

# Agenda Report

TO: CITY COUNCIL

DATE: January 9, 2006

THROUGH: FINANCE COMMITTEE

FROM: CITY MANAGER

SUBJECT: CONTRACT AWARD TO LMT ENTERPRISES, INC. DBA TYNER PAVING COMPANY FOR SIDEWALK REPAIR AT CITY OWNED PARKING STRUCTURES AND OTHER LOCATIONS FOR AN AMOUNT NOT TO EXCEED \$100,000

## **RECOMMENDATION**

It is recommended that the City Council:

1. Accept the bid dated December 7, 2005 submitted by LMT Enterprises, Inc. dba Tyner Paving Company, in response to the Specifications for Sidewalk Repair at City Owned Parking Structures and Other Locations, reject all other bids received and authorize the City Manager to enter into such contract as required.
2. Acknowledge the project to be categorically exempt under Section 21084 of the California Environmental Quality Act (CEQA) in accordance with Article 19, Section 15301 (Class 1), subsection (c) of the Resources Agency of California Guidelines (repair of existing public streets) pursuant to the findings of the Secretary of the Resources Agency and authorize the City Manager to execute and the City Clerk to file a Notice of Exemption for the project with the Los Angeles County Clerk.
3. Approve a journal voucher appropriating \$40,113.00 from the unencumbered Street Occupancy Rental Charges to Budget Account No. 73601, Sidewalk Improvements along City Owned Parking Structures.
4. Approve a journal voucher recognizing private capital in the amount of \$19,888.00 and appropriating it to Budget Account No. 73580, Preventive Maintenance – Asphalt Streets.

## **BACKGROUND**

The project consists of repair of damaged sidewalk around two City owned parking structures at 155 E. Green Street and 400 E. Green Street and various citywide locations by request from property owners. Thirteen (13) property owners have paid for sidewalk repairs along their frontages.

A finding of compliance with the General Plan was previously made and is shown on page 2.24 of the FY 2006-2010 Capital Improvement Program.

Under the State Guidelines for the Implementation of the California Environmental Quality Act (CEQA), this project is categorically exempt since the work consists of the maintenance of existing public streets. Therefore, it is recommended that a Notice of Exemption be filed with the Los Angeles County Clerk.

Plans and Specifications for the subject project were prepared by the Department of Public Works.

This project was advertised in The Journal Newspapers on November 11, 2005. In addition, the Notice Inviting Bids was published in three trade publications. Bid packets were obtained by eleven contractors, four of whom submitted bids for the project.

In accordance with Pasadena Municipal Code 4.08.070, bids have been requested and received.

Following advertisement, bids were received on December 7, 2005, and are as follows:

<u>Bidder</u>	<u>Amount</u>
1. LMT Enterprises, Inc. dba Tyner Paving Company, Los Angeles, CA	\$ 88,325.00
2. H. H. Construction, Simi Valley, CA	\$ 96,750.00
3. Dalaj International, Los Angeles, CA	\$109,900.00
4. E. C. Construction, South El Monte, CA	\$118,425.05

The lowest bid received was 9.1% higher than the Engineer's Estimate of \$80,950.

It is recommended that LMT Enterprises, Inc. dba Tyner Paving Company be awarded the contract for this project as they are the lowest responsive and responsible bidder. The proposed contract with LMT Enterprises, Inc. dba Tyner Paving Company fully complies with the Competitive Bidding and Living Wage Ordinances. The Contractor has indicated that the award of this contract will result in no new hires to his present workforce.

The contract for this project will be set as follows:

Base Bid	\$ 88,325
Contingencies	<u>11,675</u>
CONTRACT NOT TO EXCEED	\$100,000

It is anticipated that construction will begin in February 2006 and be completed in March 2006.

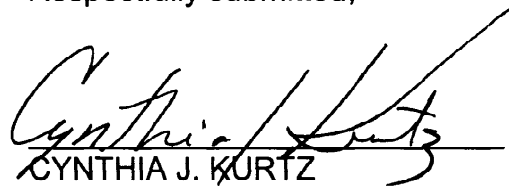
Funds from property owners in the amount of \$19,888.00 were received to reconstruct sidewalks. These funds were placed in Budget Account No. 73580. It is necessary that a journal voucher be approved recognizing these funds and appropriating them to Budget Account 73580 (Preventive Maintenance of Asphalt Streets).

It is necessary to appropriate \$40,113.00 in additional funding because construction materials costs have increased significantly since budgeting estimates were done.

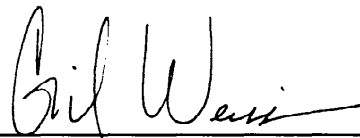
**FISCAL IMPACT**

Upon approval of the recommended journal vouchers, funds for this project are available in Budget Account 73601 (Sidewalk Improvements along City Owned Parking Structures) and Budget Account 73580 (Preventive Maintenance of Asphalt Streets).

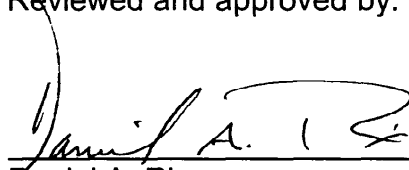
Respectfully submitted,

  
CYNTHIA J. KURTZ  
City Manager

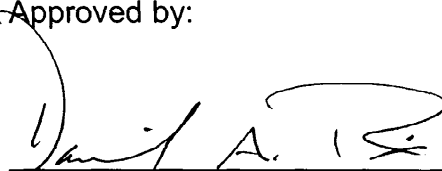
Prepared by:

  
\_\_\_\_\_  
Gil Weiss  
Principal Engineer

Reviewed and approved by:

  
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Daniel A. Rix  
City Engineer

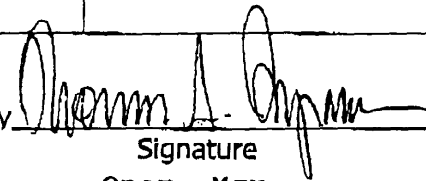
Approved by:

  
\_\_\_\_\_  
Martin Pastucha, Director  
Department of Public Works

**Disclosure Pursuant to the  
City of Pasadena Taxpayer Protection Amendment of 2000  
Pasadena City Charter, Article XVII**

Contractor hereby discloses its trustees, directors, partners, officers, and those with more than a 10% equity, participation, or revenue interest in Contractor, as follows:

Contractor Name: L. M. T. Enterprises, Inc. dba Tyner Paving Company		
Trustees, directors, partners, officers of Contractor: (use additional sheets as necessary)		
Craig L. Thomas	President	
Rick Quinn	Vice Pres./Secty.	
Those with more than a 10% equity, participation or revenue interest in Contractor: (use additional sheets as necessary)		
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By  \_\_\_\_\_  
 Signature  
 Oper. Mgr.  
 Title (please print)