



CITY COUNCIL AGENDA STATEMENT



November 19, 2019

File ID: 19-0507

TITLE

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, WAIVING BID IRREGULARITIES, AND AWARDING THE CONTRACT FOR THE COMBINED ADVERTISEMENT OF THE "RMRA MAJOR PAVEMENT REHABILITATION FY 2018/2019 (STM0396)" AND "ORANGE PARK PARKING LOT IMPROVEMENTS (PRK0335)" PROJECTS TO EAGLE PAVING COMPANY INC.

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

On October 9, 2019, the Director of Engineering and Capital Projects received four (4) sealed bids for the combined advertisement of the "RMRA Major Pavement Rehabilitation FY 2018/2019 (STM0396)" and Orange Park Parking Lot Improvements (PRK0335)" projects. STM0396 was created by City Council Resolution 2017-179 and is funded by RMRA/Gas Tax funds. PRK0335 was created by City Council Resolution 2019-043 and is funded by Capital Improvement funds. Staff recommends that Council award the bid to Eagle Paving Company Inc.

ENVIRONMENTAL REVIEW

The City's 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 Categorical Exemption pursuant to State CEQA Guidelines Section 15301 Class 1 (Existing Facilities), Section 15302 Class 2 (Replacement or Reconstruction), and Section 15303 class 3 (New Construction or Conversion of Small Structures) because the proposed project would not result in a significant effect on the environment, create a cumulative impact, damage a scenic highway, or cause a substantial adverse change in the significance of a historical resource. Thus, no further environmental review is required.

DISCUSSION

The "RMRA Major Pavement Rehabilitation FY 2018/2019 (STM0396)" and "Orange Park Parking Lot Improvements (PRK0335)" projects will primarily consist of the following improvements:

- Roadway rehabilitation at various locations in the City of Chula Vista using asphalt concrete pavement overlays and Asphalt Rubber Aggregate Membrane (ARAM) chip seals;
- Modification of pedestrian ramps, spandrels, cross gutters, and driveways at various locations;

- Construction of raised medians on Hilltop Drive north of Main Street, and on Third Avenue north of D Street;
- Modification of existing signing and striping at various locations; and
- Paving of an existing decomposed granite parking lot at Orange Park.

Bidding Process

On September 20, 2019, Engineering and Capital Projects Staff advertised the project and received four (4) sealed bids on October 9, 2019. The submitted base bid totals from the prime contractors were as follows:

<u>Ranking</u>	<u>Contractor</u>	<u>Submitted Base Bid Amount</u>
1	Eagle Paving Company Inc	\$2,937,000.00
2	TC Construction Company Inc	\$3,736,220.18
3	ATP General Engineering Contractors LLC	\$3,737,995.00
4	Ramona Paving and Construction Corp	\$5,869,780.17

During Staff’s review of the bid proposals received, the apparent low bid contained a bid irregularity that resulted in the correction of a clerical error on the bid proposal to the unit price in words to confirm Eagle Paving Company’s original bid amount as stated in numbers.

The apparent low bid contained another bid irregularity that resulted in an administrative adjustment to the submitted base bid amount for Eagle Paving Company Inc. The resulting administrative adjustment to the submitted bid amount did not affect the lowest responsive bidder for the project. The submitted and adjusted base bid amounts are as follows:

<u>Eagle Paving Company Inc</u>	<u>Base Bid Amount</u>
Submitted	\$2,937,000.00
Adjusted	\$2,937,504.00

The lowest responsive bidder for the project, Eagle Paving Company Inc., has acknowledged the bid irregularities in the bid proposal and indicated that they will honor the adjusted base bid amount. The acknowledgement letter is included as Attachment 1 of this agenda item.

The adjusted base bid \$2,937,504.00 is below the Engineer’s Estimate of \$3,698,076.62 by \$760,572.62 (or approximately 21%).

Eagle Paving Company Inc.’s Contractor License No. 944939, as well as all listed sub-contractor’s licenses, are current and active as of October 2019. Staff has verified references provided by the Contractor and determined them to be satisfactory. Staff recommends City Council find it in the best interest of the public to accept the adjusted bid amount, waive bid irregularities in the bid, and award the contract in the amount of \$2,937,504 to Eagle Paving Company Inc.

Disclosure Statement

Attachment 2 is a copy of the Contractor’s Disclosure Statement.

Wage Statement

The Contractor that is awarded the contract and its sub-contractors are required to pay prevailing wages to persons employed by them for work under this contract. The prevailing wage scales are those determined by the Director of Industrial Relations, State of California.

DECISION-MAKER CONFLICT

STM0396

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(7) or (8), for purposes of the Political Reform Act (Cal. Gov't Code §87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

PRK0335

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(7) or (8), for purposes of the Political Reform Act (Cal. Gov't Code §87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

CURRENT-YEAR FISCAL IMPACT

Approval of the resolution will initiate the construction phase of STM0396 and PRK0335. Adequate funding is available to award the contract; therefore, there is no additional impact to the RMRA/Gas Tax and CIP Funds. The following tables summarize the project construction costs.

FUNDS REQUIRED FOR CONSTRUCTION	
A. Contract Amount	\$2,937,504.00
B. Contract Contingency	\$1,113,391.67
C. Construction Inspection Staff Time	\$320,000.00
D. Design & Survey Staff Time	\$170,000.00
TOTAL FUNDS REQUIRED FOR CONSTRUCTION	\$4,540,895.67

AVAILABLE FUNDING	
A. Project Budget (STM0396)	\$4,270,895.67
B. Project Budget (PRK0335)	\$270,000.00
TOTAL FUNDS AVAILABLE FOR CONSTRUCTION	\$4,540,895.67

ONGOING FISCAL IMPACT

Upon completion of the project, the improvements will require routine maintenance.

ATTACHMENTS

Attachment 1 – Acknowledgement of Clerical Errors

Attachment 2 – Contractor’s Disclosure Statement

Staff Contact: Tim Jones, Associate Engineer