

# Agenda Report

July 22, 2019

**TO:** Honorable Mayor and City Council  
**FROM:** Department of Public Works  
**SUBJECT: CONTRACT AWARD TO UNITED IRRIGATION, INCORPORATED FOR BERKSHIRE CREEK AREA IMPROVEMENTS FOR AN AMOUNT NOT TO EXCEED \$1,300,000**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the mitigated negative declaration reflects the lead agency's independent judgment and analysis; and, therefore adopt a Mitigated Negative Declaration for the Berkshire Creek Area Improvements Project pursuant to the California Environmental Quality Act, and adopt a Mitigation Monitoring and Reporting Program; and
2. i) Accept the bid dated July 16, 2019, submitted by United Irrigation, Incorporated in response to the project Plans and Specifications for the Berkshire Creek Area Improvements; ii) reject all other bids; and iii) authorize the City Manager to enter into a contract for an amount not to exceed \$1,300,000 which includes the base contract amount of \$1,149,805 and a contingency of \$150,195 to provide for any necessary change orders.

## **BACKGROUND:**

The project consists of improvements to Berkshire Creek and adjacent park areas in the southwestern portion of Hahamongna Watershed Park. It will restore a degraded and eroded stream channel and improve approximately 4.7 acres of native habitat. The project will construct a storm water diversion structure which will direct low level flows from an existing 60-inch storm drain outlet to a naturalized stream channel and divert higher flows to a subterranean storm drain. The two flows will then recombine just prior to entering the Devil's Gate Reservoir located just to the east of the Berkshire Creek Project limits. In addition, a timber pedestrian/equestrian bridge will be constructed, replacing an existing "in-stream" culvert crossing; and, native stands of riparian oak woodland and coastal sage scrub habitats, 4.7 acres in total, will be restored.

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This project will be partially funded with a Prop 84 – Urban Streams Restoration Program Grant for which the Arroyo Seco Foundation is a project partner. As a partner, the Foundation will be growing and providing many of the 1,032 native container plants, 42 Oaks, and 5 Western Sycamores that will be planted as part of the project. In addition, they will provide several community events including a Project Completion Celebration, ASF led project tours, and Volunteer events where participants will assist in the maintenance of the restored areas.

A finding of compliance with the General Plan was previously made and is shown on page 11.3 of the Adopted FY 2019 Capital Improvement Program (CIP).

The Department of Public Works prepared plans and specifications for this project. 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 13 and 20, 2019. In addition, the Notice Inviting Bids was published in two trade publications and published on the City's website, which generated notices to 135 local vendors. Bid packets were obtained by 126 contractors, nine of whom submitted bids for the project.

Following advertising, bids were received on July 16, 2019, and are as follows:

Bidder	Amount (\$)
1. United Irrigation, Inc., Carlsbad	\$ 1,149,805.00
2. Wright Construction Engineering Corp., San Marcos	\$ 1,375,000.00
3. United Engineering & Construction, Glendale	\$ 1,617,899.00
4. ARC Engineering & Construction, La Crescenta	\$ 1,671,722.00
5. Griffith Company, Santa Fe Springs	\$ 1,689,589.00
6. CPO Enterprises, Covina	\$ 1,697,974.00
7. Aramexx Group, Claremont	\$ 1,802,000.00
8. Leonida Builders, Inc., Santa Clarita	\$ 2,001,570.39
9. Lee Construction Company, Simi Valley	\$ 2,117,043.00
Engineer's Estimate	\$1, 200,000

The lowest bid received was 4.1 percent lower than the Engineer's Estimate of \$1,200,000 which was based on past bids received.

It is recommended that United Irrigation, Inc. be awarded the contract for this project as they are the lowest responsive and responsible bidder. The proposed contract with United Irrigation, Inc. fully complies with the Competitive Bidding and Living Wage Ordinances. In addition, the proposed contract with United Irrigation, Inc. 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 no new hires to its 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.

United Irrigation, Inc. has a contract totaling approximately \$464,000 on City's Miscellaneous Concrete Improvements, FY 2019 project which is currently in construction phase. 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 up as follows:

Base Bid	\$ 1,149,805
Contingency Allowance	\$ 150,195
Contract "Not to Exceed" Amount	\$ 1,300,000

It is anticipated that construction will begin in September 2019 and be completed in December 2019.

**COUNCIL POLICY CONSIDERATION:**

This project is consistent with the City Council's goals to improve, maintain and enhance public facilities and infrastructure, and to 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:**

In accordance with the requirements of the California Environmental Quality Act (CEQA), an Initial Environmental Study ("Initial Study") was prepared in order to identify and analyze the project's potential impacts on the environment. The Initial Study considered 20 environmental topics to comprehensively evaluate the project's potential environmental impacts. Based on the analysis in the Initial Study, the only potentially significant impacts were found to be in the areas of Biological Resources, Cultural Resources, and Tribal Cultural Resources, and all of the potentially significant impacts would be reduced to a less than significant level because mitigation measures will be incorporated into the project. A Mitigated Negative Declaration (Attachment A) and Mitigation Monitoring and Reporting Program (Attachment B) have, therefore, been prepared for the project.

A Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration was published for the Project, which established a public review period from May 28, 2019 to June 26, 2019. The NOI was posted at the Los Angeles County Clerk's office and was sent to owners/occupants of surrounding properties and interested agencies, organizations, and individuals. During the public review period, the Initial Study and proposed Mitigated Negative Declaration were available for review on the City's environmental notices webpage at [ww5.cityofpasadena.net/planning/category/environmental-notices/](http://ww5.cityofpasadena.net/planning/category/environmental-notices/). Printed copies of the documents were also available at the City of Pasadena Permit Center and at the City's Linda Vista Branch Library.

Nine comment letters were received on the Initial Study and proposed Mitigated Negative Declaration. The comment letters and corresponding responses are provided herein (Attachment C).

On the basis of the whole record, including but not limited to the project's Initial Study and responses to comments, there is no substantial evidence that the project could have a significant effect on the environment after the implementation of mitigation measures. Therefore, staff recommends that the City Council adopt a Mitigated Negative Declaration and corresponding Mitigation Monitoring and Reporting Program for the project.


**FISCAL IMPACT:**

The cost of this contract is \$1,300,000 and the total cost of this action will be \$1,375,000. Funding for this action will be addressed by the utilization of existing appropriations in the Implement Master Plan – Hahamongna Watershed Park – Berkshire Creek Area Improvements CIP project (budget account 77509). It is anticipated that all of the cost will be spent in FY 2020.


The following table represents a contract summary.

Base Bid	\$ 1,149,805
Contingency Allowance	\$ 150,195
Contract Administration/Inspection	\$ 75,000
<b>Total Fiscal Impact</b>	<b>\$ 1,375,000</b>

Respectfully submitted,

  
for ARA MALOYAN, P.E.  
Director of Public Works

Prepared by:

  
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Approved by:

  
STEVE MERMELL  
City Manager

Attachment A – Initial Study and Mitigated Negative Declaration  
Attachment B – Mitigation Monitoring and Reporting Program  
Attachment C – Public Comment Letters and Corresponding City Responses