

RESOLUTION NO. _____

RESOLUTION NO. _____ OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; AWARDING A CONTRACT FOR THE “PARKWAY COMMUNITY CENTER IMPROVEMENTS PROJECT (CIP GG228)” TO ”MARK W. FOGLE” IN THE AMOUNT OF \$236,952.64; AND AWARDING A CONTRACT FOR THE “PARKWAY AQUATIC CENTER POOL IMPROVEMENTS PROJECT (CIP GG228)” TO ”MISSION POOLS OF ESCONDIDO, INC.” IN THE AMOUNT OF \$446,125.00; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL CHANGE ORDERS; AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$35,978.65

WHEREAS, on December 9, 2016, engineering staff prepared the contract documents and advertised the project; and

WHEREAS, the Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities); and

WHEREAS, On December 28, 2016, the Director of Public Works received three (3) sealed bids for the “Parkway Community Center Improvements Project (CIP GG228)” and one (1) sealed bid for the “Parkway Aquatic Center Pool Improvements Project (CIP GG228)”;

WHEREAS, the 3 bids for the “Parkway Community Center Improvements Project (CIP GG228)” are as follows:

Parkway Community Center Improvements Project (CIP GG228) Bids

Contractor	Bid Amount
Mark W. Fogle*	\$236,952.64
De La Fuente Construction Inc.*	\$283,815.08
West Coast General Corporation	\$289,677.88

**the low bid and second low bid proposals contained mathematical errors and minor clerical errors. Corrections of the bid totals did not change the outcome and ranking of the bids.*

WHEREAS, the low bid, for the “Parkway Community Center Improvements Project (CIP No.GG228)” submitted by “Mark W. Fogle” of \$236,952.64 is \$23,098.56 (approximately 11%) higher than the Engineer’s estimate of \$213,854.08; and

WHEREAS, staff has reviewed the low bid for the “Parkway Community Center Improvements Project (CIP GG228)” and recommends awarding the contract to “Mark W. Fogle” of San Pedro, California; and

WHEREAS, “Mark W. Fogle” is currently an active licensed Class B, General Building Contractor (License No. 600825); and

WHEREAS, the one bid for the “Parkway Aquatic Center Pool Improvements Project (CIP GG228)” is as follows:

Parkway Aquatic Center Pool Improvements Project (CIP GG228) Bids

Contractor	Bid Amount
Mission Pools of Escondido Inc.	\$551,519.10

**the low bid proposal contained a mathematical error. Corrections of the bid totals did not change the outcome and ranking of the bids.*

WHEREAS, the low bid, for the “Parkway Aquatic Center Pool Improvements Project (CIP GG228)” submitted by “Mission Pools of Escondido Inc.” \$551,519.10 is \$152,417.10 (approximately 38%) higher than the Engineer’s estimate of \$399,102.00; and

WHEREAS, staff has reviewed the low bid for the “Parkway Aquatic Center Pool Improvements Project (CIP GG228)” and recommends awarding the contract to “Mission Pools of Escondido Inc.” of Escondido, California; and

WHEREAS, “Mission Pools of Escondido Inc.” is currently an active licensed Class B, General Building Contractor (License No. 326760) and an active licensed Class C-53, Swimming Pool (License No. 326760); and

WHEREAS, bids received exceeded the staff estimates of the cost of the work, and the total grant funds available, and eliminations of items of work were determined to be necessary by staff, and the eliminations of items of work were agreed to by the contractor; and

WHEREAS, the total contract award amount for the “Parkway Aquatic Center Pool Improvements Project (CIP GG228)” was reduced by \$105,394.10 from \$551,519.10 to \$446,125.00; and

WHEREAS, in the City Council Policy No. 574-01, the maximum aggregated contract increase that maybe approved by the Director of Public Works is \$22,806.68 for the “Parkway Community Center Improvements Project (CIP GG228)” and \$41,228.75 for the “Parkway Aquatic Center Pool Improvements Project (CIP GG228)”; and

WHEREAS, approval of the resolution would increase the Director of Public Works authority to approve change orders as necessary for both contracts, without further City Council approval, in an amount not to exceed the contingency amount of \$35,978.65 (approximately 5% of the combined total of both contracts); and

WHEREAS, a breakdown of construction costs is as follows:

FUNDS REQUIRED FOR CONSTRUCTION	
A. Parkway Community Center Improvements Project (CIP No.GG228) Contract Amount	\$236,952.64
B. Parkway Aquatic Center Pool Improvements Project (CIP	\$446,125.00

No.GG228) Contract Amount	
C. Subtotal of Both Contracts Amount	\$683,077.64
D. Contingency (Approximately 5% of combined contract amount)	\$35,978.65
TOTAL FUNDS REQUIRED FOR CONSTRUCTION	\$719,056.29

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it does hereby accept bids; award a contract for the “PARKWAY COMMUNITY CENTER IMPROVEMENTS PROJECT (CIP GG228)”, to “Mark W. Fogle”, in amount of \$236,952.64, a copy of such contract shall be kept on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED by the City Council of the City of Chula Vista, that it does hereby accept bids; award a contract for the “PARKWAY AQUATIC CENTER POOL IMPROVEMENTS PROJECT (CIP GG228)”, to “Mission Pools of Escondido Inc.,” in amount of \$446,125.00, a copy of such contract shall be kept on file in the Office of the City Clerk.

BE IT FURTHER RESOLVED, by the City Council of the City of Chula Vista that it does authorize and direct the City Manager or his authorized representative to execute each of the above listed contracts.

BE IT FURTHER RESOLVED, that the City Council of the City of Chula Vista does hereby waive Council Policy 574-01 and authorize the Director of Public Works to approve change orders, as necessary, and expend all available contingency funds in an amount not to exceed \$35,978.65.

Presented by

Approved as to form by

 Richard A. Hopkins
 Director of Public Works

 Glen R. Googins
 City Attorney