



COUNCIL REPORT

DATE: September 23, 2025

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48—Various Actions**

RECOMMENDATION

1. Transfer and appropriate \$240,000 from the Park Land Dedication Fund to Magical Bridge All-Inclusive Playground, Project 18-36. (Five votes required)
2. Transfer and appropriate \$60,000 from the Park Land Dedication Fund to Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48. (Five votes required)
3. Authorize the City Manager or designee to amend the professional services agreement with Tanner Pacific, Inc., a California corporation (Entity No. 3876190), for Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48, to increase the compensation by \$250,000 for additional construction engineering services for a total not-to-exceed amount of \$1,150,000.

BACKGROUND

The Magical Bridge All-Inclusive Playground was opened on January 25, 2025 and provides an intentional and inclusive play area for all ages and physical and cognitive abilities. The project created multiple play areas, with a key feature of the project being the playhouse, which is constructed to overlook the other park elements and utilizes a ramp over existing terrain for accessibility. The Rengstorff Park Maintenance and Tennis Building Replacement project replaced the existing maintenance/restroom building and the tennis building at Rengstorff Park. The projects are located in the southeast and northeast areas of Rengstorff Park (see Figure 1).



Figure 1: Project Location

Council has taken several actions for the project as shown in Table 1.

Table 1: Project History

Date	Action/Milestone
<u>October 3, 2017</u>	Council authorized a contract between the City and Magical Bridge Foundation (MBF) for professional and design services, authorized an application for a matching grant for up to \$2 million through the Santa Clara County All-Inclusive Playground Grant Program, and approved Rengstorff Park as the site for Magical Bridge All-Inclusive Playground, Project 18-36.
May 8, 2018	The City was awarded a \$1.7 million grant provided by the County of Santa Clara.
<u>May 10, 2022</u>	Council approved plans and specifications for Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48, and authorized staff to advertise both projects for bid as a single construction package.
<u>March 14, 2023</u>	Council approved the removal and mitigation plans for seven additional Heritage trees.
<u>June 27, 2023</u>	<p>Council authorized the following:</p> <ol style="list-style-type: none"> 1. Appropriate \$19,329 in donations from Magical Bridge Foundation and any future related donations to Magical Bridge All-Inclusive Playground, Project 18-36. 2. Appropriate \$1,440,000 from the Park Land Dedication Fund to Magical Bridge All-Inclusive Playground, Project 18-36. 3. Appropriate \$3,560,000 from the Park Land Dedication Fund to Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48. 4. Award the construction contract for Project 18-36 and Project 21-48 to Robert A. Bothman, Inc., for \$11,229,982, including a \$1,020,908 construction contingency.* 5. Authorize the City Manager or designee to execute a professional services agreement with Tanner Pacific, Inc., to provide

Date	Action/Milestone
	<p>construction engineering services for Project 18-36 and Project 21-48 in a not-to-exceed amount of \$750,000.</p> <ol style="list-style-type: none"> 6. Authorize the City Manager or designee to amend the professional services agreement with Sandis Civil Engineers Surveyors Planners for Project 21-48 to add \$40,210 for a not-to-exceed amount of \$170,000. 7. Authorize the City Manager or designee to amend the agreement with Magical Bridge Foundation as follows with all other terms and conditions unchanged: <ol style="list-style-type: none"> a. City to provide a progress payment of funds proportional to the community donations raised thus far; and b. Require the Magical Bridge Foundation to continue to remit to the City on a biannual basis all community donations received for the project until the original initial target of \$1,990,000 is met. If the original target of \$1,990,000 has not been met one year after the park is opened, staff will return to the City Council to determine next steps for any additional progress payment.
<u>January 28, 2025</u>	<p>Council took the following actions on the project:</p> <ol style="list-style-type: none"> 1. Transferred and appropriated \$540,000 from the Park Land Dedication Fund to Magical Bridge All-Inclusive Playground, Project 18-36. (Five votes required) 2. Authorized the City Manager or designee to amend the professional services agreement with Tanner Pacific, Inc., a California corporation (Entity No. 3876190), for Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48, to increase the compensation by \$150,000 for additional construction engineering services for a total not-to-exceed amount of \$900,000. 3. Authorize the City Manager or designee to amend the construction contract with Robert A. Bothman, Inc., for Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park

Date	Action/Milestone
	Maintenance and Tennis Building Replacement, Project 21-48, to increase compensation by \$575,000 for a total not-to-exceed amount of \$11,799,382, including a \$1,080,908 construction contingency.

ANALYSIS

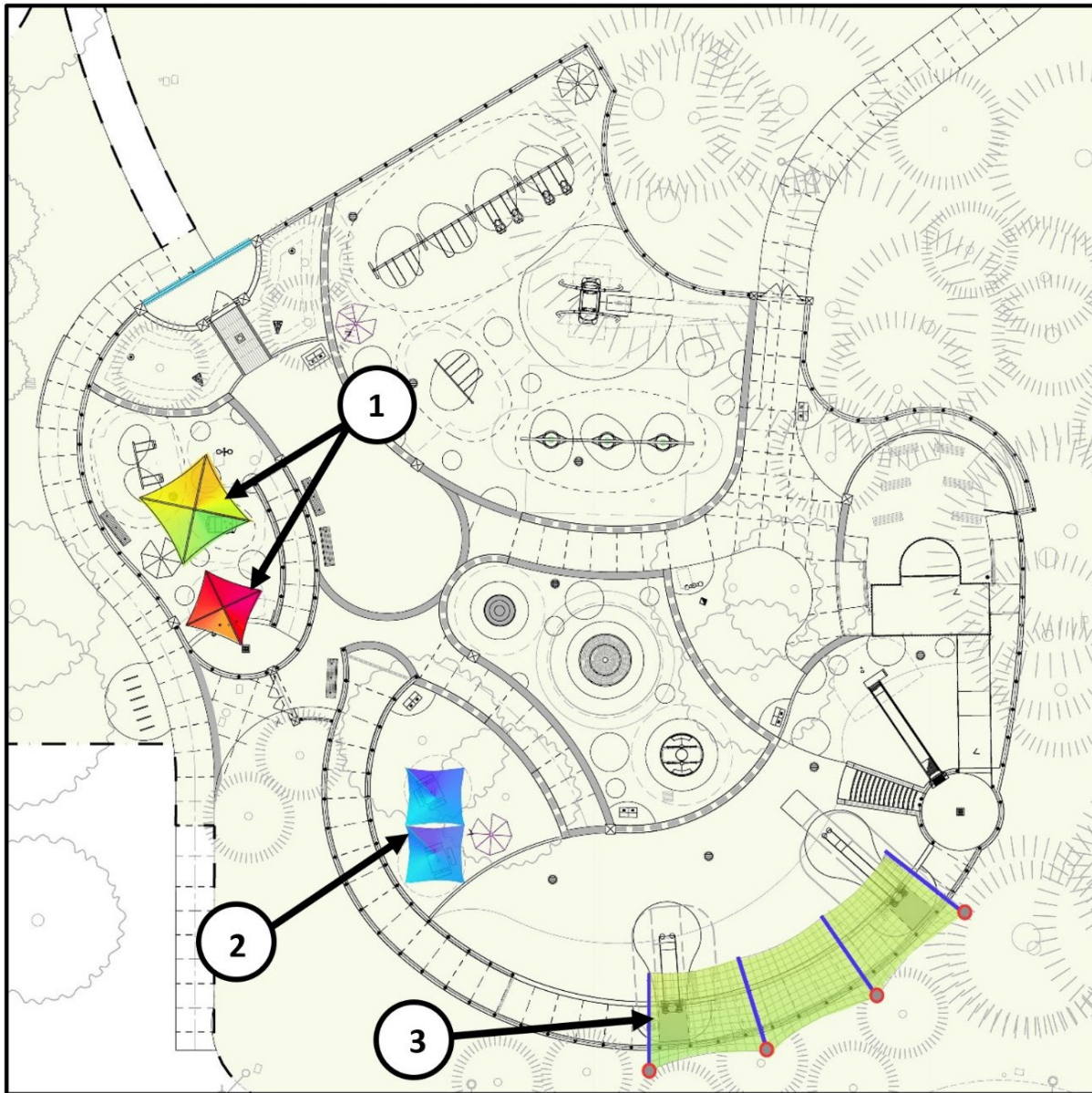
Project Update

Construction activities for both projects began in late August 2023, and the All-Inclusive Magical Bridge Playground was opened to the public in January 2025. The Rengstorff Park Maintenance and Tennis Building Replacement project includes two prefabricated structures: the restroom building located near the tennis courts (installed and opened with the All-Inclusive Magical Bridge Playground phase), and the restroom/maintenance building located near the barbecue area near Crisanto Avenue (which has been installed and is in the final stages of completion). While both projects have elements that are open to the public, there still remain two elements in process: the shade structures at the playground and finalizing the restroom/maintenance building near the barbeque area.

Shade Structures and Restroom/Maintenance Building

At the January 2025 Council meeting, Council authorized additional funding for the inclusion of shade structures within the All-Inclusive Playground project (see Figure 2). Following this, the contractor initiated the design and permitting. The design took longer than anticipated and has now been completed and recently approved by the Building Division for permit. The installation of the shade structures is expected to be completed by the end of this fall.

The fabrication and installation of the restroom/maintenance building was also extended due to delays in fabrication and difficulties in obtaining state permits as well as completion of all fire life safety systems. The restroom/maintenance building has been installed and some outstanding operational items are being finalized, after which the building can be put in use and opened to the public, (expected by October 2025).



1. Tot-Zone (Two Single-Post Shades)
2. Picnic Zone (Two Pyramid Shades)
3. Slide Zone (Joined—Three Cantilever Sail)

Figure 2: Shade Structure Locations

Construction Management Agreement Amendment

The Public Works Department utilizes consultants to support staff and provide construction engineering and inspection services as necessary to ensure the timely delivery of the City's construction projects and for projects requiring specialized construction expertise. Tanner Pacific, Inc. (TPI), has been providing the City with construction support services on various construction projects, including these projects.

The agreement with TPI for the project was based on the fabrication and the installation of the restroom/maintenance building to be completed by April 2025 and shade structure design and installation to be completed by summer 2025. As previously noted, both elements have taken longer than anticipated, requiring an amendment to the TPI agreement.

The fee for the additional construction management services for the remaining restroom/maintenance building work is \$50,000, and similar services for the implementation of the shade structures is \$200,000, for a total increase in TPI services of \$250,000. Both amounts provide for contingency allowances for extended services if necessary to address unforeseen challenges or delays of the restroom building and the shade structures. This fee is consistent with such services, and staff considers the fee to be fair and reasonable for the scope of work required. Staff recommends adding \$250,000 in additional services to the TPI professional services agreement for a total not-to-exceed amount of \$1,150,000.

Additional Project Management and Administrative Funding

Staff members provide project management and administration for Capital Improvement Program projects and charge their time spent to the respective projects they support. The extended schedule for both projects has increased the amount of City staff time needed to support these projects. Staff recommends \$50,000 in additional project funding for project management and administrative costs.

Should Council approve the recommended actions, construction is estimated to be complete in the fall of 2025. During the installation of the shade structures, temporary partial or complete closure of the playground will be required for public safety depending on activities. Staff will work to minimize disruptions, limit closures, and provide advance public noticing.

FISCAL IMPACT

Projects 18-36 and 21-48 are funded as shown in Table 2.

Table 2: Funding Sources

	Playground Project 18-36	Buildings Project 21-48
Park Land Dedication Fund	\$3,806,100	\$7,000,000
County Grant	1,700,000	
California State Parks Bond Per Capita Grant	228,911	
Google Landings Community Benefit	900,000	
Magical Bridge Foundation Contribution*	1,205,984	
Total	\$7,840,995	\$7,000,000

* Amount reflects total contributions to the City as of September 9, 2025.

The estimated costs of the projects are as follows:

Table 3: Total Design and Construction Project Cost

	Playground Project 18-36	Buildings Project 21-48
Construction with Contingency	\$6,324,080	\$5,475,302
Consultant Services	575,000	175,000
City Project Management	230,000	324,000
Construction Management, Inspection, and Testing	750,000	550,000
Public Art		46,200
Fixtures, Furnishing, and Equipment (FFE)		20,000
Permits and Miscellaneous	75,000	30,000
Project Contingency	14,915	8,498
Subtotal	\$7,968,995	\$6,629,000
City Administration	112,000	431,000
TOTAL REVISED PROJECT BUDGET	\$8,080,995	\$7,060,000
APPROVED PROJECT BUDGET	\$7,840,995	\$7,000,000
BUDGET SHORTFALL	\$240,000	\$60,000

The budget shortfall is due to the additional work needed to implement the shade structures and finalize the restroom/maintenance building, requiring additional construction support services, staff time, and administrative costs. An increase in appropriations of \$300,000 is requested to fully fund the project. Staff recommends Council transfer and appropriate \$240,000 from the Park Land Dedication Fund to Magical Bridge All-Inclusive Playground, Project 18-36, and \$60,000 from the Park Land Dedication Fund to Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48 (Attachment 1). There is sufficient funding in the Park Land Dedication Fund for the recommended actions.

Rengstorff Park is over five acres in size and is, therefore, classified as a community park according to City Code, Chapter 41, Park Land Dedication or Fees In Lieu Thereof. In addition, the Magical Bridge All-Inclusive Playground is a one-of-a-kind playground in Mountain View designed to serve the entire city, and the associated Rengstorff Park Maintenance and Tennis Building improvements are necessary to support Rengstorff Park users. Therefore, these two projects may use park in-lieu fees from any park and open space area in the City.

The professional services agreement fee with TPI, with the inclusion of the recommended amendment of \$250,000, is for a total not-to-exceed amount of \$1,150,000 for basic services and reimbursable expenses.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a “license, permit, or other entitlement for use” if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

SUBJECT TO THE LEVINE ACT

☒ Contract or franchise agreement

CONCLUSION

Magical Bridge All-Inclusive Playground, Project 18-36, and Rengstorff Park Maintenance and Tennis Building Replacement, Project 21-48, provide a new play area with inclusivity for all ages

and physical and cognitive abilities, as well as restroom and storage facilities for Rengstorff Park. The park was opened in January 2025, and a new shade structure element was approved to be added at that time to provide a better user experience. Due to delays in design and permitting, resulting in extended construction duration for both the shade structure and restroom/maintenance building, additional funding is requested to finalize the projects. An amendment to the agreement with TPI is needed, as well as funding for project management and administration, to provide additional resources for the project.

ALTERNATIVES

1. Do not appropriate Park Land funds for the shade structures and buildings and direct staff to identify another funding source.
2. Do not authorize the City Manager or designee to amend the professional services agreement with TPI and direct staff to negotiate a new fee amount.
3. Provide other direction.

PUBLIC NOTICING—Agenda posting.

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PWK/LL/AS-09-23-25CR

Attachment: 1. Park Land Dedication Fund Commitment

cc: APWD—Arango, PCE—Shah, SPM—Rodriguez, PPM—Printy, SMA—Goedicke, SMA—Doan,
Files (18-36, 21-48)