



# CITY OF COSTA MESA

77 Fair Drive  
Costa Mesa, CA 92626

## Agenda Report

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**File #:** 25-626

**Meeting Date:** 1/20/2026

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**TITLE:**

**AWARD OF THE SHALIMAR PARK IMPROVEMENT PROJECT, CITY PROJECT NO. 25-06, AND FINDING OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CATEGORICAL EXEMPTION**

**DEPARTMENT:** PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION  
**PRESENTED BY:** RAJA SETHURAMAN, PUBLIC WORKS DIRECTOR  
**CONTACT INFORMATION:** SEUNG YANG, P.E., CITY ENGINEER (714) 754-5335

**RECOMMENDATION:**

Staff recommends the City Council:

1. Make a finding of California Environmental Quality Act (CEQA) categorical exemption pursuant to CEQA Guidelines section 15301.
2. Adopt plans, specifications, and working details for the Shalimar Park Improvement Project, City Project No. 25-06.
3. Reject the apparent low bid submitted by ACC & Engineering, LLC (ACC), 1130 North Kraemer Boulevard # I, Anaheim, California 92806 as non-responsive.
4. Reject the bid submitted by Earthscapes Landscape, Inc., 603 South Milliken Avenue, Unit J, Ontario, California 91761 as non-responsive.
5. Award a Public Works Agreement (PWA) for construction to the second lowest bidder, Micon Construction, Inc., 1616 Sierra Madre Circle, Placentia, California 92870 in the amount of \$1,296,650 and authorize a ten percent (10%) contingency in the amount of \$129,665 for unforeseen costs related to this project.
6. Authorize the City Manager and the City Clerk to execute the PWA with Micon Construction, Inc., and future amendments to the agreement within Council authorized limits.

**ENVIRONMENTAL DETERMINATION:**

The proposed action is exempt from the California Environmental Quality Act (CEQA). The action involves an organizational or administrative activity of government that will not result in the direct or indirect physical change in the environment. In addition, the proposed action is exempt under section 15301 relating to the operation, repair, maintenance, permitting, and/or minor alteration of existing public facilities.

**BACKGROUND:**

Shalimar Park is located at 782 Shalimar Drive between Wallace Avenue and Placentia Avenue in the Westside neighborhood of Costa Mesa. The park was dedicated in January 1999, and despite its

relatively small, less than half-acre size, it includes a playground featuring elements for young children, trees, a seating area and benches. The park is situated between two apartment complexes and is an essential part of the community that has been identified as deficient in public park amenities. The City Council authorized purchase of the apartment building immediately to the east of Shalimar Park for a future park expansion project that has yet to be determined. The demolition of this building is being implemented under a separate contract.

The proposed improvements to the existing park area will enhance the playground equipment, play area, landscaping, irrigation, lighting, and supporting facilities. At the front of the park, there will be a “bulb-out” expansion into Shalimar Drive, including a new crosswalk.



## **Shalimar Park**

The City received \$1 million in earmarked funds from the State Budget through the office of then State Senator David Min to upgrade and improve the existing park. In addition, City Council allocated additional \$1 million in Capital Improvement Funds through budget process for Shalimar Park improvements.

In 2023, the City secured the services of Pat West, LLC, and City Fabrick to conduct several community outreach meetings for the Shalimar Park improvements. The preliminary park design options were then presented and discussed at the City’s Parks and Community Services (PACS) Commission on August 10, 2023. On January 16, 2024, the City Council awarded Community Works Design Group (CWDG) as the consultant to provide design services for the Shalimar Park improvements.

Additional community engagement, including meetings and surveys, were conducted in early 2024 during the project design phase. Notices were sent to neighboring residents in the surrounding area. A copy of the notice was also posted on the City’s website and various social media platforms. For

those who could not attend the community outreach meetings, a City-sponsored online opinion survey was commissioned to obtain additional input. During its regularly scheduled meeting on August 6, 2024, the City Council approved the proposed design improvements for Shalimar Park.

The project scope of work includes removal of existing site features, followed by construction of new recreational amenities. Improvements include new playground equipment, swings, a multi-use court, a bulb-out feature, and safety surfacing. The project also includes new landscaping, planting, irrigation, and related site improvements necessary to complete the project.

The contractor will be required to complete all of the tasks necessary to perform the scope of work as outlined in the contract documents, plans, and specifications. A copy of the plans, specifications, and working details is available for review in the Office of the City Clerk.

### **ANALYSIS:**

The City Clerk received and opened thirteen (13) bids for this project on October 27, 2025. ACC & Engineering, LLC, was the apparent low bidder with a base bid proposal of \$1,143,477. Micon Construction, Inc., was the apparent second low bidder with a base bid proposal of \$1,296,650 and DD Systems, Inc., was the apparent third low bidder with a bid proposal of \$1,376,703.

### **Rejection of Non-Responsive Bidders**

ACC & Engineering, LLC (ACC), submitted the apparent low bid, with a base bid proposal of \$1,143,477. However, upon review of ACC's bid, staff determined that the bid contained multiple material deficiencies, which rendered it non-responsive. Staff notified ACC of its determination on December 4, 2025 (Attachment 1). The bid was found to be non-responsive due to the following reasons: (1) missing required initials and documents; (2) failure to submit the required Schedule of Values; (3) omission of signed addenda in the bid package; (4) materially unbalanced pricing; (5) insufficient demonstration of qualifications and experience; (6) failure to identify subcontractors for specialized work; and (7) failure to submit the required City of Costa Mesa bidders list.

Based on these material deficiencies, staff determined that ACC's bid does not conform to the City's bid requirements and is therefore disqualified as being non-responsive. As a result, staff recommends that the City Council reject ACC's bid as non-responsive.

The fourth bid submitted by Earthscapes Landscape, Inc., was immediately rejected as non-responsive due to failure to comply with mandatory submittal requirements and failure to submit the original bid bond as required by the bid documents.

### **Selection of Lowest Responsible Bidder**

Micon Construction, Inc. (Micon), submitted the apparent second low bid with a base bid proposal of \$1,296,650. The proposal submitted by Micon includes all the required documents necessary with the bid package and had no irregularities. Therefore, staff recommends that City Council award the

PWA to Micon as the lowest responsive and responsible bidder.

The Engineer's estimate for this project is \$1,319,427, and the average of the bids received for the remaining eleven (11) bidders amounted to \$1,637,431. The bid summary is included as Attachment 2.

The license and references of Micon were checked and staff found them to be in good standing. Micon has successfully completed several comparable parks projects in other cities, such as Madrid Fore Park in Mission Viejo, Hamilton Park in Pomona, and Pacific Drive Park in Fullerton.

Upon City Council award of the PWA (Attachment 3), Micon will furnish the necessary bonds and insurance, which will be approved as to form by Risk Management. After the award and subsequent execution of the agreement, a "Notice to Proceed" will be issued.

Staff requests that City Council award the project to Micon as the lowest responsible bidder.

**ALTERNATIVES:**

The alternative to this Council action would be to reject all bids, re-advertise, and re-bid the construction project. However, staff has determined that re-advertising and re-bidding the project will not result in lower bids and will further delay the project.

**FISCAL REVIEW:**

The amount for the proposed project, inclusive of a ten percent (10%) contingency, is \$1,426,315. Construction Management services for the project will be provided by Interwest, Inc., under a separate contract for approximately \$100,000. The funding for the Shalimar Park Improvement Project is available in the FY 2025-26 Capital Improvement Program budget consisting of State Grant Fund (Fund 231) with an available project budget of \$894,333 and in the Capital Improvement Fund (Fund 401) with an available project budget of \$968,397.

**LEGAL REVIEW:**

The City Attorney's Office has reviewed this agenda report, prepared the PWA, and approves them both as to form.

**CITY COUNCIL GOALS AND PRIORITIES:**

This project works toward achieving the following City Council goals:

- Maintain and Enhance the City's Facilities, Equipment and Technology
- Strengthen the Public's Safety and Improve the Quality of Life

**CONCLUSION:**

Staff recommends the City Council:

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