



Agenda Report

May 13, 2019

TO: Honorable Mayor and City Council
FROM: Department of Public Works
SUBJECT: CONTRACT AWARD TO VART CONSTRUCTION INC. FOR ON-CALL ARTWORK INSTALLATION AND CONSTRUCTION SERVICES FOR AN AMOUNT NOT TO EXCEED \$250,000

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, Article 19, Section 15301, Class 1, 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 April 23, 2019, submitted by Vart Construction Inc. in response to the Project Plans and Specifications for the On-Call Artwork Installation and Construction Services Project, ii) reject all other bids received April 23, 2019, and iii) authorize the City Manager to enter into a contract for an amount not to exceed \$150,000 for a three-year term, with two optional one-year extensions for an amount not to exceed \$50,000 per year, for an a maximum contract amount not to exceed \$250,000.

BACKGROUND:

In 2011, the Department of Planning and Community Development, Cultural Affairs Division launched the Rotating Public Art Exhibition Program (Program) to establish an outdoor exhibition that enlivens the urban landscape and produces dynamic visual experiences for residents and visitors. In addition, the Program seeks to expand the context for experiencing public art in Pasadena, create more opportunities for artists working in the public realm, provide a draw for cultural tourists, and stimulate discourse about public art.

After successfully installing a total of 26 artworks during Phases I, II, and III, the Program continues to build momentum with Phase IV and its upcoming addition of seven new sites to be installed throughout Fiscal Year (FY) 2020, one in each Council District. It is also anticipated that in subsequent fiscal years, 15 of the Program's existing artworks will be de-installed and 15 new artworks will be installed under Phase V of the Program.

The Department of Planning and Community Development, Cultural Affairs Division, is seeking a qualified On-Call Artwork Installation and Construction Services contractor to provide construction services on an as-needed basis for the City's ongoing Rotating Public Art Exhibition Program. The maximum five-year on-call contract serves to assist the Cultural Affairs Division in efficiently installing and de-installing artworks throughout the upcoming phases of the Program as they are identified. Contractor services are also maintained in cases of emergency where an existing concrete foundation is damaged and needs repair or an artwork component requires conservation/repair off-site and involves immediate de-installation to preserve the loaned artwork. The scope of work may include, but is not limited to, site preparation, concrete and electrical work, art handling and installation, repair work, and traffic control.

The Department of Public Works prepared plans and specifications in coordination with staff from the Department of Planning and Community Development, Cultural Affairs Division, for the subject contract. In accordance with Section 4.08.070 of the Pasadena Municipal Code, bids were requested and received. The contract was advertised in the *Pasadena Journal* on March 28, 2019. In addition, the Notice Inviting Bids was published in 11 trade publications and listed on the City's website, which generated notices to 1665 vendors. 34 vendors obtained bid packets, and three prime contractors submitted bids for the project. One bid was found non-responsive.

Following advertising, bids were opened on April 23, 2019 and are as follows:

<u>Bidder</u>	<u>Amount</u>
1. Vart Construction Inc., Glendale	\$ 109,580
2. G2K Construction, Inc., Agoura Hills	\$ 550,960

The formal bid specifications contained a sample project representing likely scope of work encountered for artwork installation. However, the not-to-exceed amount reflects the total anticipated expenditures for the maximum five-year term of the contract.

It is recommended that the City enter into a contract with Vart Construction Inc. for an amount not to exceed \$150,000 for a period of three years, with two optional one-year extensions for an amount not to exceed \$50,000 per year, totaling \$250,000 for a maximum five-year term of the contract. The proposed contract with Vart Construction 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 14, 2014. The contractor has indicated that the award of this contract will result in no new hires to the present work force. A Local Hiring Provision to notify the labor unions of the goal to

employ qualified Pasadena residents for 75 percent of the new labor work hours on the project was included in the project specifications.

The City of Pasadena has awarded five contracts and two purchase orders to Vart Construction Inc. since 2015 for a total of \$3,050,650, including the Citywide Sidewalk Improvements - 2017 Project, Drainage Improvements of Flat Streets 2016-2017 Project, and Old Pasadena Management District Tree Grate and Frame Replacement Project.

COUNCIL POLICY CONSIDERATION:

The project is consistent with the City Council's goal to improve, maintain and enhance public facilities and infrastructure.

ENVIRONMENTAL ANALYSIS:

This project has been determined to be categorically exempt from environmental review pursuant to the guidelines of the CEQA (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15301, Class 1, Existing Facilities). Class 1 exempts from environmental review small additions, expansions or alterations to existing structures where there is negligible or no expansion of the use. There are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances.

FISCAL IMPACT:

The maximum cost of this contract is \$250,000 for a maximum five-year term, if both one-year contract extensions are exercised. Funding for this action will be addressed by the utilization of budgeted appropriations in the *Rotating Public Art Exhibition Program* (budget account 98234). Funding availability for each task order/project will be evaluated on an as-needed basis. It is anticipated that all the costs will be spent in FY 2019 through FY 2024. To date, the total expenditures of the Program are \$325,941.

The following table represents a contract summary:

Contract Expenditures	Not-to-Exceed Amount
First three-year contract term	\$150,000
Two optional one-year extensions	\$100,000
Maximum five-year term	\$250,000

Respectfully submitted,



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