

Agenda Report

July 20, 2020

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: **AUTHORIZATION TO AMEND CONTRACT NO. 31,603 WITH FS CONTRACTORS, INC. FOR CITYWIDE SIDEWALK IMPROVEMENTS - FY 2020, TO INCREASE NOT-TO-EXCEED AMOUNT BY \$260,000 FROM \$1,649,000 TO \$1,909,000**

RECOMMENDATION:

It is recommended that the City Council:

1. Find that pursuant to the provisions of the California Environmental Quality Act (CEQA) and the CEQA Guidelines that the effects of the Proposed Project are typical of those generated within that class of projects (i.e., Class 1 – Existing Facilities) which consist of, among other things, the repair, maintenance or minor alteration of existing public or private structures, facilities, or topographical features, involving negligible or no expansion of use beyond that existing at the time of this determination, and that, therefore, pursuant to Section 15301 of the CEQA Guidelines, the Proposed Project will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA; and
2. Authorize the City Manager to execute a contract amendment with FS Contractors, Inc. to increase the contract by \$260,000 for a total not-to-exceed amount of \$1,909,000 for additional concrete sidewalk repairs.

BACKGROUND:

On October 28, 2019 the City Council awarded a contract to FS Contractors, Inc. to repair sidewalks and other appurtenant concrete improvements citywide in an amount not to exceed \$1,419,000, as part of the City's Annual ADA Sidewalk Improvements Program – Fiscal Year (FY) 2020. On March 30, 2020, the City Council amended the contract to add \$230,000 to the not-to-exceed amount to repair sidewalk paid by property owners from August 2019 through March 2020. Per Pasadena Municipal Code chapter 12.04.030, property owners pay the City for removal and replacement of damaged sidewalks at the time of building permit issuance or property sales. This work is ongoing.

On August 26, 2019, City Council awarded a contract for a total not-to-exceed amount of \$565,000 to Western Construction Specialists, Inc. for Miscellaneous Concrete Improvements 2020 project, to repair sidewalks paid by property owners as part of the City's privately funded sidewalk repair program. This project included the repair of sidewalks for payments received from property owners between September 2018 and August 2019. However, due to the COVID emergency crisis, Western Construction Specialists was unable to complete the work, and approximately 43 percent of the sidewalk repairs remain to be completed, or \$260,000 of the work bid.

To expedite completion of the balance of the work remaining under Western Construction Specialists' contract scope, staff approached FS Contractors with whom the City is currently under contract for similar sidewalk repair work under a different project. Given FS Contractors' willingness to honor its original bid unit price under existing City contract, an additional \$260,000 is proposed to be added to the contract to complete the balance of the work remaining and thereby minimize delays in sidewalk repairs. This second amendment to FS Contractors' contract will be of benefit in expediting delivery of new sidewalk installations paid by property owners who have been awaiting completion of these repairs. Alternatively, the City can repackage the plans and specs and rebid the work remaining, which can add up to six months of delay to completion of these repairs.

The proposed contract amendment will increase the not-to-exceed amount as follows:

Original + Contract Amendment #1	\$	1,649,000
Contract Amendment #2	\$	<u>260,000</u>
Total Contract Not-to-Exceed Amount	\$	1,909,000

Accordingly, the number of working days stipulated in the contract shall be increased from 160 to 185 working days to complete the overall added work.

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:

Pursuant to the provisions of the CEQA and the CEQA Guidelines, the effects of the Proposed Project are typical of those generated within that class of projects (e.g., Class 1 – Existing Facilities) which consist of, among other things, the repair, maintenance or minor alteration of existing public or private structures, facilities, or topographical features involving negligible or no expansion of use beyond that existing at the time of this determination, and that, therefore, pursuant to Section 15301 of the CEQA Guidelines, the Proposed Project will not cause a significant effect on the environment and is, therefore, categorically exempt from the provisions of CEQA.

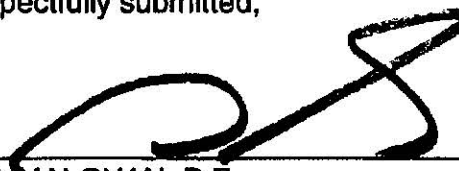
FISCAL IMPACT:

The cost of this action is \$260,000 to increase Contract No. 31,603 with FS Contractors, Inc. to a not-to-exceed amount of \$1,909,000. Funding for this action will be paid for by sidewalk payments received from property owners as part of the City's Sidewalk Repair Program. Sidewalk fees have been collected in the *Miscellaneous Concrete Improvement Program FY 2019-2020 (73928)* project.

The following table represents the contract summary:

Original Contract	\$	1,419,000
Contract Amendment #1	\$	230,000
Contract Amendment #2	\$	260,000
Total Fiscal Impact	\$	1,909,000

Respectfully submitted,



ARA MALOYAN, P.E.
Director of Public Works

Prepared by:


for Sean Singletary, P.E.
Principal Engineer

Approved by:



STEVE MERMELL
City Manager