

Agenda Report

August 16, 2021

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: CONTRACT AWARD TO CJ CONCRETE CONSTRUCTION, INC. FOR MISCELLANEOUS SIDEWALK REPAIR 2021 FOR AN AMOUNT NOT TO EXCEED \$800,000

RECOMMENDATION:

It is recommended that the City Council:

1. Find the project 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, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination, and find that there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances; and
2. i) Accept the bid dated May 12, 2021, submitted by CJ Concrete Construction, Inc. in response to the Plans and Specifications for Miscellaneous Sidewalk Repair 2021; ii) reject all other bids; and iii) authorize the City Manager to enter into a contract not to exceed \$800,000 which includes the base contract amount of \$642,000 and a contingency of \$158,000 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 clearance through the Presale Certification Program. Property owners may hire a contractor to repair existing damage under a Public Works permit, or pay the City (in accordance with City's adopted General Fee Schedule) to include the sidewalk repair in its upcoming concrete sidewalk repair project.

The scope of work includes, but is not limited to, removal and replacement of portions of damaged concrete improvements including sidewalk, colored sidewalk, driveway apron,

and associated tree root pruning/cutting, traffic control, and miscellaneous appurtenant work at various locations citywide.

A finding of compliance with the General Plan was previously made and is shown in the Fiscal Year (FY) 2022 - 2026 Capital Improvement Program (CIP) Budget, under Miscellaneous Sidewalk Repair Program, page 2.5 of the Streets and Streetscapes section.

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 (PMC), bids were requested and received. The project was advertised in the local paper on April 22 and April 29, 2021. In addition, the Notice Inviting Bids was published in four trade publications and listed on the City's website, which automatically generated notices to 2,044 trade vendors. Additional notifications were sent out to 115 local vendors based on the list provided by the Department of Finance. Said list is based on the commodity type(s) registered by vendors corresponding to the work specified in the project specifications, generated from registered vendors on Planet Bids. A mandatory pre-proposal meeting was conducted on May 3, 2021, with attendance by 17 prospective bidders. There were 59 contractors who obtained bid packets, six of whom were local contractors. Nine contractors submitted bids for the project of whom one is deemed non-responsible and one is local.

Following advertising, bids were electronically received on May 12, 2021. The result is shown as follows:

Bidder	Amount (\$)
1. CJ Concrete Construction, Inc., Santa Fe Springs	\$ 642,000
2. CEM Construction Corp., Montebello	\$ 662,125
3. FS Contractors, Inc., Sylmar	\$ 663,650
4. J. Aldric Burch Construction, Pasadena	\$ 680,673
5. CT&T Concrete Paving, Diamond Bar	\$ 715,950
6. AG Construction, Tarzana	\$ 995,150
7. Calpromax Engineering Inc., Placentia	\$1,012,850
8. EBS General Engineering, Inc., Corona	\$1,196,085
Engineer's Estimate	\$ 697,600

Vido Samarzich, Inc. submitted the apparent lowest bid proposal of \$629,100. However, in accordance with PMC Section 4.08.130, subsection G, the bid is not responsible on the ground that this bidder filed a cross-complaint for indemnity against the City in action related to a previous contract with the City. This litigation is on-going.

It is recommended that CJ Concrete Construction, Inc. be awarded the contract for this project as they are the lowest responsive and responsible bidder. The proposed contract with CJ Concrete Construction, 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 no new hires to its present workforce. A Local Preference Provision to recruit Pasadena residents initially and to give them preference, if all other factors are equal, for any new positions for this project was included in the project specifications.

The City has previously contracted with CJ Concrete Construction, Inc. in 2011 for Miscellaneous Concrete Repair with a not-to-exceed amount of \$400,000. In more recent years, said contractor has performed similar concrete repair work for other comparable municipalities including cities of Orange, Long Beach, Cerritos and Norwalk, with contracts varying from \$500,000 to \$1.5 million.

This contract will be set up as follows:

Base Bid	\$ 642,000
Contingency Allowance	<u>\$ 158,000</u>
Contract Not-to-Exceed Amount	\$ 800,000

A contingency of 25 percent is allocated to this contract to construct additional concrete sidewalk improvements given private capital payments received subsequent to advertising of the project and to allow for any possible unforeseen conditions that may be encountered. It is anticipated that construction will begin in Fall 2021 and be completed by Summer 2022.

COUNCIL POLICY CONSIDERATION:

The project is consistent with the City Council's goals to improve, maintain and enhance public facilities and infrastructure, and to 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 project proposed herein is 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, minor alterations of existing public facilities involving negligible or no expansion of use beyond that previously existing at the time of the lead agency's determination. There are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances.

FISCAL IMPACT:

The total cost of this contract is \$800,000 and the total cost of this action will be \$920,000. Funding for this action will be addressed by the utilization of existing budgeted funding in the Miscellaneous Sidewalk Repair Program (73940).

The following table represents a project summary.

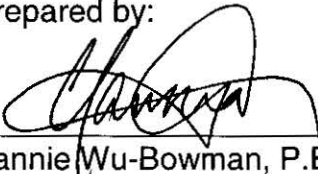
Base Bid	\$642,000
Contingency	\$158,000
Contract Administration/Inspection	\$120,000
Total Sources	\$920,000

Respectfully submitted,



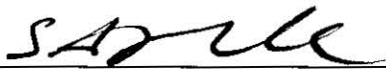
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STEVE MERMELL
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