

COUNCIL RESOLUTION NO. 2014-_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; REJECTING THE BIDS OF THE FIRST APPARENT LOW BIDDER AS NON-RESPONSIVE; AWARDING THE CONTRACT FOR THE "BROADWAY STREET IMPROVEMENT PROJECT BETWEEN MAIN STREET AND SOUTH CITY LIMITS IN THE CITY OF CHULA VISTA, CALIFORNIA (CIP# STM381)" TO TC CONSTRUCTION IN THE AMOUNT OF \$1,161,197; APPROPRIATING \$150,000 FROM THE TRAFFIC SIGNAL FUND TO STM381; AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$70,000

WHEREAS, this project involves the installation of sidewalk improvements, driveways, roadway median curb, full street reconstruction using Full Depth Reclamation (FDR) techniques, traffic signal upgrades and other miscellaneous improvements.; and

WHEREAS, the Development Services Director has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 1(c) categorical exemption pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines. Thus, no further environmental review is necessary; and

WHEREAS, on November 19, 2014, after a public bidding process, the Director of Public Works received five (5) sealed bids for the "'Broadway Street Improvement Project, between Main Street and South City Limits in the City of Chula Vista (STM381)" project; and

WHEREAS, the five (5) bids submitted are as follows:

| CONTRACTOR | BID AMOUNT |
|--------------------------------------------------------------|-------------------|
| 1. Just Construction – San Diego, CA (non-responsive) | \$1,156,566 |
| 2. TC Construction – Santee, CA (responsive) | \$1,161,197 |
| 3. Ramona Paving & Construction – Ramona, CA (responsive) | \$1,162,485 |
| 4. Portillo Concrete Inc. – Lemon Grove, CA (responsive) | \$1,205,300 |
| 5. Palm Engineering Construction– San Diego, CA (responsive) | \$1,337,065 |

WHEREAS, Staff reviewed the apparent first low bid by Just Construction Inc., and determined that the bid is incomplete and non-responsive. The Just Construction Inc. bid documents included an incomplete list of subcontractors form. Specifically the Subcontractors' License Number and class, percentage of items performed by Subcontractors, and the percentage of total bid amounts were not provided; and

WHEREAS, Staff then reviewed the second low bid submitted by TC Construction and determined that the bid package was complete, with no errors and omissions. Therefore, staff recommends awarding a construction contract to TC Construction in the amount of \$1,161,197; and

WHEREAS, low bid submitted by TC Construction is below the Engineer's estimate of \$1,282,600 by \$121,403, or approximately 9%; and

WHEREAS, in the past, TC Construction has satisfactorily completed projects for the City of Chula Vista; and

WHEREAS, TC Construction is a licensed General Engineering Contractor Class A with a current and active License No. 402459; and

WHEREAS, pursuant to California Labor Code section 1782(f)(2), Contractors bidding this project are not required to pay prevailing wages to persons employed by them for the work under this project as the project was advertised prior to January 1, 2015; and

WHEREAS, sufficient TransNet funds are available in the CIP Project No. STM367 to complete the project; and

WHEREAS, a breakdown of construction costs is as follows:

| FUNDS REQUIRED FOR CONSTRUCTION CONTRACT | | |
|-------------------------------------------------------|-------------------------------------|--------------------|
| A. | Base Contract Amount | \$1,161,197 |
| B. | Contract Contingencies | \$70,000 |
| C. | Construction Inspection Staff Costs | \$50,000 |
| D. | Survey/Monument Preservation | \$20,000 |
| TOTAL FUNDS REQUIRED FOR CONSTRUCTION CONTRACT | | \$1,301,197 |

WHEREAS, the fiscal year 2015 budget includes \$1,056,474 in funding from the TransNet fund and \$94,726 in funding the Western TDIF fund, and staff is requesting an appropriation of \$150,000 from the available balance of the Traffic Signal Fund.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it accepts bids for the "Broadway Street Improvement Project, between Main Street and South City Limits (STM381)" project; rejects the bid of the first apparent low bidder as non-responsive; awards the contract for the "Broadway Street Improvement Project, between Main Street and South City Limits (STM381)" project to TC Construction in the amount of \$1,161,197; appropriates \$150,000 to the CIP expense category of the Traffic Signal Fund for CIP Project STM381; and authorizes the expenditure of all available contingency funds in an amount not to exceed \$70,000.

Presented by

Approved as to form by

Richard A. Hopkins
Director of Public Works

Glen R. Googins
City Attorney