



# Agenda Report

October 28, 2019

**TO:** Honorable Mayor and City Council

**THROUGH:** Finance Committee

**FROM:** Department of Public Works

**SUBJECT: CONTRACT AWARD TO CYBERTECH CONSTRUCTION COMPANY, INC. FOR RESTROOM REPLACEMENT AT VICTORY PARK FOR AN AMOUNT NOT TO EXCEED \$1,500,000 AND AMENDMENTS TO THE FISCAL YEAR 2020 CAPITAL IMPROVEMENT PROGRAM BUDGET**

## **RECOMMENDATION:**

It is recommended that the City Council:

1. Find the contract 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 – *Existing Facilities*, and Section 15303, Class 3 – *New Construction or Conversion of Small Structures*, 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. Amend the Fiscal Year 2020 Capital Improvement Program Budget by appropriating \$140,000 in Residential Impact Fees to the *Parking Lot Improvements at City Facilities* (71909) project; and
3. i) Accept the bid dated August 20, 2019, submitted by Cybertech Construction Company, Inc. in response to the Project Plans and Specifications for the Restroom Replacement at Victory Park Project, ii) reject all other bids received August 20, 2019, and iii) authorize the City Manager to enter into such contract for an amount not to exceed \$1,500,000 which includes the base contract amount of \$1,345,777 and a contingency of \$154,223 to provide for any necessary change orders.

## **BACKGROUND:**

Victory Park is a 26.3-acre park located at 2575 Paloma Street. The park contains a recreation center, playgrounds, sports fields, surface parking, and a freestanding restroom/concessions building. The existing 625-square-foot restroom constructed in 1996 is heavily used, undersized, and has reached the end of its functional purpose and

now requires replacement in order to adequately serve the public. Victory Park restroom is the last remaining structure of ten park facilities in the Restroom Buildings (Replace or Construct) Capital Improvement Program.

The scope of work for this contract includes demolishing the existing park restroom and constructing a new 1,386-square-foot restroom building. The new restroom facility provides six additional bathroom stalls for a total of nine, two additional urinals for a total of three, and four additional sinks for a total of six. In addition, a concessions room and a meeting room for City staff will be included in the building. The scope also includes constructing a new 530-square-foot accessory structure that provides an electrical closet, equipment and storage room for Parks and Natural Resources maintenance staff, and a storage room for Human Services and Recreation staff. The park's 83,900-square-foot surface parking lot will receive a grind and overlay of asphalt concrete pavement, striping, installation of concrete curbs, and new ADA signage. Site improvements including concrete walkways and minor landscaping are also included.

A finding of compliance with the General Plan was previously made and is shown in the Fiscal Year (FY) 2020 - 2024 Capital Improvement Program (CIP) on page 8.6 – *Restroom Bldgs (Replace or Construct) – Jefferson, McDonald, Allendale, Victory, Grant, Villa, Singer, Eaton-Blanche, Memorial, Hamilton Parks* and on page 1.6 – *Parking Lot Improvements at City Facilities*.

The Department of Public Works prepared plans and specifications in coordination with staff from the Department of Human Services and Recreation 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 July 25, 2019 and August 1, 2019. In addition, the Notice Inviting Bids was published in ten trade publications and listed on the City's website which generated notices to 120 local vendors. Bid packages were obtained by 62 vendors, seven of whom submitted bids for the project.

Following advertising, bids were opened on August 20, 2019 and are as follows:

Bidder	Amount (\$)
1. Cybertech Construction Company, Inc., Tarzana	\$ 1,345,777.00
2. CWS Systems, Inc., Pasadena	\$ 1,547,644.28
3. Monet Construction, Inc., Tujunga	\$ 1,894,042.38
4. CALIBA, Inc., Huntington Beach	\$ 1,968,159.28
5. The Nazerian Group, Encino	\$ 2,039,844.28
6. Leonida Builders, Inc., Santa Clarita	\$ 2,141,707.28
7. United Construction & Landscape, Inc., Northridge	\$ 2,348,000.00
Engineer's Estimate	\$ 1,500,000

It is recommended that Cybertech Construction Company, Inc. be awarded the contract for this project as they are the lowest responsive and responsible bidder. The proposed

contract with Cybertech Construction Company, 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 2 new hires to the present work force, and has committed to hiring 2 Pasadena residents for this position. 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.

Cybertech Construction Company, Inc. is currently performing work for the City of Pasadena on the Installation of the Restroom Building at Desiderio Park project for a not-to-exceed amount of \$550,000.

The contract will be set up as follows:

Base Bid	\$	1,345,777.00
Contingency Allowance	\$	<u>154,223.00</u>
Contract Not-to-Exceed Amount	\$	1,500,000.00

A contingency of 11 percent is allocated to this contract given possible unforeseen conditions that may be encountered.

It is anticipated that construction will begin in January 2020, and the work will be completed in July 2020.

**COUNCIL POLICY CONSIDERATION:**

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

**ENVIRONMENTAL ANALYSIS:**

This contract 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 and §15303, Class 3 - New Construction or Conversion of Small Structures). Class 1 exempts from environmental review small additions, expansions or alterations to existing structures where there is negligible or no expansion of the use. The proposed buildings and improvements constitute minor alterations to Victory Park to support the existing park operations. No expansion of park programming is proposed and there would be negligible, if any, expansion of park use. Class 3 exempts from environmental review construction and location of limited numbers of new, small facilities or structures including accessory (appurtenant) structures such as garages, carports, patios, swimming pools, and fences. Construction of restroom and storage buildings in an

existing park is categorically exempt pursuant to Class 3. There are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances.

**FISCAL IMPACT:**

Staff recommends amending the FY 2019 Capital Improvement Program Budget by appropriating \$140,000 in Residential Impact Fee Interest to the *Parking Lot Improvements at City Facilities (71909)* project and increasing the total estimated cost by a like amount. There is sufficient fund balance to support the proposed increase. The additional appropriation of funds is needed to complete the construction phase of the project.

The cost of this contract is \$1,500,000 and the total cost of this action will be \$1,579,000. Funding for this action will be addressed by the utilization of existing budgeted appropriations in the *Restroom Buildings (Replace or Construct) – Jefferson, McDonald, Allendale, Victory, Grant, Villa, Singer, Eaton-Blanche, Memorial, Hamilton Parks* CIP project (budget account 78038) and the existing and recommended budgeted appropriations in the *Parking Lot Improvements at City Facilities* CIP project (budget account 71909). It is anticipated all costs will be spent in FY 2020 and FY 2021.

Restroom Buildings (Replace or Construct) – Jefferson, McDonald, Allendale, Victory, Grant, Villa, Singer, Eaton-Blanche, Memorial, Hamilton Parks (78038)	\$ 1,280,000
Parking Lot Improvements at City Facilities (71909)	\$ 299,000
<b>Total Sources</b>	<b>\$ 1,579,000</b>

The following table represents a project summary.

Base Bid	\$ 1,345,777
Contingency	\$ 154,223
Contract Administration/Inspection	\$ 79,000
<b>Total Fiscal Impact</b>	<b>\$ 1,579,000</b>

The Department of Public Works, Parks and Natural Resources staff is responsible for the operation and maintenance efforts of Victory Park and its amenities. The improvements included in the proposed contract for the *Restroom Buildings (Replace or Construct) – Jefferson, McDonald, Allendale, Victory, Grant, Villa, Singer, Eaton-Blanche, Memorial, Hamilton Parks* CIP project will impact the annual costs budgeted for maintenance by an estimated \$22,000.

Respectfully submitted,



ARA MALOYAN, P.E.  
Director of Public Works

Prepared by:



Hayden Melbourn, P.E.  
Principal Engineer

Approved by:



STEVE MERMELL  
City Manager