

Agenda Report

June 12, 2023

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: CONTRACT AWARD TO CJ CONCRETE CONSTRUCTION, INC. FOR ANNUAL ADA SIDEWALK IMPROVEMENT PROGRAM, FY2023 AND FY2024 FOR AN AMOUNT NOT-TO-EXCEED \$2,696,132

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) Guidelines in accordance with Section 15301 Existing Facilities and Section 15061(b)(3), the commonsense exemption (formerly general rule), 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. Accept the bid dated March 30, 2023, submitted by CJ Concrete Construction, Inc. in response to the plans and specifications for the Annual ADA Sidewalk Improvements Project, FY2023 and FY2024, reject all other bids, and authorize the City Manager to enter into a contract for an amount not-to-exceed \$2,696,132, which includes the base contract amount of \$2,508,030 and a contingency of \$188,102 to provide for any necessary change orders.

BACKGROUND:

This project provides for annual concrete sidewalk improvements citywide. It was created and initially funded in FY2016 as the result of the sidewalk inventory list generated in 2015 where nearly 1.1 million square feet of damaged sidewalk covering over 18,000 locations were identified. The sidewalk locations are prioritized based on the City's Accessibility and Disability Commission's criteria such as highest vertical deviation, high pedestrian usage, high traffic volume streets, and ADA-related citizen complaints. Since its creation in FY2016, the Annual ADA Sidewalk Improvement Program has been appropriated a total of \$8.5 million of General Fund, replacing approximately 700,000 square feet of damaged sidewalk.

This project includes sidewalk repair work at over 3,500 locations throughout the City. This contract includes removal and replacement of approximately 120,000 square feet of sidewalk at over 1,000 locations citywide, prioritizing vertical lifts of two inches and

greater. The contract also includes grinding of sidewalk at another 2,500 locations throughout the city where vertical deviation is less than 2 inches. Concrete sidewalk grinding in lieu of full sidewalk replacement, where feasible, is a more cost-effective alternative addressing about three times the number of locations for the same price as a single location of remove and replace. The scope of work also includes replacement of curb and gutters and cross gutters at various locations citywide due to stormwater flowline impediments. This contract utilizes combined FY2023 and FY2024 budgeted appropriation of General Fund to benefit from economies of scale.

In addition, this contract includes repair of sidewalk locations paid for by adjacent property owners as required by Chapter 12.04 of the Pasadena Municipal Code. Under that ordinance, repair of damaged sidewalk is the responsibility of the adjacent property owner. This ordinance is triggered when a building permit for improvements valued at over \$20,000 is obtained or when a property sale requires clearance through a Presale Certification Program. That portion of work on this contract will be paid for with private capital.

A finding of compliance with the General Plan was previously made and is shown in the Fiscal Year 2024-2028 Capital Improvement Program (CIP) budget, under Annual ADA Sidewalk Improvement Program and Miscellaneous Sidewalk Repair Program, FY2021 - 2025.

On March 2, 2023, a Notice Inviting Bids for the FY2023 and FY2024 Citywide ADA Sidewalk Improvement Project was published in the local paper as well as posted on OpenGov. The posting generated notices to all vendors who had previously registered with the City for this particular commodity class. A total of 22 vendors downloaded the contract documents, of which two were local vendors. A total of two bids were received by the bid opening date, none from local vendors.

Following advertising, bids were received on March 30, 2023, and are as follows:

Bidder	Base Bid Amount (\$)
1. CJ Concrete Construction, Inc., Santa Fe Springs	\$2,508,030
2. Toro Enterprises, Inc., Oxnard	\$3,522,342
Engineer's Estimate	\$2,392,344

The lowest bid received is within five percent of the Engineer's Estimate.

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 which 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 awarding of this contract will result in no new hires to the present workforce. In accordance with the 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.

CJ Concrete Construction, Inc. has previously performed work with the City for the FY2022 Annual ADA Sidewalk and FY2022 Curb Ramp Improvements projects totaling \$1,845,677. These projects have been completed to the satisfaction of the City.

The contract for this project will be set as follows:

Bid Amount	\$2,508,030
Contingency Allowance	<u>\$ 188,102</u>
Contract Not-to-Exceed Amount	\$2,696,132

A contingency of 7.5 percent is allocated to this contract to cover additional quantity of sidewalk replacement as budget allows. It is anticipated that construction will begin in August 2023 and be completed in January 2024.

COUNCIL POLICY CONSIDERATION:

This 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:

The contract award has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) Guidelines in accordance with Section 15301 Existing Facilities and Section 15061(b)(3), the commonsense exemption (formerly general rule). There are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances.

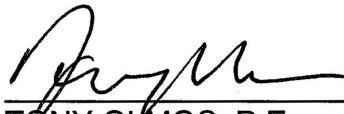
FISCAL IMPACT:

The total cost of this contract including contingency is \$2,696,132 and the total cost of this action is not expected to exceed \$2,896,668. Funding for this action will be addressed by the utilization of existing funds in the Annual ADA Sidewalk Improvement Program (73913) and Miscellaneous Sidewalk Repair Program (73940) projects. There is no impact to the General Fund. It is anticipated all costs will be expended in FY2024.

The following table represents a contract summary of the project.

Base Bid	\$ 2,508,030
Contingency	\$ 188,102
Contract Administration/Inspection/Materials Testing	\$ 200,536
Total Fiscal Impact	\$ 2,896,668

Respectfully submitted,



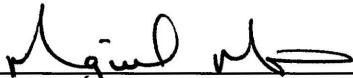
TONY OLMOS, P.E.
Director of Public Works

Prepared by:



Kris Markarian, P.E.
Deputy Director of Public Works / City Engineer

Approved by:



MIGUEL MARQUEZ
City Manager