



Agenda Report

July 22, 2019

TO: Honorable Mayor and City Council
FROM: Department of Public Works
SUBJECT: **CONTRACT AWARD TO CYBERTECH CONSTRUCTION COMPANY, INC. FOR INSTALLATION OF RESTROOM BUILDING AT DESIDERIO PARK FOR AN AMOUNT NOT TO EXCEED \$550,000 AND AMENDMENT TO CONTRACT WITH ONYX ARCHITECTS (NO. 30,857) FOR PROFESSIONAL SERVICES**

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, §15303 - New Construction or Conversion of Small Structures [Class 3]. 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, and that there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances;
2. i) Accept the bid dated July 9, 2019, submitted by Cybertech Construction Company, Inc. in response to the Project Plans and Specifications for Installation of Restroom Building at Desiderio Park, ii) reject all other bids received July 9, 2019, and iii) authorize the City Manager to enter into such contract for an amount not to exceed \$550,000 which includes the base contract amount of \$446,777 and a contingency of \$103,223 to provide for any necessary change orders; and
3. Authorize the City Manager to amend Contract No. 30,857 with ONYX Architects to increase the contract amount by \$30,000 for a total not-to-exceed amount of \$156,210.

BACKGROUND:

In 2013, the City acquired the former Desiderio Army facility with the intent of converting the site into a neighborhood park for the surrounding residential area. On October 27, 2014, City Council approved the Planned Development of Desiderio Park and specified it would include a restroom.

In FY 2018, the City began construction of the 3.8-acre passive neighborhood park featuring a meadow-type landscape with site amenities including play equipment and furnishing for individuals and families. Desiderio Park construction has been completed and the grand opening was held on June 27, 2019.

The scope of work for this proposed contract includes the construction of a 700 square-foot public park restroom providing three bathroom stalls, one urinal, two sinks, and a storage room. The project also includes site improvements including concrete walks. The design and location of the restroom facility were affirmed by City Council on July 23, 2018.

A finding of compliance with the General Plan was previously made and is shown in the FY 2019-2023 Capital Improvement Program (CIP) on page 9.3 – Installation of Restroom Building at Desiderio Park – Construction Phase.

The Department of Public Works prepared plans and specifications in coordination with staff from the Human Services and Recreation Department 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 April 18, 2019 and April 25, 2019. In addition, the Notice Inviting Bids was published in 10 trade publications and listed on the City's website, which generated notices to 128 local vendors. Bid packages were obtained by 65 vendors, four of whom submitted bids for the project.

Following advertising, bids were opened on July 9, 2019 and are as follows:

<u>Bidder</u>	<u>Amount (\$)</u>
1. Cybertech Construction Company, Inc., Tarzana	\$ 446,777.00
2. ARC Construction, Inc., La Crescenta	\$ 528,344.28
3. CWS Systems, Inc., Pasadena	\$ 649,344.28
4. SS+K Construction, Inc., Woodland Hills	\$ 674,265.78
 Engineer's Estimate	 \$ 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 two 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.

Cybertech Construction Company, Inc. has not previously performed work for the City of Pasadena. Staff has confirmed the Contractor's license and Department of Industrial Relations (DIR) status are in good standing.

The contract will be set up as follows:

Base Bid	\$	446,777
Contingency Allowance	\$	<u>103,223</u>
Contract Not-to-Exceed Amount	\$	550,000

A contingency of 23 percent is allocated to this contract for potential additional park improvements and possible unforeseen conditions that may be encountered.

It is anticipated that construction will begin in September 2019, and the work will be completed in February 2020.

In addition, the Department of Public Works recommends increasing the ONYX Architects Contract No. 30,857 by \$30,000 for a total not-to-exceed amount of \$156,210. ONYX Architects is responsible for architectural and engineering services for the *Restroom Building at Desiderio Park (78059)* and the *Victory Park Restroom Replacement (78038)* projects. This contract amendment is for construction administration services to be provided by the design consultant through implementation of these projects.

COUNCIL POLICY CONSIDERATION:

This contract is consistent with the Green Space, Recreation and Parks Element Policy 8.3 by ensuring Neighborhood Parks have adequate facilities, service, and size. Additionally, it is consistent with Policy 10.3 by ensuring Pasadena's green spaces have a quality appearance that instills pride in the surrounding neighborhood and the City at large. The project is also consistent with Land Use Element Policy 5.5 by the City's promotion of architectural and design excellence in buildings, open space, urban design, and the discouragement of poor quality development.

ENVIRONMENTAL ANALYSIS:

This contract has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Title 14, Chapter 3, Article 19, §15303 - New Construction or Conversion of Small Structures [Class 3]. 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. 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 construction contract is \$550,000 and the total cost of this action will be \$594,000. Funding for this action will be addressed by the utilization of existing budgeted appropriations in the *Installation of Restroom Building at Desiderio Park – Construction Phase* CIP project (budget account 78059). It is anticipated all costs will be spent in FY 2020.

The following table represents a project summary.

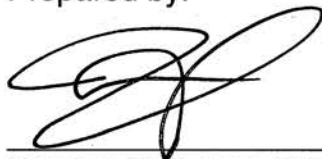
Base Bid	\$	446,777
Contingency	\$	103,223
Contract Administration/Inspection	\$	44,000
Total Fiscal Impact (78059)	\$	594,000

There is no fiscal impact in amending Contract No. 30,857 by \$30,000 for a total not-to-exceed amount of \$156,210. Funding for this action will be addressed by the existing budget in the *Restroom Building at Desiderio Park* (78059) and the *Victory Park Restroom Replacement* (78038) projects.

Respectfully submitted,


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

Prepared by:



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Approved by:


STEVE MERMELL
City Manager