

Agenda Report

March 14, 2022

TO: Honorable Mayor and City Council
FROM: Department of Public Works
SUBJECT: CONTRACT AWARD TO ACT 1 CONSTRUCTION, INC. FOR WASHINGTON PARK COMMUNITY HOUSE AND RESTROOM PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$2,640,000

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) pursuant to Title 14, Chapter 3, Article 19, Section 15303, Class 3, pertaining to new construction or conversion of small structures, and 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 February 2, 2022, submitted by Act 1 Construction, Inc. in response to the plans and specifications for the Washington Park Community House and Restroom project, ii) reject all other bids, and iii) authorize the City Manager to enter into a contract for an amount not-to-exceed \$2,640,000, which includes the base contract amount of \$2,295,774 and a contingency of \$344,226 to provide for any necessary change orders.

BACKGROUND:

The City Council approved the adoption of the Washington Park Master Plan (Master Plan) on November 22, 2004. Included in the 2004 Master Plan is the development of a new, approximately 2,000 square-foot "Community House" to be located adjacent to the park's existing parking lot along Washington Boulevard. The Community House, per the Master Plan, includes a multi-purpose room, space for recreation staff, park storage, and a new larger restroom to replace the existing undersized and deteriorated restroom building. In addition, the Master Plan provides for a reduction in the size of the existing parking lot to accommodate the Community House site.

On June 17, 2019, City Council fully funded the design of the Washington Park Community House and Restroom project as part of the Fiscal Year (FY) 2020 Capital Improvements Program (CIP) Budget. On February 6, 2020, the City entered into an

agreement with KPFF Consulting Engineers, utilizing an existing on-call professional services contract to provide planning and design services for the Washington Park Community House and Restroom project.

The goals and conceptual design of the project were developed in close collaboration with various community stakeholders, including Friends of Washington Park and the City's Parks, Recreation and Community Services staff who operate and maintain the park. Multiple community meetings were noticed and held through the planning and design phase of the project to receive input and feedback on design alternatives and refine the preferred design for the community house building and the restroom to maximize public programming and use of the facility.

The following community outreach efforts and meetings were held with the project stakeholders:

- February 22, 2020: Community meeting held at Santa Catalina Branch Library to discuss community's vision for the project and establish design goals.
- May 1-15, 2020: On-line outreach conducted by Public Works. Two conceptual design options were posted on the City's project website and community members invited to provide feedback and identify their preferred concept. Postcard notifications of the event were sent to community members residing in the area surrounding Washington Park and notifications were posted on the City's social media platforms.
- June 23, 2020: Virtual stakeholder meeting held to present on-line survey. Based on the feedback received, staff moved forward developing the two-building option.
- August 27, 2020: Met with Friends of Washington Park who supported the refined two-building conceptual design as presented.
- September 8, 2020: Northwest Commission unanimously voted in support of the conceptual design as presented.
- November 10, 2020: Recreation and Parks Commission unanimously voted in support of the conceptual design as presented.
- March 26, 2021: Project received consolidated design approval from the City's Community Development & Planning Department.
- April 15, 2021: Met with the Friends of Washington Park who supported the design progress as presented.
- April 29, 2021: A final virtual community meeting held to gain community support of the refined design of the Washington Park Community House and Restroom project.

The vetted and approved design of the project includes a 1,627 square-foot community house building with a single occupancy restroom, storage room, staff office, multi-purpose room and a separate 564 square-foot park restroom building with park storage. The design also includes a 1,000 square-foot outdoor learning space, patio space with seating, landscaped grounds and reconfigured parking lot. See Attachment A.

Following the April 2021 community meeting, KPFF Consulting Engineers prepared construction plans and specifications for the subject contract. In accordance with Section

4.08.070 of the Pasadena Municipal Code, bids were requested and received. On December 10, 2021, a Notice Inviting Bids for Washington Park Community House project was published in the local paper as well as posted on PlanetBids. The posting generated notices to all vendors who have previously registered with the City for this particular commodity class. A total of 101 vendors downloaded the specifications, of which 8 were local. A total of 9 bids were received by the bid opening date, including one from a local vendor.

Following advertising, bids were electronically received on February 2, 2022 and are as follows:

Bidder	Amount (\$)
1. Golden Sun Enterprise, Inc., Van Nuys	Non-Responsive
2. Act 1 Construction, Inc., Norco	\$2,295,774
3. ARC Construction, La Crescenta	\$2,361,000
4. Monet Construction, Inc., Tujunga	\$2,421,226
5. The Nazarian Group, Encino	\$3,123,000
6. Newman Midland Corp., Cypress	\$3,179,400
7. Solex Construction, Inc., Los Angeles	\$3,461,820
8. G2K Construction, Inc., Agoura Hills	\$3,490,000
9. Bedrock Group, Inc., La Canada	\$3,845,785
Engineer's Estimate	\$2,350,000

The apparent low bid was determined to be non-responsible and non-responsive due to lack of experience on projects of similar scope and size and an incomplete bid proposal. The lowest responsive and responsible bid amount is within two percent of the Engineer's Estimate of the project.

It is recommended that Act 1 Construction, Inc. be awarded the contract for this project as they are the lowest responsive and responsible bidder. The proposed contract with Act 1 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 14, 2014.

The contractor has indicated that the award of this contract will result in five new hires to the present work force. This contract is consistent with the City's goal to promote local business participation and its local hiring program. In accordance with Local Preference provisions of the contract, the contractor is encouraged to recruit Pasadena residents initially and to give them preference, if all other factors are equal, for any new positions generated from this contract.

Act 1 Construction, Inc. is currently performing work for the City on the Playhouse District Park and Parking Lot project for a contract amount of \$3,896,375. Staff has confirmed the contractor's license, their Department of Industrial Relations status is in good standing, and they received favorable reference checks from other agencies.

The contract will be set up as follows:

Base Bid	\$ 2,295,774
Contingency Allowance	<u>\$ 344,226</u>
Contract Not-to-Exceed Amount	\$ 2,640,000

A contingency of 15 percent is allocated to this contract given possible unforeseen conditions that may be encountered. It is anticipated that construction will begin in June 2022 and the work will be completed Spring 2023.

COUNCIL POLICY CONSIDERATION:

This contract is consistent with the City Council's goal to improve, maintain, and enhance public facilities and infrastructure.

ENVIRONMENTAL ANALYSIS:

The contract award has been determined to be categorically exempt under the CEQA Guidelines in accordance with Title 14, Chapter 3, Article 19, Section 15303, Class 3 - New Construction or Conversion of Small Structures. Construction of a Community House and restroom in an existing park is categorically exempt pursuant to Class 3. 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 including contingency is \$2,640,000 and the total cost of this action is expected not to exceed \$2,836,500. Funding for this action will be addressed by the utilization of existing budgeted appropriations in the *Washington Park Community House and Restroom – Construction Phase (78089)* CIP project. An additional appropriation of \$200,000 in Residential Impact Fees is included in the March 14, 2022 *Amendments to the Fiscal Year 2022 CIP Budget* agenda report. It is anticipated all costs will be expended in FY2023.

The following table represents a project summary.

Base Bid	\$	2,295,774
Contingency	\$	344,226
Contract Administration/Inspection	\$	196,500
Total Fiscal Impact	\$	2,836,500

Respectfully submitted,



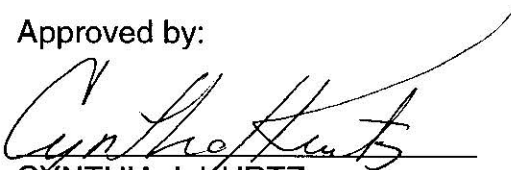
TONY OLMOS, P.E.
Director of Public Works

Prepared by:



for Kris Markarian, P.E.
City Engineer

Approved by:



CYNTHIA J. KURTZ
Interim City Manager

Attachment A – Washington Park Community House and Restroom Project Renderings