modifications to the original contract scope. To date, these modifications have resulted in four contract change orders totaling \$856,663.00.

Contract Change Orders Nos. 1 and 2, in the total amount of \$28,298.00, addressed costs associated with splash park pad color revisions and the addition of three backflow preventers

to the on-site water system. These contract change orders were executed by the City Manager under the authority granted by City Council at the time of contract award.

On September 10, 2025, the City Council approved Contract Change Order No. 3 (CCO3) in the amount of \$781,341.00. CCO3 included the procurement and installation of a splash pad water recirculation system, as well as the installation of an enlarged restroom building to accommodate the system’s electrical and integration components. The building also provides single-use restrooms and incorporates two exterior pedestal showers. In addition, CCO3 included modifications to the percolation basin edge.

Contract Change Order No. 4 (CCO4), in the amount of \$43,678.00, addressed costs associated with the addition of swing gates, installation of a booster pump transformer and feeders, upgrades to 1-inch quick-connect hose bibs, and playground modifications to meet ADA compliance requirements. CCO4 was executed by the City Manager under the authority granted by City Council at the time of CCO3 approval.

Continued construction activities now necessitate issuance of Contract Change Order No. 5 (CCO5) in the amount of \$127,443.00. CCO5 includes:

- 1. Additional rock and cobble placement to achieve intended lake edge design, \$197,604.00
- 2. Credits and additions for landscape planting revisions around the lake edge \$21,443.00
- 3. Sidewalk forms and reinforcement removal to access lake edge treatment work area \$13,396.00
- 4. Incorporation of a monetary credit for value engineered playground equipment (\$105,000.00)

The total of Contract Change Orders nos. 1 to 5 in the amount \$984,106.00 constitutes an approximate 7.9% of the awarded construction contract. The Project construction contingency is in the amount of \$1,245,400.00. CCO5 in the amount of \$127,443.00 is within the remaining contingency balance of \$388,737.00 and results in a contingency balance of \$261,294.00.

FISCAL IMPACT:

The estimated total Project cost is \$15,270,000.00 for design, construction, construction contingency, construction engineering and materials testing. The City has budgeted \$11,209,469.00 in fiscal year 2025-26 and \$5,250,000.00 in upcoming fiscal year 2026-27 from various funding sources including the American Rescue Plan Act (ARPA), Measure M, Land and Water Conservation grant funding, California Natural Resources Agency Proposition 68 grant funding, State Budget earmarked funds.

ATTACHMENTS:

- A. Resolution
- B. Contract Change Order No. 5 Summary Memo

Attachment 'A'

RESOLUTION NO. 26-__**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
APPROVING CONSTRUCTION CONTRACT CHANGE ORDER NO. 5 FOR THE HART RANCH
COMMUNITY PARK PROJECT**

WHEREAS, Council awarded the construction contract for the Hart Ranch Community Park Project to Avison Construction, Inc. (Avison) on November 13, 2024; and

WHEREAS, Avison was issued a construction activities Notice to Proceed with a start date of February 5, 2025; and

WHEREAS, to date four Contract Change orders totaling \$856,663.00 have been approved for costs related to splash park pad colors, the addition of on-site water system backflow preventers, the addition of a water recirculation system, the procurement of an enlarged restroom and pedestal showers, the addition of swing gates, the installation of a booster pump transformer and feeders, upgrades to 1-inch quick-connect hose bibs and playground modifications; and

WHEREAS, Contract Change Order No. 5 (CCO5), in the amount \$127,443.00, is necessary for addressing design clarifications, regulatory requirements, and field conditions resulting in modifications to the original contract scope as follows:

- Construction revisions to the lake edge treatment for achieving the intended design, including additional placement of rocks, associated access modifications and landscape revisions consisting of both credits and additions and
- Incorporation of a monetary credit for value engineered playground equipment

NOW, THEREFORE, the City Council of the City of Kerman resolves as follows:

1. The foregoing recitals are true and correct and incorporated by reference.
2. Based on the recitals set forth above, and upon the recommendation of the City Engineer, the Council approves CCO5 for the Hart Ranch Community Park Project to Avison Construction, Inc., in the amount of One Hundred Twenty-Seven Thousand and Four Hundred and Forty-Three Dollars and Zero Cents (\$127,443.00).
3. The City Manager is authorized to sign CCO5.
4. This resolution is effective upon adoption.

The foregoing resolution was adopted at a Special Meeting of the City Council of the City of Kerman held on the 12th day of June, 2026, and passed by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Dalia Santana-Zamudio
City Clerk

OFFICE OF THE CITY ENGINEER

Jesus A. Gonzalez

Mayor – Maria Pacheco**Mayor Pro Tem** – Gary Yep**Council Members**

Raj Dhaliwal

Berdie Hall

Ismael Herrera

850 S. Madera Avenue
Kerman, CA 93630Phone: (559) 244-3123
www.cityofkerman.gov

DATE: June 9, 2026

PROJECT: HART RANCH COMMUNITY PARK

SUBJECT: Contract Change Order No. 5

ITEM 5.1: Additional Rock and Cobble at Lake Edge

The City requested a cost estimate for additional rock to cover the exposed liner and achieve intended lake edge condition. The rock quantities shown in the original bid drawings were insufficient to achieve the intent of the lake edge design.

Following multiple meetings among the City, the landscape consultant and its lake subconsultant approved Submittal 59.1.2, "Lake Construction." The contractor shall provide a 15- to 20-foot mock-up of the lake edge for City review and approval. Upon approval, the contractor shall complete the lake edge around the lake to ensure full liner coverage and an acceptable finished product.

A final construction detail was issued to the contractor on June 9th, 2026 which added more detail to the approved submittal to more accurately align with the design intent of the natural lake edge, and provided the contractor with clear direction on how to construct the lake edge in the field.

The contractor submitted a lump-sum cost proposal of \$197,604.00 for this additional work, which shall be paid in full.

ITEM 5.2: Credit & Add for Landscape Planting per REV 04 Updates

The City requested a credit for the removal of 1,658 one-gallon shrubs at the lake edge and 5 tons of river rock at the percolation pond edge, as well as 2 fifteen-gallon trees located in the vicinity of the swing gates along the east side of the park to allow the gates to operate. The shrubs at the lake edge were removed because planting on the lake liner would require penetrations that are not permitted. The shrubs at the swing gates were removed to allow the gates to operate.

The City also requested a cost estimate to add irrigation in the area where the DredgeSOX was removed and replaced with a natural lake edge, to maintain consistency and discourage public access to the lake. In addition, the City added 810 one-gallon shrubs along the top edge of the lake; these plantings are better suited to site conditions than those originally specified. These changes were developed through coordination among the contractor, the City, and the City's consultants. The contractor submitted a lump-sum cost proposal including a credit of \$27,858.00 and an addition of \$47,351.70 from the subcontractor, with an additional 10 percent markup applied to the net increase.

The total net adjustment for landscape planting and irrigation is a lump sum of \$21,443.00, which shall be paid in full.

ITEM 5.3: Sidewalk Forms and Reinforcement Remove to Access Lake Edge

The City requested a cost estimate to remove and replace previously installed sidewalk forms and reinforcement to provide access to the lake edge for the work described in Change Order Item 5.1. The contractor had been constructing the lake edge and sidewalks concurrently when it was determined that the lake edge quantities were insufficient to achieve the intended lake edge condition. To minimize potential rework costs, the contractor halted sidewalk construction pending direction from the City and its consultants. Due to the required revisions, removal of the sidewalk forms and reinforcement is necessary to allow access to the lake edge.

The contractor submitted a lump-sum cost proposal of \$13,396.00 for this additional work, which shall be paid in full.

ITEM 5.4: Value Engineered Playground Equipment Credit

During the playground equipment submittal process, the contractor proposed alternate equipment to reduce contract costs for City review. The alternate was forwarded to the landscape consultant, who conducted a value engineering effort with the original supplier that assisted in designing the playground. The value engineered playground does not impact the play value of the park and retains the ADA compliance of the originally designed playground features.

Options including the base bid, the contractor's alternate, and the value-engineered design were presented to the City for consideration. The City selected the value-engineered playground from the original supplier, resulting in a credit of \$105,000.00 to the project.

The contract shall be reduced by this amount.

THE TOTAL ESTIMATED CCO 05 AMOUNT INCLUDING ALL OF THE ABOVE IS:

Hart Ranch Community Park
Change Order No. 5

Section 3, Item A.

\$127,443.00