



Agenda Report

November 9, 2020

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: AUTHORIZATION TO ENTER INTO CONTRACTS WITH FS CONTRACTORS, INC., GENTRY GENERAL ENGINEERING, INC., AND CEM CONSTRUCTION CORP. FOR AS-NEEDED SIDEWALK REPAIR CONSTRUCTION SERVICES IN AN AMOUNT NOT TO EXCEED \$3,000,000 FOR EACH CONTRACT

RECOMMENDATION:

It is recommended that the City Council:

1. Find the contracts 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, which exempts minor alteration of existing public facilities where no expansion of the use will take place and that there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances;
2. Authorize the City Manager to enter into a contract with FS Contractors, Inc. for As-Needed Sidewalk Repair Construction Services for an amount not to exceed \$3,000,000 over a five-year term, pursuant to Chapter 4.08.135 of the Pasadena Municipal Code – Request for Qualifications;
3. Authorize the City Manager to enter into a contract with Gentry General Engineering, Inc. for As-Needed Sidewalk Repair Construction Services for an amount not to exceed \$3,000,000 over a five-year term, pursuant to Chapter 4.08.135 of the Pasadena Municipal Code – Request for Qualifications; and
4. Authorize the City Manager to enter into a contract with CEM Construction Corp. for As-Needed Sidewalk Repair Construction Services for an amount not to exceed \$3,000,000 over a five-year term, pursuant to Chapter 4.08.135 of the Pasadena Municipal Code – Request for Qualifications.

BACKGROUND:

The Department of Public Works is seeking to establish as-needed service contracts with a list of pre-qualified contractors who specialize in the area of concrete construction services. Pre-qualified contractors will competitively bid the work, with the lowest pre-qualified bidder performing concrete improvements identified as part of various budgeted annual Capital Improvement Program (CIP) projects, including the City's Miscellaneous Sidewalk Repair Program and the Americans with Disabilities Act (ADA) Sidewalk Improvements Program. The cumulative annual sidewalk work performed through various CIP projects ranges between \$400,000 and \$1,500,000 depending on allocated amount of General Fund, as well as private capital funds. This contracted work does not include the sidewalk repairs implemented under the Community Development Block Grant (CDBG) Program, which is performed by the City's MASH employees.

The scope of work may include, but is not limited to, removal and replacement of concrete sidewalk, curb and gutter, ADA-compliant curb ramps; emergency repairs of miscellaneous public concrete improvements; and, associated traffic control. The work will be at various locations throughout the City.

In accordance with Chapter 4.08.135 of the Pasadena Municipal Code (PMC 4.08.135) – Request of Qualifications (RFQ) - Competitive bidding for a project may be completed in a two-part bidding process, including a request for qualifications element. The RFQ competitive bidding process facilitates a more streamlined and expeditious method to mobilize construction services of similar nature. Part 1 of the RFQ process successfully solicits and establishes a list of pre-qualified contractors that enter into contracts of specified duration with the City. Part 2 of the process is a competitive price-based only bidding process amongst the pre-qualified contractors. The lowest responsive bidder is able to commence work immediately given the contract already executed in Part 1, eliminating the administrative time and effort in document routing and advertising, as well as contract award and execution.

This procurement method will enable the City to more efficiently bid and accelerate the replacement of damaged sidewalk along property frontages where property owners elect to pay the City to perform the repairs per PMC 12.04. Over the last three fiscal years, on average the City has received \$400,000 annually in private capital funds for such repairs. Throughout the year, as property owners pay the City for sidewalk repairs along their property frontage, pre-qualified contractors already under contract with the City can bid the work and the lowest bidder can immediately commence construction. Staff anticipates the current average lag time between property owner payment and City's repair will be reduced from 10 - 14 months to 3 - 6 months, enhancing service to our community with faster product delivery. The list of contracted vendors will also provide great ready resources for emergency repair work.

The first part of the two-part bidding process shall include a notice of a request for qualifications, prescribing minimum requirements and qualifications to be met. This part shall include criteria for determining a list of responsive and responsible bidders. These

As-Needed Sidewalk Repair Construction Services

November 9, 2020

Page 3 of 5

These qualified bidders shall enter into separate contracts with the City in order to submit competitive price bids at the second part of the bidding process. The second part of the two-part bidding process shall consist of a sealed price bid on the detailed specifications for the project by all responsive, responsible and qualified bidders as determined in the first part of the bidding process.

The Department of Public Works published a RFQ for As-Needed Sidewalk Repair Construction Services on August 13, 2020. Additional notifications were sent out to 69 local vendors based on the list provided by the Department of Finance. Said list is based on the types of contractors corresponding to the work specified in the RFQ, out of information generated from registered vendors on Planet Bids. A total of 49 vendors downloaded the RFQ of which two were local. A mandatory pre-proposal meeting was held virtually on August 27, 2020 with 17 vendors in attendance. In response to the RFQ, a total of seven proposals, including one from a local vendor were received on September 10, 2020.

Proposals were evaluated by a selection committee comprised of four City staff, based on the following minimum qualifications criteria specified in the RFQ:

- Possession of State contractor's license, Class A or C8;
- Registration with Department of Industrial Relations (DIR);
- Minimum five years of experience completing at least three similar concrete construction projects for governmental agencies; at least one project with a minimum contract amount of \$500,000;
- Acknowledgement of ability to mobilize within five (5) working days;
- Completeness of submittals based on RFQ requirements;
- Insurance and bonding requirements; and
- Minimum of three governmental agency references.

These minimum qualifications serve as pre-requisites in establishing qualifying vendors, and thereby evaluated based on pass/fail criteria; companies that fail any one or more of the criteria are disqualified, in compliance with PMC 4.08.135. While a scoring matrix can be applied, the pass/fail approach reduces any subjectivity that might be challenged in a protest. Three proposals met all minimum qualifications criteria. Remaining four proposals failed one or more criteria and therefore are disqualified.

Below is a list of qualified companies based on the RFQ evaluation criteria:

Company	City	Findings
FS Contractors, Inc.	Sylmar	Qualified
Gentry General Engineering, Inc.	Rancho Cucamonga	Qualified
CEM Construction Corp.	Montebello	Qualified

FS Contractors, Inc., Gentry General Engineering, Inc., and CEM Construction Corp. were deemed qualified and are recommended to provide as-needed sidewalk repair construction services. All proposals met or exceeded the minimum required number of similar projects with other government agencies and possessed years of experience in related work. The references provided for past projects have expressed satisfaction on their work performances. These companies indicate possession of comprehensive equipment including excavators, backhoes, skip loaders, dump trucks, vibrator rollers, trailers, and traffic control devices which are essential to perform concrete repair work within the public right-of-way.

FS Contractors, Inc. has been performing concrete replacement work since 2000. They are currently performing similar concrete sidewalk improvement work for the cities of Agoura Hills, Bell, Claremont, Monterey Park, San Marino and Pasadena. Past projects of similar scope include: Citywide Concrete Repairs 2017-2018 for the City of Upland; and, Annual Concrete Rehabilitation Programs for the City of Santa Clarita; and, Citywide Sidewalk Improvements for the City of Pasadena in 2020. FS Contractors, Inc. has had previous contracts with the City of Pasadena, with a cumulative total contract work amounting to \$2,000,000.

Gentry General Engineering demonstrated experience in concrete and sidewalk repair work since 2013. Past projects of similar scope include Alley Street/Sidewalk Asphalt & Concrete Repair, City of Baldwin Park in 2014; Miscellaneous Concrete Repair, City of Corona in 2017; Concrete Replacement and Sidewalk Repair Program, City of Thousand Oaks in 2019; and Miscellaneous Concrete Repair, City of Pasadena in 2018. Gentry General Engineering has had previous contracts with the City of Pasadena, with a cumulative total contract work amounting to \$600,000.

CEM Construction Corp. was established in Los Angeles in 2010, with abundant experience in concrete work performed for other municipalities within the public right of way. Past projects of similar scope include Miscellaneous Concrete Repairs, City of La Canada Flintridge in 2015; Annual Concrete and Sidewalk Repairs, City of Montebello in 2017; Sidewalk Replacement, City of Gardena in 2019; and Concrete Repair Program – Phase VIII for the City of West Hollywood in 2019. CEM Construction Corp. has not had previous contracts with the City of Pasadena.

Based on the evaluations summary in Attachment A, it is recommended that the City enter into three separate as-needed service contracts with FS Contractors, Inc., Gentry General Engineering, Inc., and CEM Construction Corp. Each contract will be set up with a total amount not to exceed \$3,000,000 over a five-year term.

COUNCIL POLICY CONSIDERATION:

This project is consistent with the City Council's goals to improve, maintain and enhance public facilities and infrastructure and support and promote the quality of life and local economy, and ensure public safety.

ENVIRONMENTAL ANALYSIS:

The City's Environmental Administrator recommends that the City Council determine the proposed contracts to be exempt under CEQA in accordance with Title 14, Chapter 3, Article 19, Section 15301, Class 1. This exemption includes the minor alteration of existing public facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination, and there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances.

FISCAL IMPACT:

While it is recommended that the City enter into multiple contracts with three pre-qualified contractors with a total amount not to exceed \$3,000,000 each, only one lowest and responsive bidder will be performing construction work at any given time. The cumulative contracted sidewalk work performed through various CIP projects is anticipated to range between \$400,000 and \$1,500,000 annually, based on funding budgeted each fiscal year.

Respectfully submitted,



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Director of Public Works

Prepared by:


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City Engineer

Approved by:


STEVE MERMELL
City Manager

- Attachment A - RFQ Rating Summary
- Attachment B - FS Contractors, Inc., – Taxpayer Protection Amendment
- Attachment C - Gentry General Engineering, Inc. – Taxpayer Protection Amendment
- Attachment D - CEM Construction – Taxpayer Protection Amendment