



# Agenda Report

October 28, 2019

**TO:** Honorable Mayor and City Council

**FROM:** Department of Public Works

**SUBJECT: CONTRACT AWARD TO FS CONTRACTORS, INC. FOR CITYWIDE  
SIDEWALK IMPROVEMENTS – 2020 FOR AN AMOUNT NOT TO  
EXCEED \$1,419,000**

## **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. i) Accept the bid dated October 18, 2019 submitted by FS Contractors, Inc. in response to the plans and specifications for Citywide Sidewalk Improvements - 2020; ii) reject all other bids; and iii) authorize the City Manager to enter into a contract not to exceed \$1,419,000 which includes the base contract amount of \$1,134,000, and a contingency of \$285,000 to provide for any necessary change orders.

## **BACKGROUND:**

Chapter 12.04 of the Pasadena Municipal Code states that repair of damaged sidewalk is the adjacent property owner's responsibility. Currently, this ordinance is triggered when a building permit for improvements valued over \$20,000 is obtained or when a property sale requires an occupancy inspection. Property owners may hire a contractor to repair existing damage with a Public Works permit, or pay funds to the City to program the repair into one of the City's annual concrete repair contracts.

In April 2015, the Municipal Services Committee (MSC) supported a “Citywide Sidewalk Improvement Program” to address the approximately 1.1 million square feet of damaged sidewalk throughout the City, which was estimated to cost \$17 million to repair. At that meeting, staff was requested to create a new Capital Improvement Program (CIP) project, pursue funding and work with the Accessibility and Disability Commission to establish a sidewalk repair priority criteria.

The following priority criteria was established in partnership with the Accessibility and Disability Commission and presented to City Council during the adoption of the FY 2016 CIP: High traffic volume streets; severe vertical rise of the sidewalk; high pedestrian volume areas; and, ADA-related citizen complaints. City Council approved the Citywide Sidewalk Improvement program in the FY 2016 budget, appropriating \$1,000,000 from the General Fund to launch the program.

The Citywide Sidewalk Improvement Program also contains Community Development Block Grant (CDBG) funds, when available, for sidewalk repairs to be completed by City Maintenance Assistance and Services to Homeowners (MASH) crews. For FY 2020, \$500,000 in CDBG funds have been allocated for sidewalk repairs in Northwest Pasadena. City crews began CDBG funded sidewalk repairs in October 2019.

Since the implementation of the Citywide Sidewalk Improvement Program in FY 2016, 344,000 square feet of sidewalk repairs have been repaired through FY 2019. The FY 2020 Program proposes sidewalk repair work at various locations throughout the City (see Attachment A), consisting of approximately 112,500 square feet of repairs. A finding of compliance with the General Plan was previously made and is shown on page 2.2 of the FY 2020 CIP, *Annual ADA Sidewalk Improvement Program*.

The Department of Public Works prepared plans and specifications for the project and 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 September 26, 2019. In addition, the Notice Inviting Bids was published in two trade publications and listed on the City’s website, which generated notices to 23 local vendors. 44 contractors obtained bid packets, 5 of whom submitted bids for the project.

Following advertising, bids were received on October 18, 2019, and are as follows:

Bidder	Amount (\$)
1. FS Contractors, Inc., Sylmar	\$ 1,134,000
2. EBS General Engineering, Inc., Corona	\$ 1,262,368
3. Onyx Paving Company, Inc. Anaheim	\$ 1,494,000
4. Granite Construction Company, Ventura	\$ 1,753,235
5. Caliba, Inc., Huntington Beach	\$ 2,071,000
Engineer’s Estimate	\$ 1,150,000

The lowest bid received was 1 percent lower than the Engineer’s Estimate of \$1,150,000.

It is recommended that FS Contractors, Inc. be awarded the contract for this project as they are the lowest responsive and responsible bidder. The proposed contract with FS Contractors, 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 15, 2014. The contractor has indicated that the award of this contract will result in three new hires to the 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.

FS Contractors, Inc. has worked with the City of Pasadena in recent years, including Drainage Improvements on Flat Streets – 2015 and Citywide Sports Facilities Improvements at Eaton-Blanche and MacDonald Parks. Staff has confirmed that the contractor's license and Department of Industrial Relations status are in good standing.

The contract for this project will be set as follows:

Base Bid	\$1,134,000
Contingency Allowance	\$ 285,000
Contract "Not to Exceed" Amount	\$1,419,000

The contract contingency, typically 10 percent, has been increased to 25 percent due to favorable bid prices in order to construct additional concrete improvements under this contract. It is anticipated that construction will begin in January 2020 and be completed in June 2020.

**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 California Environmental Quality Act (CEQA) and the CEQA Guidelines, 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.

**FISCAL IMPACT:**

The cost of this contract is \$1,419,000 and the total cost of this action will be \$1,484,000. Funding for this action will be addressed by the utilization of existing budgeted General Fund appropriations in the Annual ADA Sidewalk Improvement Program (budget account 73913). It is anticipated that all of the cost will be spent in FY 2020.

The following table represents a contract summary.

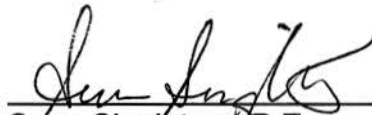
Base Bid	\$ 1,134,000
Contingency	\$ 285,000
Contract Administration/Inspection	\$ 65,000
<b>Total Sources</b>	<b>\$ 1,484,000</b>

Respectfully submitted,



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