



City of Chula Vista

Staff Report

File#: 14-0096, **Item#:** 7.

RESOLUTION NO. 2014-042 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS, AWARDING THE CONTRACT FOR THE "MEDIAN IMPROVEMENTS AT OLYMPIC PARKWAY / BRANDYWINE AVENUE AND PALOMAR STREET / WALNUT AVENUE IN THE CITY OF CHULA VISTA (CIP #TF377)" PROJECT TO TRI-GROUP CONSTRUCTION & DEVELOPMENT, INC., IN THE AMOUNT OF \$124,830, WAIVING CITY COUNCIL POLICY 574-01, AND AUTHORIZING THE EXPENDITURE OF ALL AVAILABLE CONTINGENCY FUNDS IN AN AMOUNT NOT TO EXCEED \$20,000.

RECOMMENDED ACTION

Council adopt the resolution.

SUMMARY

On February 05, 2014, the Director of Public Works received eight (8) sealed bids for the "Median Improvements at Olympic Parkway/Brandywine Avenue and Palomar Street/Walnut Avenue in the City of Chula Vista (TF377)" project. The project is included in the Capital Improvement Program Fiscal Year 2013/2014. The proposed resolution, if approved, would accept bids, award the contract for this project to the low bidder Tri-Group Construction & Development, Inc. in the amount of \$124,830, waive City Council Policy 574-01, and authorize the expenditure of all available contingency funds in an amount not to exceed \$20,000.

ENVIRONMENTAL REVIEW

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 because the proposed traffic improvement project consists of the construction of a raised median near the intersection of Palomar Street and Walnut Avenue and the installation of a left turn pocket lane at the intersection of Olympic Parkway and Brandywine. All proposed work and improvements will be done within existing street right-of-way involving negligible or no expansion of an existing use. Thus, no further CEQA environmental review is required.

BOARD/COMMISSION RECOMMENDATION

Not Applicable

DISCUSSION

The project will increase the length of westbound Olympic Parkway left turn pocket to southbound Brandywine Avenue from 220 feet to 450 feet, increasing storage and reducing traffic delays. The project will also construct a raised median at the intersection of Palomar Street and Walnut Avenue, improving traffic safety by prohibiting left turn movements from Walnut Avenue and East Frontage Road onto eastbound and westbound Palomar Street, respectively.

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Palomar Street/Walnut Avenue/East Frontage Road raised median

The Palomar Gateway District Specific Plan Final Mobility Study Final Mobility Study conducted by Linscott Law & Greenspan Engineers recommended a series of improvements to help improve ADA, bicycle, light rail, parking, pedestrian, transit and vehicular mobility opportunities. These mobility improvements were separated into Tier I (High Priority), Tier II (Medium Priority) and Tier III (Low Priority) opportunities. For vehicular improvements, a Tier I project identified was to restrict Walnut Avenue (& East Frontage Road) vehicular access to/from Palomar Street to allow right-in/right-out only. A raised median at this intersection will provide for this restriction. Eastbound and westbound Palomar Street traffic will still be allowed to make the left turn at this intersection. During the Palomar Gateway Specific Plan process, numerous workshops were held in the community and the final plan incorporates the input from the community, including the area businesses. The Planning Commission considered the Specific Plan and EIR during a Public Hearing held on June 26, 2013. On August 6, 2013, a Public Hearing was held by the City Council to consider approval of the Palomar Gateway Specific Plan and related rezoning actions. A Resolution and Ordinance were approved that evening.

On February 05, 2014, the Director of Public Works received eight (8) bids as follows:

| | CONTRACTOR | BID |
|---|--|--------------|
| 1 | Tri-Group Construction & Development - San Diego, CA | \$124,830.00 |
| 2 | Palm Engineering Construction Co. - San Diego, CA | \$129,593.00 |
| 3 | HTA Engineering & Construction, Inc. - San Diego, CA | \$136,420.00 |
| 4 | Just Construction, Inc. - San Diego, CA | \$140,000.00 |
| 5 | Crest Equipment - El Cajon, CA | \$146,015.00 |
| 6 | PAL General Engineering, Inc. - San Diego, CA | \$152,894.00 |
| 7 | New Century Construction, Inc. - Lakeside, CA | \$164,890.00 |
| 8 | A.B. Hashmi, Inc. - San Diego, CA | \$179,668.00 |

The low bid submitted by Tri-Group Construction & Development, Inc. is below the Engineer's estimate of \$226,250 by \$101,420 (approximately 44.8 %). Tri-Group Construction & Development, Inc. has performed similar work in the City with satisfactory performance. Tri-Group Construction & Development, Inc. is a licensed General Engineering Contractor Class A with a current and active License No. 792159.

The proposed resolution would also authorize the Director of Public Works to approve change orders over and above existing policy limits. Under City Council Policy No. 574-01, if an individual change order causes the cumulative increase in change orders to exceed the Director's authority ("Maximum Aggregate Increase in Change Orders"), then City Council approval is required. The corresponding maximum aggregate contract increase that may be approved by the Director of Public Works under Policy No. 574-01 is \$11,738. Approval of the resolution would increase the Director of Public Works' authority to approve change orders, as necessary, up to the contingency amount of \$20,000, an increase of \$8,262 over Policy No. 574-01. Increasing the contingency funds will allow staff to continue the project without delay should unforeseen circumstances resulting in increased project costs arise during the course of construction, as well as make adjustments to bid item quantities.

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Unforeseen conditions include such items as utility conflicts, hazardous materials, unexpected underground conflicts, etc. If the contingency funds are not used, then they will be returned to the project fund balance.

Staff reviewed the lowest bid submitted by Tri-Group Construction & Development, Inc. and determined that the bid package is complete, with no errors or omissions. Therefore, staff recommends awarding a construction contract to Tri-Group Construction & Development, Inc. in the amount of \$124,830.00.

Wage Statement

The Contractor that is awarded the contract and its subcontractors are not required to pay prevailing wages to persons employed by them for work under this contract.

Disclosure Statement

Attachment 1 is a copy of the Contractor's Disclosure Statement.

DECISION-MAKER CONFLICT

Staff has reviewed the property holdings of the City Council and has found no property holdings within 500 feet of the boundaries of the property which is the subject of this action. 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.

LINK TO STRATEGIC GOALS

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The Median Improvements at Olympic Parkway/Brandywine Avenue and Palomar Street/Walnut Avenue project supports the Strong & Secure Neighborhoods goal as it will improve safety at the intersection of Palomar Street and Walnut Avenue and reduce vehicular delays at both project locations, thus improving traffic levels of service, all vital to the quality of life for residents. Increased safety and traffic levels of service create an appealing community for the residents to live, work, and play.

CURRENT YEAR FISCAL IMPACT

Sufficient TransNet funds are available in CIP Project No. TF377 to complete the project. There is no additional impact to the TransNet Fund as sufficient funding is available to cover the capital costs associated with this project. There is no direct impact to the General Fund. The table below summarizes the project construction costs.

| FUNDS REQUIRED FOR CONSTRUCTION | |
|---|------------------|
| A. Contract Amount | \$ 124,830 |
| B. Contract Contingency | \$ 20,000 |
| C. Construction Inspection Staff Cost | \$ 65,000 |
| D. Other Staff Cost (Design Support, Survey & Geotechnical) | \$15,000 |
| TOTAL FUNDS REQUIRED FOR CONSTRUCTION | \$224,830 |

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ONGOING FISCAL IMPACT

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