



Agenda Report

June 10, 2024

TO: Honorable Mayor and City Council

FROM: Department of Public Works

SUBJECT: AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BELLFREE CONTRACTORS, INC. FOR ONE ARROYO TRAIL PROJECT FOR AN AMOUNT NOT-TO-EXCEED \$1,131,544

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 15301, Class 1 – Existing Facilities; and 15304 Class 4, Minor Alterations to Land 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. Authorize the City Manager to enter into a contract with Bellfree Contractors, Inc. for the One Arroyo Trail Project – North Arroyo Loop Trail & South Arroyo Loop Trail for an amount not-to-exceed \$1,131,544, which includes the base contract amount of \$905,235 and a contingency of \$226,309 to provide for any necessary change orders.

BACKGROUND:

On June 10, 2019, City Council approved a Memorandum of Understanding (MOU) between One Arroyo Foundation and the City of Pasadena for cooperative work on the One Arroyo Demonstration Projects in support of variety of solutions to establish connections, enhance the trail user experience, and foster a deeper connection to the Arroyo Seco. The Demonstration Projects are located at key connection points into and out of the Lower and Central Arroyo.

On May 13, 2024, City Council approved a Reimbursement Agreement between the City of Pasadena and One Arroyo Foundation to acknowledge the use and terms of a \$1,000,000 grant awarded to One Arroyo Foundation by Santa Monica Mountains Conservancy for the construction of the subject project.

In order to utilize the awarded grant funds, One Arroyo Foundation has requested the City competitively bid and implement the project given City's construction expertise and resources and ownership of the property to be improved under the grant.

Identified as the initial phase of the Arroyo Seco Trail Project, the project involves various trail improvements along two critical linkages, referred to as the Upper Arroyo Trail Loop and Lower Arroyo Trail Loop located within the Arroyo Seco. The purpose of the project is to provide safer, more accessible, and more contiguous routes throughout the Arroyo Seco by rehabilitating existing trails through stabilization of deteriorated trail segments and improvements to trail features. The Upper Loop area includes approximately 2.2 miles of existing and proposed trails situated within the northern portion of the Central Arroyo Seco. The Lower Loop area includes approximately 1.6 miles of existing and proposed trails situated primarily in the Lower Arroyo Seco and within the southern portion of the Central Arroyo Seco. Attachment A shows the location of each loop.

Specifically, the scope of work for the project consists of the following: Trail out-slope grading and repair to drainage dips to improve and control storm water drainage; placement of rock armor base on some trail segments to provide better erosion control; placement of stone terracing and steps for steep slope trail areas; installation of small footbridges to allow easy and safe traversing for users; and installation of lodgepole fencing and stone retaining walls.

Utilizing private capital funds, One Arroyo Foundation contracted with RJM Design Group, Inc. (RJM) to develop design plans. One Arroyo Foundation presented project updates and conceptual drawings to Recreation and Parks Commission throughout the planning and design development phases of the project. These presentations allowed Commissioners and the community to provide feedback on design elements, which was utilized to develop the final construction documents. In conjunction with the design efforts, the City contracted with Psomas to develop the required CEQA environmental documentation.

The Department of Public Works requested and received bids in accordance with Section 4.08.070 of the Pasadena Municipal Code (PMC). On March 28, 2024, a Notice Inviting Bids for the One Arroyo Trail Project was published in the local paper as well as posted on OpenGov Procurement. The posting generated notices to all vendors who have previously registered with the City for this particular commodity class. A total of 39 vendors downloaded the specifications, of whom four were local. Two bids were received by the bid opening date, none from local vendors.

Following advertising, bids were electronically received on April 17, 2024, and are as follows:

Bidder	Amount (\$)
1. Bellfree Contractors, Inc., Granada Hills	\$ 905,235
2. NoHo Constructors, Studio City	Non-Responsive

Engineer's Estimate

\$ 1,200,000

The lowest responsible and responsive bid received is 24 percent less than the Engineer's Estimate.

The bid proposal by Noho Constructors was deemed non-responsible on the grounds they do not have the relevant experience and professional associations required per Bid Specifications Section 5.20 Relevant Experience. Section 4.08.100 of the PMC states a "contract shall be awarded by the City Council to the lowest and best bidder." Section 4.08.130.B of the PMC states that in determining the lowest and best bidder, in addition to price, "the ability, capacity, and skill of the bidder to perform the contract or provide material or services" shall be considered. On May 2, 2024, bidders were notified of staff's determination that Bellfree Contractors, Inc. is the lowest and best bidder and provided an opportunity to file a protest prior to contract award as per the guidelines established in Bid Specifications Section 5.15 Bid Protest Procedures.

It is recommended that Bellfree Contractors, Inc. be awarded the contract for this project as they are the lowest responsive and responsible bidder. The proposed contract with Bellfree Contractors, 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 awarding of this contract will result in one new hire 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.

Bellfree Contractors, Inc. has previously performed work for the City on the Annandale Canyon Open Space Trail Access Improvements project for a contract amount of \$237,359. Staff has confirmed the contractor's license and their Department of Industrial Relations status is in good standing. The contractor received favorable reference checks from other agencies.

The contract for this project will be set up as follows:

Base Bid	\$ 905,235
Contingency	<u>\$ 226,309</u>
Contract Not-to-Exceed Amount	\$ 1,131,544

A contingency of 25 percent is allocated to this contract given possible unforeseen conditions that may be encountered. The contingency will also allow for the opportunity to utilize available grant funds to perform additional trail improvements given the favorable bid unit prices received. It is anticipated that construction will begin by August 2024 and be completed in October 2024.

COUNCIL POLICY CONSIDERATION:

This contract is consistent with the City Council's goal to improve, maintain, and enhance public facilities and infrastructure as well as to provide activities to promote health and fitness among Pasadena residents.

ENVIRONMENTAL IMPACT:

The contract award has been determined to be categorically exempt under the 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 Section 15304, Class 4, Minor Alterations to Land. There are no features that distinguish this project from others in the exempt class and, therefore, there are no unusual circumstances.

FISCAL IMPACT:

On June 10, 2024, Finance Committee approved staff's recommendation to City Council to amend the Fiscal Year 2024 Capital Improvement Program by appropriating \$1 million in Private Capital – One Arroyo to the *One Arroyo Project – Upper Arroyo Trail Loop and Lower Arroyo Trail Loop – Construction Phase (77382)* CIP project and increasing the budget by a like amount.

The total cost of this construction contract including contingency is \$1,131,544 and the total cost of this action is not-to-exceed \$1,221,544. Funding for this action will be addressed by the utilization of existing budgeted appropriations in the *One Arroyo Project – Upper Arroyo Trail Loop and Lower Arroyo Trail Loop – Construction Phase (77382)* CIP project. Project budget includes \$1M in SMMC grant funds awarded to One Arroyo Foundation, which will subsequently be reimbursed to the City as per the Reimbursement Agreement approved by City Council on May 13, 2024. It is anticipated that all costs will be expended in FY 2025.

The following table represents a contract summary.

Base Bid	\$ 905,235
Contingency	\$ 226,309
Contract Administration/Inspection	\$ 90,000
Total Fiscal Impact	\$ 1,221,544

The Department of Parks, Recreation, and Community Services (PRCS) staff will be responsible for the operations and maintenance efforts for these improvements. PRCS will continue with their standard maintenance practice along the Arroyo trails and there will be no additional maintenance costs associated with the project.

Respectfully submitted,



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Director of Public Works

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

Approved by:


MIGUEL MÁRQUEZ
City Manager

Attachment A – Area Map: Upper Arroyo Trail Loop and Lower Arroyo Trail Loop