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Staff Report

Date: November 1, 2016
To: City Council
From: Valerie J. Barone, City Manager
Reviewed by: Victoria Walker, Director of Community and Economic Development
Prepared by: Mark Migliore, Associate Civil Engineer
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Subject: **Considering award of a sitework construction contract in the amount of \$167,716 to Sposeto Engineering of Livermore for the Willow Pass Park Restroom & Concession Facility Replacement – Field #1, Project No. 2334; and authorize staff to utilize the available project contingency for contract change orders up to 10% of the contract amount. (General Fund)**

The project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15302 – Replacement or Reconstruction.

Report in Brief

The Willow Pass Park Restroom & Concession Facility Replacement – Field #1 Capital Improvement Program (CIP) project (Project No. 2334) includes the replacement of the existing combination restroom/concession stand facility at Willow Pass Park near Field #1. Procurement of the pre-fabricated restroom/concession stand building was approved by the City Council on June 28, 2016.

The current proposed site work construction contract includes building demolition, site preparation, utility installations and additional site improvements such as walkways around the pre-fabricated restroom building that connect to the existing parking lot, and other miscellaneous ADA-related improvements. Sposeto Engineering, Inc. (Sposeto) was the low bidder and submitted a responsive and responsible bid in the total amount of \$167,716.

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Recommended Action

Staff recommends that the City Council award the sitework construction contract in the amount of \$167,716 to Sposeto Engineering, Inc. of Livermore for the Willow Pass Park Restroom & Concession Facility Replacement – Field #1 project (Project No. 2334); authorize the City Manager to execute the contract subject to approval of the City Attorney; and authorize staff to utilize the available project contingency for contract change orders up to 10% of the contract amount.

Background

The Willow Pass Park Restroom Replacement project was approved by the City Council in January 2015. The overall project includes the installation of a pre-fabricated restroom building with five individual stalls, including three stalls accessible to people with disabilities, a concession stand area with associated storage area, an Americans with Disabilities Act (ADA)-compliant drinking fountain with bottle filling station, a perimeter walkway around the buildings, installation of an accessible ramp and other miscellaneous ADA improvements to the parking lot. (See Attachment 1 for project location map).

The project involves two construction contracts:

1. The first was for procurement and installation of a pre-fabricated restroom building. The procurement and installation contract for the pre-fabricated restroom building was approved by the City Council on June 28, 2016. That contract has been executed and the drawings for the building are in process. Building fabrication is estimated to be completed in December for delivery to the site.
2. The second contract, before Council for consideration with this report, is for the sitework construction contract. The sitework construction contract includes demolition of the existing building, site and building pad preparation, bringing utilities to the building pad, and installation of walkways around the perimeter of the building that connect to the existing parking lots, construction of an accessible ramp and miscellaneous ADA-related improvements to the parking lot.

If approved by Council, site preparation work would tentatively begin in late November or early December 2016 to accommodate building delivery and installation. Once the building is installed, the final site work, including concrete walkways and other related improvements will be completed. The entire project is anticipated to be complete in February 2017; weather permitting.

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Note that the existing electrical meters associated with nearby cell towers are attached to the existing building. Staff has been working with the cell providers to relocate the meters to a designated utility area behind the existing restroom building. Pending resolution of the relocation, a portion of the existing wall where the meters are located may remain.

Analysis

Construction Contract

Based on the Engineer's Estimate of \$116,000, an informal bidding process for the site construction work was used. The site improvement plans and specifications were provided to five prospective contractors, as well as placed on the City's website to solicit bids. Three (3) bids were received on Friday, August 26, 2016, ranging from \$167,716.00 to \$265,955.00 for the total bid, as shown on Attachment 2. Sposeto Engineering (Sposeto) was the low bidder who submitted a responsive and responsible bid in the total amount of \$167,716. The determination of the low bidder was based on the total bid. A summary of the bids is as follows:

| Bid Schedule | Engineer's Est. | Sposeto Eng. | Lead Abatement dba Grace Constr. | Saboo, Inc. |
|---|------------------------|---------------------|---|--------------------|
| BASE BID – BUILDING DEMOLITION; SITE PREPARATION; UTILITIES; ADA AND SITE IMPROVEMENTS | \$116,000 | \$167,716 | \$184,385 | \$265,955 |
| Total | \$116,000 | \$167,716 | \$184,385 | \$265,955 |

The low bid of \$167,716 is significantly higher than the Engineer's estimate and considered reasonable considering the current bidding climate. Staff contacted the low bidder to obtain confirmation of their bid amount. Sposeto confirmed that they are comfortable with their bid and ready to perform their work as bid. Sposeto possesses the proper and valid contractor's license, is not on any debarred list, is registered with the Department of Industrial Relations, has provided satisfactory references, and has successfully completed similar projects.

Additionally, staff consulted with City Attorney's office to confirm that the informal bid process used complied with the Public Contract Code (PCC), since the low bid significantly exceeded the Engineer's estimate. The City Attorney's office concluded that since the lowest bid received did not exceed the \$175,000 limit established by the Public Contracting Code for use of the informal bidding process, and staff further

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determined that while the Engineer's estimate was low, that the costs would not reasonably be expected to exceed the \$175,000 level.

Environmental Review

This project qualifies for a Categorical Exemption pursuant to the California Environmental Quality Act Regulations Section 15302 – Replacement or Reconstruction. That finding included and applies to this aspect of the project. A Notice of Exemption will be filed with the County Clerk's office subsequent to the Council award of the contract.

Financial Impact

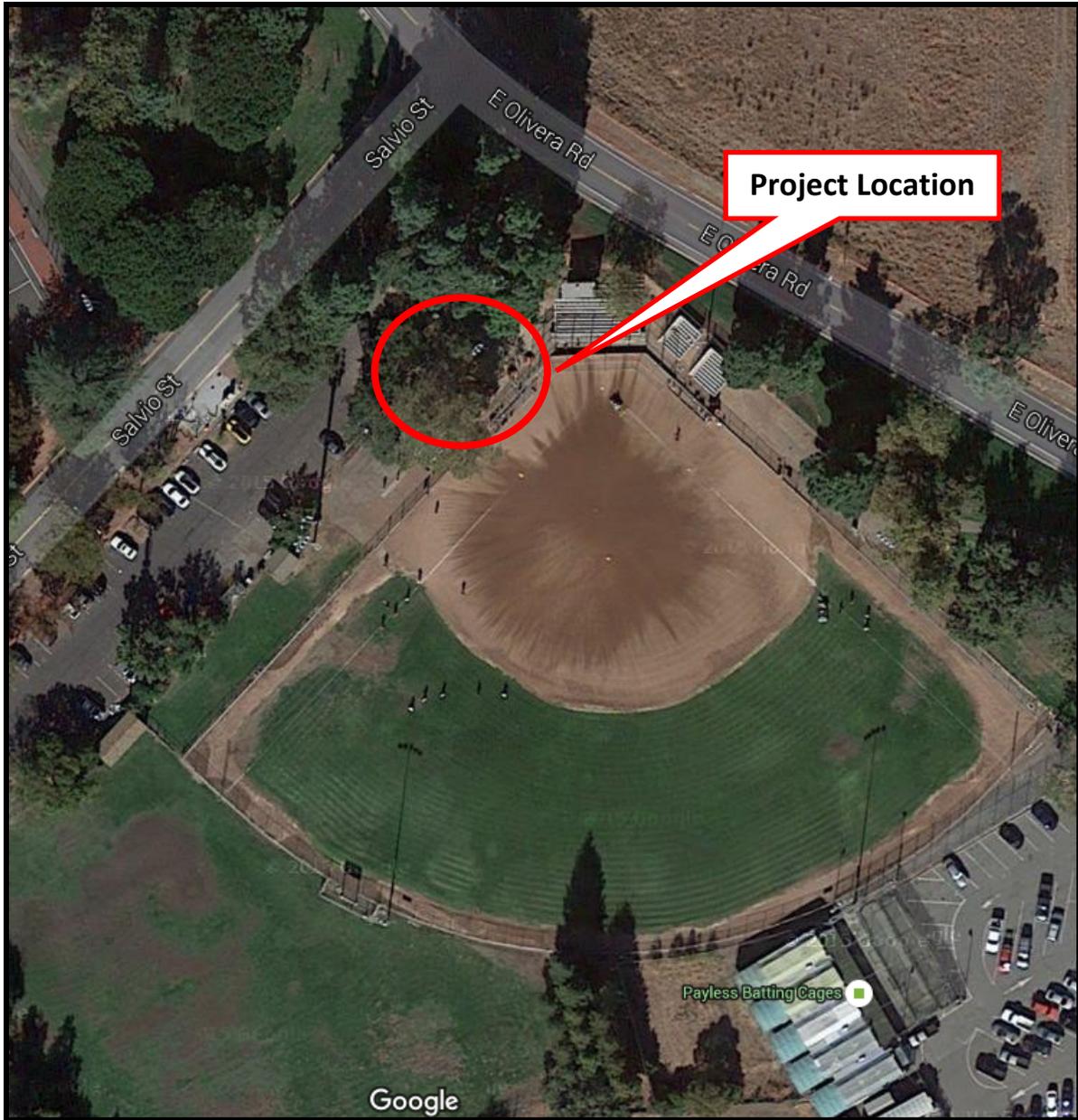
There are sufficient funds in the project budget to award the construction contract, and provide for a 10% construction contingency, construction management, inspection and testing services, as well as staff oversight.

Public Contact

The City Council Agenda was posted.

Attachments

1. Location Map
2. Bid Summary



LOCATION MAP

Willow Pass Park Restroom and Concession Building

Project No. 2334

**City of Concord
Bid Sheet**

**PROJECT #2334
Willow Pass Restroom Improvements
(Sitework)**

**Bid Opening:
Friday,
August 26, 2016
2:00 p.m.**

City Manager's Conference Room

Engineer's Estimate: \$100,000 - \$125,000

To be awarded:

| COMPANY | TOTAL BID |
|--|--------------|
| Sposeto Engineering, Inc. 4558 Contractors Place Livermore, CA 94551 | \$167,716.00 |
| Grace Construction 1480 Wharton Way Concord, CA 94521 | \$184,385.00 |
| Saboo, Inc. 1606 Montclair Pl. Brentwood, CA 94513 | \$265,955.00 |
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