



Staff Report

Date: July 26, 2016

To: City Council

From: Valerie J. Barone, City Manager

Reviewed by: Victoria Walker, Director of Community and Economic Development

Prepared by: Mark Migliore, Associate Civil Engineer
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(925) 671-3422

Subject: **Considering award of a site construction contract in the amount of \$112,600 to Pleasanton Engineering Contractors, Inc. of Pleasanton for the Ellis Lake Park Restroom Building, Project No. 2351; authorize staff to utilize the available project contingency for contract change orders up to 10% of the amount of site construction contract; authorize the City Manager to execute the contract in a form acceptable to the City Attorney; and approve a related budget transfer. (Measure Q)**

The project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act Guidelines Section 15303 – New Construction or Conversion of Small Structures.

Report in Brief

The Ellis Lake Park Restroom Building Capital Improvement Program (CIP) project (Project No. 2351) includes the installation of a pre-fabricated restroom building at Ellis Lake Park. The restroom building will be constructed between the Keller House and the First 5 building, fronting on Clayton Road. Procurement of the pre-fabricated restroom building was approved by the City Council on May 24, 2016. This proposed construction contract includes site preparation, utility installations and additional site improvements such as walkways around the pre-fabricated restroom building that connect to the existing walkway in the park, and additional fencing along Clayton Road.

City Council Agenda Report

Considering award of site construction contract in the amount of \$112,600 to Pleasanton Engineering Contractors, Inc, of Pleasanton for Ellis Lake Park Restroom Building, Project No. 2351
July 26, 2016

Pleasanton Engineering Contractors, Inc. (Pleasanton Engineering) was the low bidder and submitted a responsive and responsible bid in the total amount of \$112,600 (\$108,600 Base Bid plus \$4,000 Additive Bid.) A budget transfer of \$37,000 is required to fully fund this project.

Recommended Action

Staff recommends that the City Council award the site work construction contract in the amount of \$112,600 (Base bid plus the Additive bid) to Pleasanton Engineering Contractors, Inc. of Pleasanton for the Ellis Lake Park Restroom Building project (Project No. 2351); approve a related budget transfer in the amount of \$37,000; authorize the City Manager to execute the contract subject to approval of the City Attorney; and authorize staff to utilize the available project contingency for contract change orders up to 10% of the amount of the site work construction contract.

Background

The Ellis Lake Park Restroom Building project was approved by the City Council with the adoption of the Fiscal Year 2015-2016 Capital Improvement Program Budget. The project was developed as a result of site assessments and surveys by the Monument Community Park Assessment Committee. The overall project includes the installation of a pre-fabricated restroom building with four individual stalls, including one family bathroom stall and one stall accessible to people with disabilities, an Americans with Disabilities Act (ADA)-compliant drinking fountain, walkways and fencing along Clayton Road. The project involves two construction contracts. The first was for procurement and installation of a pre-fabricated restroom building. The second, the one before Council with this report, is for the site improvement contract.

The procurement and installation contract for the pre-fabricated restroom building was approved by the City Council on May 24, 2016. That contract has been executed and the drawings for the building are in process. Building fabrication will be completed in October and the building is expected to be installed on site in October 2016

The site improvement contract includes site and building pad preparation, bringing utilities to the building pad, and installation of walkways around the perimeter of the building that connect to the existing pathways in the park and installation of fencing along the Clayton Road frontage. Site preparation will begin in late September or early October to accommodate building delivery and installation scheduled in October of 2016. Once the building is installed, the final site work, including concrete walkways and fencing will be completed. The entire project is anticipated to be complete late October/early November 2016.

Procurement Process

Based on the Engineer's Estimate of \$109,545, an informal bidding process was used. The project was described to include a Base Bid for site and building pad preparation, bringing utilities to the building pad, and installation of walkways around the perimeter of the building that connect to the existing pathways in the park. Additionally there was a bid Additive for installation of 70 feet of fencing along the Clayton Road frontage.

The site improvement plans and specifications were provided to three prospective contractors, as well as placed on the City's website to solicit quotes. Two quotes were received on June 23, 2016, ranging from \$112,600 to \$133,252 for the total bid, as shown on Attachment 2. Pleasanton Engineering was the low bidder who submitted a responsive and responsible bid in the total amount of \$112,600 (\$104,600 Base Bid plus \$4,000 Additive Bid). The determination of the low bidder was based on the total bid, including the additive bid. The low bid of \$112,600 is approximately 3% higher than the Engineer's estimate and is considered reasonable. Staff contacted the low bidder to obtain confirmation of their bid amount. Pleasanton Engineering confirmed that they are comfortable with their bid and ready to perform their work as bid. Additionally, Pleasanton Engineering possesses the proper and valid contractor's license, is not on any debarred list, is registered with the Department of Industrial Relations, has provided satisfactory references, and has successfully completed similar projects.

Environmental Review

At the May 24, 2016 meeting, the City Council found that the project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act Regulations Section 15303 – New Construction or Conversion of Small Structures. That finding included and applies to this aspect of the project. A Notice of Exemption will be filed with the County Clerk's office subsequent to the Council award of contract.

Financial Impact

The current budget for the overall project is \$365,000 and is funded with Measure Q Capital Improvement funds. At the May 24, 2016 meeting, staff advised the Council that though there were sufficient funds for the restroom building procurement contract, additional funds would be needed to complete the project, and that staff would request an additional allocation at the time of award of the site improvement contract.

After accounting for the cost of the project design and administration and the previously approved restroom building procurement contract the available budget of \$130,000. To fully fund award of this contract, provide a 10% construction contingency, cover construction management, inspection and testing services, and staff oversight, a total of \$167,000 is required. An additional \$37,000 is required to fully fund this contract award. These funds are available in Fund 401 (Measure Q CIP) fund balance.

City Council Agenda Report

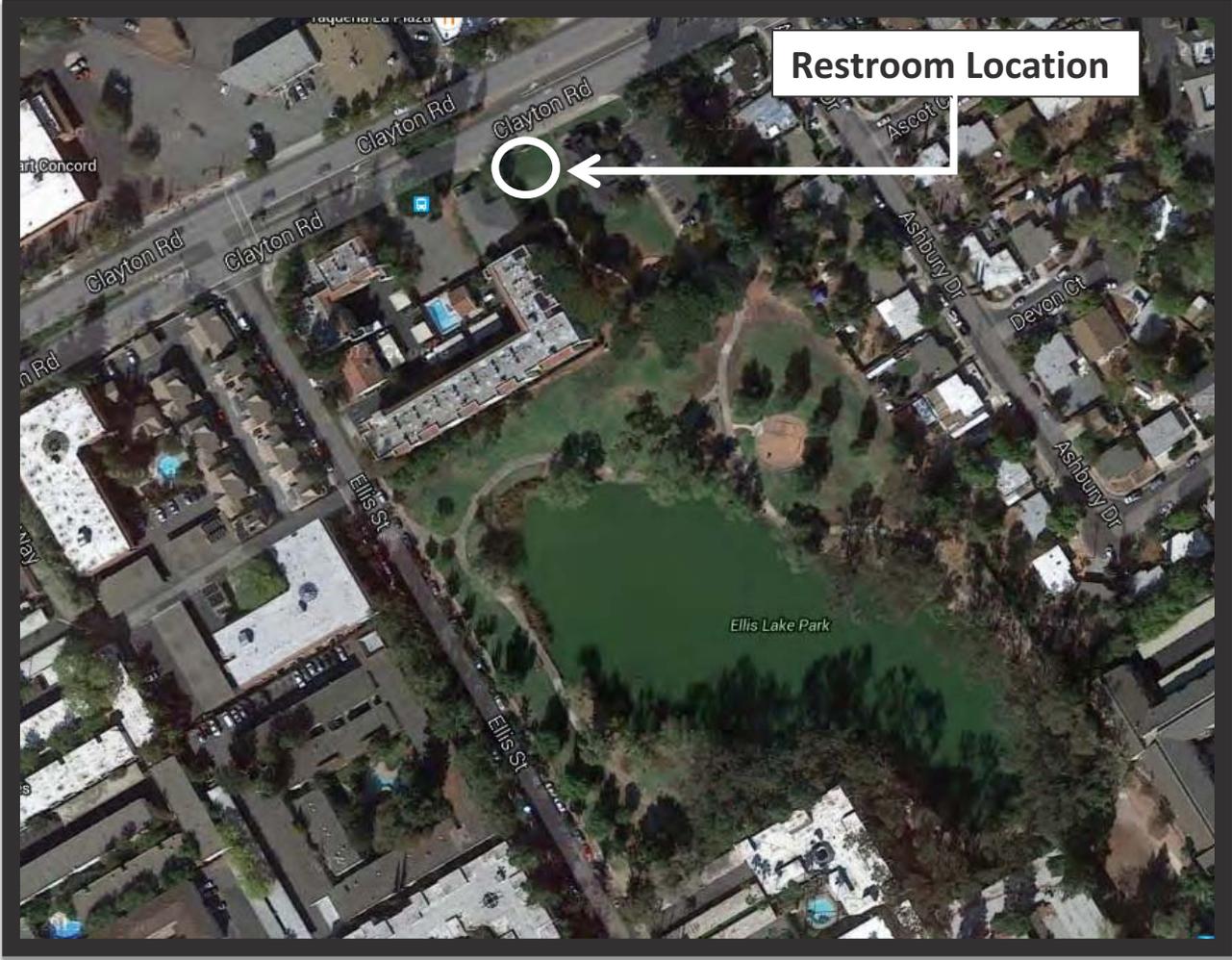
Considering award of site construction contract in the amount of \$112,600 to Pleasanton Engineering Contractors, Inc, of Pleasanton for Ellis Lake Park Restroom Building, Project No. 2351
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Public Contact

The City Council Agenda was posted.

Attachments

1. Location Map
2. Construction Quotes, June 23, 2016



LOCATION MAP
PROJECT NO. 2351
ELLIS LAKE PARK RESTROOM BUILDING
NO SCALE



PURCHASING DIVISION – FINANCE DEPARTMENT* CITY OF CONCORD (COC)
1950 Parkside Drive, MS/07 * (925)671-3178 / (925)676-2290 FAX

INTEROFFICE MEMORANDUM

Date: June 23, 2016
To: Mark Migliore, Associate Civil Engineer
CC: Robert Ovadia, City Engineer
From: Debbie Wellnitz, Purchasing Manager
Subject: Review Memo for Request For Quote (RFQ)# PJ 2351 Ellis Lake Park Restroom Building (Sitework)

This correspondence is to advise you that I have completed the administrative review for the above RFQ and the apparent lowest, responsive, and responsible bidder is **Pleasanton Engineering Contractors Inc., Pleasanton, CA.**

The City issued a 'Request For Quote' notice in accordance with the COC Procurement Policy on 6/8/16 with an optional Pre-Bid Conference held on 6/14/16. Deadline for bids were due 6/23/16 by 2:00 PM.

The Notice to Bid was published on the City's website via Public Purchase System(which includes thousands of registered vendors), posted in the glass box outside of the Finance building, sent to the Concord Chamber of Commerce, and to a list of builders exchange companies. There was one company in attendance at the Pre-Bid Conference/ Walk-Through as this conference was optional. **Two (2) companies** submitted a bid by the above deadline. The following table is the results from the bid opening:

	Bidder's Name <i>(order by lowest bidder-evaluated)</i>	Bid Amount
1	Pleasanton Engineering Contractors, Inc. Pleasanton, CA 94566	\$ 112,600.00
2	McNabb Construction, Inc. Lafayette, CA 94549	\$ 133,252.00

The bid tabulation is typically posted on the website shortly after the bid opening. Each bid submittal has been reviewed for completeness, accuracy, and meeting requirements including applicable information such as debarment/suspension check, labor compliance requirements, and other pertinent information as part of the 'Administrative Checklist' are summarized below for the bid submittals. *(Minor informalities shall be rectified with the bidder(s) if applicable.)*

Lowest Bidder Information:

Information for the following if applicable if the lowest bidder is selected: PWC-100 form to DIR online, preparing contract, etc.

DIR Contractor Registration #	1000004222
CSLB#	521275
Licenses	A, B
Prevailing Wage Classification(s)	See Bid Specifications in Appendix A – Wages (Page 201)
Bid Bond	Submitted 10% Bid Bond Surety Form as required
Performance/Payment Bond Required	Yes (to be submitted prior to commencement of work)

Bid Submittals:

Review Memo- RFQ# PJ 2351 Ellis Lake Park Restroom Building (Sitework)

You may review the copy of the bid submittal(s) attached and/or by request to the Purchasing Division. Electronic copies may also be filed electronically in the P:Drive/Purchasing Division/RFB Submissions folder. The bid submittals may be subject to your technical or further evaluation. If costs do not meet budgetary requirements and/or are far from the Project Manager's cost estimate, the bid may be reissued at the Project Manager's discretion.

If applicable and a bid bond was submitted, any bid bond in the form of a cashier's check will be held in the City Clerk's office until authorized for release.

Should you decide to reject all bids, please see the following procedure per City of Concord's Municipal Code, Title 3, Chapter 3.10:

12) *Rejection of bids; re-solicitation; use of city employees.* If the city intends to reject all bids, all bidders must be mailed a written notice of the City's intent to reject all bids at least two (2) business days prior to the hearing at which the bids will be considered.

After rejecting the bids, the city may:

- a. Abandon the project;
- b. Re-advertise the project; or
- c. Perform the work with city employees, after adoption of a Resolution by a four-fifths (4/5) majority vote of the City Council declaring that the project can be performed more economically by city employees.

PO/Contract:

Upon your review and decision on the selected bid based on 'best value' for the City, the awarded contractor may be notified for any additional, applicable requirements and documentation including but not limited to a signed contract, current business license, insurance requirements, and bonds.

A requisition must be submitted in Lawson for the selected Vendor by your Department with the appropriate approval process. Please make sure you provide the following required documents/information when submitting the requisition:

- ✓ Prepare the **contract** (if applicable) and route through City Clerk's office for authorized signatures.
- ✓ Please reference the above **BID #** and indicate the **Contract Terms** on the requisition.
- ✓ If the vendor is not in Lawson system, we will need to obtain a W-9 in order to set them up with a Vendor #.
- ✓ If work will be done on City premises or if you and/or City Attorney determines the need for insurance, please obtain **insurance certificates** per the City's Insurance Requirements. (see *P:Drive/Purchasing Division/Procurement Handbook-Documents and Forms*)
- ✓ If City Council approval is required (>\$50K), please provide Council approval date. (*If you have the budget for a **multi-year contract**, for instance, a one-year contract in the amount of \$20K/year with 4 one-year renewal, then the total amount of \$100K (\$20K x 5 years) will need Council approval.*)
- ✓ **DIR and Prevailing Wage Requirements** Information: (DIR=Department of Industrial Relations) Be sure to obtain the selected Contractor's DIR Contractor Registration #, CSLB# (California State License Board), and Prevailing Wage Classification, etc. and submit the PWC-100 form to DIR online. (See *'Instructions for All Project Managers Responsible for Prevailing Wage-Public Works Projects'* in the *P:Drive/Purchasing Division/Procurement Handbook-Documents and Forms*)

A Purchase Order (PO)# shall be issued after all required documents are submitted and you may inform the awarded contractor with a 'Notice to Proceed' for commencement of work along with a copy of the PO.

For your information: Purchasing does not distribute POs to vendor(s) since departments know the best & appropriate time to issue to vendors. Please make sure vendors get a copy of the PO (as the terms & conditions are included in the PO) and remind vendors to reference the PO# on all invoices. (Upon request for Purchasing to send PO to vendor, you must provide Purchasing with the contact name and email address.)

Please contact me for any questions and provide status of your review progress at 925-671-3219 or debbie.wellnitz@cityofconcord.org. Thank you.