



Agenda Report

July 23, 2018

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: CONTRACT AWARD TO DM CONTRACTING, INC. FOR ANNUAL ADA SIDEWALK IMPROVEMENT PROGRAM – FY 2018 AND 2019 FOR AN AMOUNT NOT TO EXCEED \$940,000

RECOMMENDATION:

It is recommended that the City Council:

1. Find the project proposed herein to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination and that there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances; and
2. i) Accept the bid dated July 12, 2018 submitted by DM Contracting, Inc. in response to the plans and specifications for Annual ADA Sidewalk Improvement Program – FY 2018 and 2019; ii) reject all other bids; and iii) and authorize the City Manager to enter into a contract not to exceed \$940,000 which includes the base contract amount of \$854,300 and a contingency of \$85,700 to provide for any necessary change orders.

BACKGROUND:

Section 12.04 of the Pasadena Municipal Code states that repair of damaged sidewalk is the adjacent property owner's responsibility. Currently, this ordinance is triggered when a building permit valued over \$20,000 is obtained or when a property sale requires an occupancy inspection. Property owners may hire a contractor to repair existing damage with a Public Works permit, or pay funds to the City to program the repair into one of the City's annual concrete repair contracts.

In April 2015, the Municipal Services Committee (MSC) approved a new "Citywide Sidewalk Improvement Program" to address the approximately 1.1 million square feet of damaged sidewalk throughout the City, which was estimated to cost \$17 million to

repair. At that meeting, staff was requested to create a new Capital Improvement Program (CIP) project, pursue funding and work with the Accessibility and Disability Commission to establish a sidewalk repair priority criteria.

The following priority criteria was established in partnership with the Accessibility and Disability Commission and presented to City Council during the adoption of the FY 2016 CIP: high traffic volume streets; severe vertical rise of the sidewalk; high pedestrian volume areas; and ADA verified complaints received.

The Citywide Sidewalk Improvement Program also contains Community Development Block Grant (CDBG) funds, when available, for sidewalk repairs to be completed by City Maintenance Assistance and Services to Homeowners (MASH) crews. For FY 2019, \$400,000 in CDBG funds have been allocated for sidewalk repairs in Northwest Pasadena. Construction on the CDBG project will begin in August 2018.

Since the Citywide Sidewalk Improvement Program was implemented in FY 2016, 430,000 square feet of sidewalk repairs have been conducted. The contract proposes sidewalk repair at various locations throughout the City (see Attachment A), consisting of approximately 95,000 square feet of repairs. A finding of compliance with the General Plan was previously made and is shown on page 2.2 of the FY 2019 Capital Improvement Program, *Annual ADA Sidewalk Improvement Program*.

The Department of Public Works prepared plans and specifications for the project and in accordance with Section 4.08.070 of the Pasadena Municipal Code, bids were requested and received. The project was advertised in the *Pasadena Journal* on June 21, 2018. In addition, the Notice Inviting Bids was published in two trade publications and listed on the City's website, which generated notices to 20 local vendors. 43 contractors obtained bid packets, 12 of whom submitted bids for the project.

Following advertising, bids were received on July 12, 2018, and are as follows:

Bidder	Amount (\$)
1. DM Contracting, Inc., Colton	\$ 854,300
2. CEM Construction Corp, Downey	\$ 879,750
3. United Irrigation, Inc. dba United GLI, Carlsbad	\$ 907,450
4. All Cities Engineering, Inc., Jurupa Valley	\$ 916,525
5. FS Contractors, Inc., Sylmar	\$ 974,200
6. VART Construction Inc., Glendale	\$ 983,815
7. Gentry General Engineering Inc., Rancho Cucamonga	\$1,101,160
8. Hardy & Harper, Inc., Santa Ana	\$1,234,000
9. Toro Enterprises, Inc., Oxnard	\$1,245,610
10. DOD Construction, Bakersfield	\$1,534,750
11. Aramexx Group Inc., Claremont	\$1,617,022
12. YAKAR, Covina	Non-Responsive

Engineer's Estimate \$ 934,190

The lowest bid received was nine percent lower than the Engineer's Estimate of \$934,190. The Engineer's Estimate was in line with the average of the three lowest bidders.

It is recommended that DM Contracting, Inc. be awarded the contract for this project as they are the lowest responsive and responsible bidder. The proposed contract with DM Contracting, Inc. fully complies with the Competitive Bidding and Living Wage Ordinances. In addition, the proposed contract fully complies with the Prevailing Wage Law (Senate Bill 7) per Resolution 9406 adopted by the City Council on December 15, 2014. The contractor has indicated that the award of this contract will result in zero new hires to the present workforce. A Local Hiring Provision to notify the labor unions of the goal to employ qualified Pasadena residents for 75 percent of new labor work hours on the project was included in the project specifications.

DM Contracting, Inc. has one previous contract with the City of Pasadena, for Miscellaneous Concrete Repair - 2017 project totaling \$273,000. Staff has confirmed that the contractor's license and Department of Industrial Relations status is in good standing.

The contract for this project will be set as follows:

Base Bid	\$854,300
Contingency Allowance	<u>\$ 85,700</u>
Contract "Not to Exceed" Amount	\$940,000

It is anticipated that construction will begin in August 2018 and be completed in January 2019.

COUNCIL POLICY CONSIDERATION:

The project is consistent with the City Council's goals to improve, maintain and enhance public facilities and infrastructure, and improve mobility and accessibility throughout the City. It also supports the Public Facilities Element of the General Plan by maintaining public facilities to enhance the quality of life of the community.

ENVIRONMENTAL ANALYSIS:

The City's Environmental Administrator recommends that the City Council determine the proposed project to be exempt under CEQA in accordance with Title 14, Chapter 3, Class 1, Section 15301, minor alterations of existing public facilities involving negligible or no expansion of use beyond that existing at the time of lead agency's determination. There are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances.

FISCAL IMPACT:

The cost of this contract is \$940,000 and the total cost of this action will be \$1,000,000. Funding for this action will be addressed by the utilization of existing budgeted appropriations in the Annual ADA Sidewalk Improvement Program (Budget Account 73913) CIP project. It is anticipated that all of the cost will be spent in FY 2019.

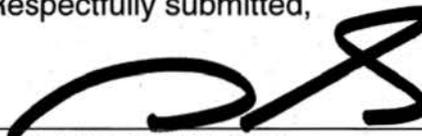
The following table represents a summary of the sources of funds that will be used.

Annual ADA Sidewalk Improvement Program (Budget Account 73913)	\$ 1,000,000
Total Sources	\$ 1,000,000

The following table represents a project summary.

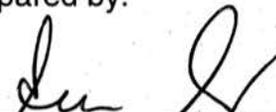
Base Bid	\$ 854,300
Contingency	\$ 85,700
Contract Administration	\$ 60,000
Total Fiscal Impact	\$ 1,000,000

Respectfully submitted,



ARA MALOYAN, P.E.
Director of Public Works

Prepared by:



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Approved by:



STEVE MERMELL
City Manager