



Agenda Report

July 22, 2024

TO: Honorable Mayor and City Council
FROM: Department of Public Works
SUBJECT: **AUTHORIZE THE CITY MANAGER TO AMEND CONTRACT NO. 32675 WITH MLC CONSTRUCTORS, INC. TO INCREASE THE CONTRACT AMOUNT BY \$90,758 FOR THE PREFABRICATED STORAGE BUILDING AT FIRE STATION 33 FOR A REVISED TOTAL CONTRACT AMOUNT NOT-TO-EXCEED \$588,948**

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) in accordance with Title 14, Chapter 3, Article 19, Section 15061, Class 3, the common sense exemption that CEQA only applies to projects which have the potential for causing a significant effect on the environment;
2. Authorize the City Manager to amend Contract No. 32675 with MLC Constructors, Inc. to increase the contract amount by \$90,758, which includes supplemental services of \$70,758 and a contingency of \$20,000 to provide for any necessary change orders, thereby increasing the grand total not-to-exceed amount to \$588,948 for the prefabricated storage building at Fire Station 33; and
3. Grant the proposed contract amendment with MLC Constructors, Inc. an exemption from the Competitive Bidding Process set forth in the Competitive Bidding and Purchasing Ordinance pursuant to the Pasadena Municipal Code Section 4.08.049(B), contracts where the best interests of the City are served.

BACKGROUND:

On July 10, 2023, City Council authorized the City Manager to enter into a contract with MLC Constructors, Inc. for labor and materials to fabricate and install a prefabricated metal storage building at Fire Station 33 for a total not-to-exceed amount of \$498,190. The scope of work for the awarded contract includes developing plans and calculations for a prefabricated building per the performance specifications provided; obtaining Building and Safety plan check approval and required City permits; fabrication, delivery, and installation of the approved building atop a new foundation; minor underground electrical work; and installation of drainage and concrete curbs.

During the plan check approval and construction phases, various design corrections, requests, and unforeseen site conditions have increased the project scope. As a result, a contract amendment is required to complete the revised project scope. Design changes include installation of a code-required fire-rated wall along the east property line and a larger roll-up access door to allow for greater vehicle clearances. Unforeseen site conditions include saturated/unsuitable soil conditions requiring additional excavation and larger concrete footings to reach native soil; and the discovery of an underground decommissioned water tank requiring removal and site improvements for accessibility compliance as it resides within the path of travel.

The Department of Public Works recommends increasing Contract No. 32675 with MLC Constructors, Inc. for the Fire Station 33 Prefabricated Storage Building project by \$90,758 which includes supplemental services of \$70,758 and a contingency of \$20,000 for a total not-to-exceed amount of \$588,948. The contract amendment will cover costs associated with the additional scope of work for the prefabricated building and site improvements, above the awarded contract contingency.

The recommended additional work and overall project will be completed by September 2024.

COUNCIL POLICY CONSIDERATION:

This contract is consistent with the City Council's goal to improve, maintain, and enhance public facilities for civic governance and administration, public safety (police and fire), and comparable activities.

ENVIRONMENTAL IMPACT:

This action is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3), the common sense exemption that CEQA only applies to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

FISCAL IMPACT:

The cost to increase Contract No. 32675 with MLC Constructors, Inc. is \$90,758. Funding for this action will be addressed by the utilization of existing budgeted appropriations in the *Fire Stations Renovations and Improvements* (71911) CIP project. It is anticipated that all costs associated with this increase will be expended in FY 2025.

There is no impact to the General Fund.

Respectfully submitted,



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Approved by:



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