



CITY OF WILDOMAR
CITY COUNCIL REGULAR MEETING
GENERAL BUSINESS
Agenda Staff Report # 3.1
Meeting Date: August 12, 2026

SUBJECT: Construction Contract Award - 20-Acre Park Property/Trail
Phase 0-A, CIP 099-0

SUBMITTED BY: Jason Farag, Public Works Director/City Engineer

PREPARED BY: Carlos Geronimo, Principal Engineer

ACTION:

1. Discuss and provide direction to City Staff regarding opening the 20-Acre Park property for public access to the park and trail and constructing a temporary parking area for public access.
2. Determine that the 20-Acre Park, Phase 0-A, Project (CIP 099-0) is exempt under the California Environmental Quality Act (CEQA) and CEQA Guidelines, pursuant to Sections 15301 (Class 1), 15303 (Class 3), and 15304 (Class 4) of the CEQA Guidelines.
3. Authorize the City Manager to either:
 - a. Option 1
 - Execute a construction contract with Act 1 Construction, Inc., in the amount of \$322,764 for the 20-Acre Park, Phase 0-A, CIP 099-0 (Project) and waive any informality or irregularity in the bid; or
 - b. Option 2
 - Execute a construction contract with Act 1 Construction, Inc., in the amount of \$433,446 for the 20-Acre Park, Phase 0-A, CIP 099-0 (Project) including all additive items and waive any informality or irregularity in the bid.
4. Authorize the Public Works Director/City Engineer to approve change orders not to exceed 10% of the awarded construction contract amount (contingency).
5. Adopt a Resolution entitled:

RESOLUTION 2026 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA APPROVING PROJECT PLANS, SPECIFICATIONS, CONTRACT DOCUMENTS, AND AWARDING A CONSTRUCTION CONTRACT FOR THE 20-ACRE PARK AND TRAIL, PHASE 0-A, CIP 099-0 ("PROJECT"). AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH ACT 1 CONSTRUCTION, INC.

SUMMARY:

Discussion about public access to the 20-Acre Park Property/Trail and award of a construction contract for the 20-Acre Park, Phase 0-A, CIP 099-0

BACKGROUND:

The City's Planned Parks Network in the General Plan identifies a proposed 20-Acre Park (Park) located northeast of Palomar Street and southwest of Gierson Avenue. The planned Park includes various proposed amenities including a network of trails, picnic tables, exercise stations, interpretive panel, a community garden, bike racks, a butterfly/pollinator garden, information kiosks, drinking fountains, pet stations, a disk golf course, bird observation area, raptor perch, solar lighting, bench seating, lawn playfield, shade structures, bridge crossing, gates, restrooms, and natural drainage swales. Improvements associated with the Park include parking lots, utilities, stormwater improvements, and street improvements.

The total construction cost for the Park exceeds available funding. Staff is actively looking to complement existing local funds with grant funding which takes time and are not guaranteed. Since there is a need to meet contractual obligations from the Purchase and Sales Agreement (Agreement) from the original acquisition of the Park property, and to take advantage of the existing natural open space of the site, the City has pursued a phased approach for the improvements so that the site can be improved and utilized as funds become available. Below is a summary of the current park phasing.

- Phase 0
 - Phase 0-A - Installation of fencing, fence screening, and gates as required by the Agreement.
 - Phase 0-B - Installation of a parking lot on Palomar St. and a bridge from the parking lot to the Park property and trails, as required by the Agreement.
- Phase 1
 - Construction of an enhanced trail network within the Park property, and landscaping improvements.
- Phase 2
 - Ultimate build-out of the proposed park amenities.

The initial phase (Phase 0-A) of the Park includes the installation of security fencing, gates, tree removal, and the optional construction of a temporary parking area at the northern end of the site adjacent to Gierson Avenue. Phase 0-A will meet some of the City's contractual obligations under the Agreement and could optionally also make the site accessible to the public for enjoyment of the natural open space and trail system.

DISCUSSION:

Public Access for the 20-Acre Park Property and Trail

The 20-Acre Park Property is an existing vacant property with vegetation, irrigation, and an unimproved walking path/trail. Since the City acquired the property in 2023, the property has remained closed to the public. The City performs routine maintenance of the property to maintain the property in a safe condition. As part of the Purchase and Sale Agreement with the prior owner, the prior owner has permission to continue use of the existing trails and walking on the property, ahead of the opening of the park to the public.

Design and construction of the Park has taken longer than originally anticipated, and based on the latest construction cost estimates, adequate funds to proceed with the construction of Phase 1 of the Park have not been identified. However, the City has various contractual obligations under the Purchase and Sale Agreement that must be met by February and September 2027. Although there is no funding available for Phase 1 of the Park, the park has an existing unimproved walking path/trail that can be used for recreational purposes, so the

City may consider allowing public access to the Park Property/Trail so that the public can benefit from the existing open space area. Options for opening the Park Property/Trail for public access include:

1. Opening the existing pedestrian gate on the westerly end of Gierson Ave. to allow for pedestrian access into the property.
2. Constructing a temporary parking area on the Park property with access from the westerly end of Gierson Ave.
3. Constructing a parking lot on Palomar St. and a bridge across the Flood Control channel to connect the parking lot and the park property.
 - Note: Under the Agreement, the City is obligated to construct a new bridge from the Palomar St. parking lot parcel to the Park property by September 30, 2027. Work on this option is progressing but is not estimated to be complete until at least mid-2027.

Other options for public access that are not yet in progress or have not been fully evaluated include:

- Constructing the cul-de-sac extension of Gierson Ave. and permanent Gierson Ave. parking lot per the ultimate park plans.
- Providing pedestrian access to the Flood Control channel and the existing wooden bridge from S. Pasadena St.

It should be noted that if public access is allowed on the Park property, the property and existing trails would be opened in an "as-is" condition. The City will not be performing routine maintenance of the walking path/trail to preserve the natural condition, and the City would only continue with the on-going routine maintenance of the property which primarily includes weed abatement and as-needed tree trimming. Since the property will function as an open space area in its existing condition, members of the public who choose to enter into the property should not expect that the property and trail system are improved or maintained and they would be entering and using the property and trails at their own risk. Advisory signage regarding this can be placed at the property entrance locations to advise the public of this information.

Staff recommends that the City Council discuss Public Access to the Park Property and use of the trails and provide direction to staff regarding what public access option to proceed with, or to not proceed with public access at this time.

Construction Contract Award

As previously noted, the City has various obligations under the Purchase and Sale Agreement that must be met by February and September 2027. To meet the February 2027 deadlines, a bid package for the Project which included construction plans, technical specifications, and bid documents were prepared and advertised for construction bids following City Municipal Ordinances for Formal Bid process. The Project was advertised for bids on July 16, 2026. Bids were accepted until 3:00 pm on August 5, 2026. The City Clerk received three (3) timely bids, as summarized in Table 1 below. The bid package includes a Base Bid for items that the City must complete to meet contractual obligations under the Purchase and Sale Agreement, and also includes Additive Bid items for the installation of a temporary parking area on the park property west of Gierson Ave. This temporary parking area would be removed when the Park is developed and improved at a future time, but would provide temporary vehicular access to the Park Property from Gierson Ave for trail access.

Table 1 - Bid Summary for Project

CONTRACTOR	BASE BID AMOUNT	ADDITIVE BID AMOUNT	TOTAL BID AMOUNT
HL Hitchcock	\$297,290.00	\$130,000.50	\$427,290.50
Act 1 Construction	\$322,764.00	\$110,682.00	\$433,446.00
Leonida Builders, Inc.	\$358,043.50	\$199,684.00	\$557,727.50

The combined "Base Bid + Additive Bid" was used as the basis of establishing the lowest responsive bidder. The Engineer's Estimate for "Schedule A + B" was \$470,000. Staff has reviewed the bid packages submitted by the bidders, checking the bid packages for compliance with the contract documents and has determined that Act 1 Construction is the responsible bidder submitting the lowest responsive bid. Both the HL Hitchcock and the Leonida Builders, Inc., bids failed to acknowledge the addendums that were issued by the City. The bid documents indicated that "[b]ids shall include all addenda or clarifications issued during the bidding period acknowledged by the bidder's signature thereon" and that "[f]ailure to do so include or acknowledge an addendum or clarification will result in the Bid being rejected as not responsive." As a result of the failure to sign the acknowledgement of the City's addenda, HL Hitchcock and Leonida Builders have been deemed non-responsive. No other material irregularities were found in any of the bids received.

The Experience/Qualifications Statement that was submitted with the bid documents indicate that Act 1 Construction has engaged in contracting under the current name for thirty-five (35) years and has not failed to satisfactorily complete a contract. A list of three (3) completed projects were listed for reference, were performed for cities and ranged in value from \$5.7 million to \$12.9 million. The projects were completed for the Cities of Perris and Menifee. Act 1 Construction holds a valid and current Class A General Contractor's license in the State of California, with no enforcement actions listed. Act 1 Construction has a current and valid DIR registration with number 1000004899 and expires on 6/30/2027. Act 1 Construction's Bid Proposal is included as Attachment A.

The construction contract allows 60 working days to complete the required work. If approved, the Notice to Proceed (NTP) is planned to be issued to the contractor on or around August 31, 2026. Based on issuing a NTP on this date, the contract completion is projected to be October 30, 2026 (barring time extensions due to change orders or inclement weather). Based on the City Council's direction regarding public access to the Park property, staff recommends that the City Council authorize the City Manager to either:

1. Option 1

Execute a construction contract with Act 1 Construction, Inc., in the amount of \$322,764 for the 20-Acre Park, Phase 0-A, CIP 099-0 (Project) and waive any informality or irregularity in the bid; or

2. Option 2

Execute a construction contract with Act 1 Construction, Inc., in the amount of \$433,446 for the 20-Acre Park, Phase 0-A, CIP 099-0 (Project) including all additive items and waive any informality or irregularity in the bid.

A copy of the draft Contract is included as Attachment B. Staff will complete the contract based on the direction provided by City Council.

Staff also recommends the City Council authorize the Public Works Director/City Engineer to

approve change orders not to exceed 10% of the awarded construction contract amount (contingency).

ENVIRONMENTAL ANALYSIS:

MSHCP

Beginning July 1, 2008, the RCA started requiring that locally funded Capital Improvement Projects contribute applicable MSHCP fees within 90-days of construction contract award. Fees outside the public right of way are calculated on a cost per gross acre basis, while fees for typical right of way improvement projects are five percent of construction costs. The project is not exempt from MSHCP fees and therefore is required to pay fees as established by the Riverside Conservation Authority (RCA).

California Environmental Quality Act (CEQA)

CEQA Analysis was performed in accordance with the requirements of the California Environmental Quality Act (Public Resources Code § 21000, et seq. ("CEQA")), a review of the potential environmental impacts was conducted by the Planning Department for the 20-Acre Park Project (CIP 099) – Phase 0-A. Based on this evaluation, staff has determined the project meets the requirements of the following Categorical Exemptions per Article 19 of the CEQA guidelines:

Section 15301 (Existing Facilities) Class 1 includes minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use.

Section 15303 (New Construction or Conversion of Small Structures) Class 3 consists of construction and location of limited numbers of new, small facilities or structures.

Section 15304 (Minor Alterations to Land) Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

FISCAL IMPACT:

The City's current Capital Improvement Program (FY 2026/2027 CIP) and City budget were approved and adopted in June 2026. Included in the adopted FY 2026/2027 CIP was an overall construction budget for the Project of \$1,200,000. This budget accounted for both Construction and Construction Admin/Inspection costs of Phase 0-A and Phase 0-B. The Contractor's bid with or without additive bid items is within the overall project budget.

Construction Funding

DIF Park Imp. (Fund 461)

Construction Administration/Inspection Funding

DIF Park Imp. (Fund 461)

ATTACHMENTS:

[Presentation](#)

[Resolution](#)

[A - Act 1 Construction - Bid Proposal](#)

[B - Public Works Contract \(DRAFT\)](#)

C - 20-Acre Park Bid Documents Plans
D - 20-Acre Park Bid Documents Technical Specifications