



## AGENDA REPORT

**Meeting Date:** October 16, 2007

**Item Number:** F-9

**To:** Honorable Mayor & City Council

**From:** Ara Maloyan, Deputy City Engineer

**Subject:** AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, PORTSMOUTH CONSTRUCTION, INC., FOR THE 2007-2008 ANNUAL INFRASTRUCTURE REPAIRS AND REPLACEMENTS - VARIOUS LOCATIONS IN THE AMOUNT OF \$391,742.60; AND APPROVAL OF THE PLANS AND SPECIFICATIONS FOR THE PROJECT DATED NOVEMBER 2006; AND

APPROVE ISSUANCE OF A PURCHASE ORDER TO PORTSMOUTH CONSTRUCTION, INC. IN THE AMOUNT OF \$450,000.00 FOR THE PROJECT

**Attachments:**

1. Agreement
2. Categorical Exemption
3. Location list

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### **RECOMMENDATION**

Staff recommends the City Council: 1) Award the contract to the lowest responsible bidder, Portsmouth Construction, Inc. in the amount of \$391,742.60 for the 2007-2008 annual infrastructure repairs and replacements to facilitate the repairs of City infrastructure at various locations throughout the City; 2) Authorize a contingency amount of \$58,257.40 to make minor changes to the contract, as needed; 3) Approve the plans and specifications for the Project, dated November 2006, which are adopted and approved with respect to design criteria, and 4) Approve the issuance of a purchase order in the amount of \$450,000.00.

### **INTRODUCTION**

This report is a request for City Council approval to award a contract to the lowest responsible bidder for the repair and replacement of damaged infrastructure at various locations City-wide. Locations were identified by staff field investigations and resident phone calls. The locations are then organized and prioritized based the type of work and urgency for repair. See the attached list for locations.

The plans and specifications for the 2007-2008 Annual Infrastructure Repairs and Replacements – Various Locations, dated November 2006, were approved by a duly

authorized California licensed engineer. Staff finds that the plans and specifications will safely implement the project.

**DISCUSSION**

This project is being implemented to repair or replace damaged sidewalks, curbs, gutters, ramps, driveways, pavement, water meter boxes, and other infrastructure throughout the City. On September 18, 2007, bids were opened after public advertising. Sixteen bid packages were distributed and twelve bids were received as follows:

Portsmouth Construction, Inc.	\$ 391,742.60
Alliance Streetworks, Inc.	\$ 445,114.50
F.S. Construction	\$ 448,726.20
G. Coast Construction, Inc.	\$ 474,601.00
All American Asphalt	\$ 478,221.00
PALP, Inc. dba Excel Paving Company	\$ 499,806.00
Accord Engineering, Inc.	\$ 511,470.00
Hardy & Harper, Inc.	\$ 575,959.50
PIMA Corp. dba Advanced Construction	\$ 587,701.00
Elite Bobcat Service, Inc.	\$ 694,986.00
Damon Construction Co.	\$ 712,299.30
Tiffany Group, Inc.	\$ 807,905.20

These amounts were tabulated using unit prices which take precedence over the submitted total bid amounts. All documents submitted by all the bidders were in order and the apparent low bidder is Portsmouth Construction, Inc. The Engineer's Estimate was \$420 K. Staff recommends that the lowest bid be accepted and awarded.

**FISCAL IMPACT**

A contingency allowance in the amount of \$58,257.40 has been included in the total purchase order amount of \$450,000.00. Any change orders that require expenditures from this allowance shall be made only upon written request in accordance with the Administration Regulation regarding change orders.

Funds for this project are provided as follows:

DEPT	FUND	PROJECT NUMBER	SUB-PROJECT NUMBER	FUNDING SOURCE	AMOUNT
35	45	0633	35-45-0633	Liability Claims Reserve	\$ 200,000.00
35	80	0633	35-80-0633	Water Enterprise Fund	\$ 200,000.00
35	85	0633	35-85-0633	Stormwater Enterprise Fund	\$ 50,000.00
<b>TOTAL</b>					<b>\$ 450,000.00</b>

  
 \_\_\_\_\_  
 Scott Miller  
 Finance Approval

  
 \_\_\_\_\_  
 David Gustavson  
 Approved By

**AGREEMENT**

THIS AGREEMENT, made and entered into this **16<sup>th</sup>** day of **October, 2007**, by and between the CITY OF BEVERLY HILLS, a municipal corporation, hereinafter referred to as "City", and

Portsmouth Construction, Inc.  
5926 Portsmouth St.  
Chino, CA 91710

hereinafter referred to as "Contractor";

WITNESSETH

In this consideration of their covenants the parties hereto agree as follows:

1. Contractor shall furnish all labor, materials and equipment necessary to perform the following work in the City of Beverly Hills, California, strictly in accordance with the Notice to Bidders, Proposal form, Plans and Specifications for such improvement, Standard Contractual Requirements and inclusive of Addendums, each of which documents are made a part of this Contract as though fully set forth herein:

**2007-2008 ANNUAL INFRASTRUCTURE REPAIRS AND REPLACEMENT – VARIOUS LOCATIONS**

2. In consideration of such work City agrees to pay Contractor and Contractor agrees to accept the sum of **Three Hundred Ninety-one Thousand, Seven Hundred Forty-two Dollars and Sixty Cents (\$391,742.60)** in the manner provided in subject Plans and Specifications and subject to adjustment provided therein.

3. Concurrently with the execution of this Contract, Contractor shall file with the City the bonds and certificates of insurance specified in said Standard Contractual Requirements.

4. This Contract shall not be assigned without the written permission of the City Council.

IN WITNESS WHEREOF, the parties hereto have executed this instrument the day and year first above written.

ATTEST:

CITY OF BEVERLY HILLS,  
A municipal corporation

\_\_\_\_\_  
BYRON POPE, City Clerk

\_\_\_\_\_  
JIMMY DELSHAD, Mayor

APPROVED AS TO CONTENT:

CONTRACTOR: Portsmouth Construction, Inc.

\_\_\_\_\_  
RODERICK WOOD, City Manager

\_\_\_\_\_  
KARL KIRKMAN, Risk Manager

\_\_\_\_\_  
DAVID D. GUSTAVSON, Director -  
Of Public Works & Transportation

APPROVED AS TO FORM:

FUNDS AVAILABLE:

\_\_\_\_\_  
LAURENCE WIENER, City Attorney

\_\_\_\_\_  
SCOTT MILLER, Director of Administrative Services/Chief  
Financial Officer

CITY OF BEVERLY HILLS

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Categorical Exemption

NAME OF PROJECT 2007-2008 Annual Infrastructure Repairs and Replacements - Various Locations

LOCATION Various locations, City-wide.

TYPE OF BUSINESS (IF COMMERCIAL) \_\_\_\_\_

PROJECT DESCRIPTION Repair AC pavement, concrete gutter, sidewalks, curbs, ramps, driveways, etc., and utility boxes.

APPLICANT'S NAME City of Beverly Hills PHONE (310) 285-1000

APPLICANT'S ADDRESS 455 North Rexford Drive

CITY Beverly Hills, CA ZIP 90210

IF DIFFERENT, PROVIDE:

AGENT'S NAME \_\_\_\_\_ PHONE \_\_\_\_\_

AGENT'S ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ ZIP \_\_\_\_\_

The undersigned, having received this project for processing, has reviewed it for environmental impact and concluded that the project qualifies for a categorical exemption under the procedures adopted by the City of Beverly Hills and no further environmental assessment is necessary.

Applicable Exemption Class 1(c)

COMMENTS Operation and maintenance of existing public right of way.

Reviewed by Margaret Miller Date Oct. 5, 2007

REPAIR LOCATION LIST

LOCATION ID	LOCATION	TO	FROM	DESCRIPTION	EST. QUANTITY	UNIT
3	Green Way at alley w/o whittier			RR alley approach	366	SF
7	500 blk Arden/Hillcrest alley			RR six in AC paving	1,804	SF
8	600 blk Arden/Hillcrest alley			Brooks 5T in asphalt	1	EA
8	600 blk Arden/Hillcrest alley			Brooks 5T in asphalt	2	EA
8	600 blk Arden/Hillcrest alley			RR six in AC paving	2,615	SF
9	700 blk Arden/Hillcrest alley			RR six in AC paving	3,123	SF
40	n/s Lomitas e/o Rodeo			Brooks 3.5T in asphalt	1	EA
40	n/s Lomitas e/o Rodeo			RR alley approach	486	EA
44	Rexford-Elm Alley (No. of Olympic)			Brooks 3-1/2T	3	EA
44	Rexford-Elm Alley (No. of Olympic)			Brooks 5T	2	EA
44	Rexford-Elm Alley (No. of Olympic)			Brooks 6T	2	EA
44	Rexford-Elm Alley (No. of Olympic)			RR 6" of AC Paving	3,096	SF
44	Rexford-Elm Alley (No. of Olympic)			RR alley gutter	136	SF
45	Maple-Palm Alley	100 Block South		Brooks 3-1/2T	2	EA
45	Maple-Palm Alley	100 Block South		Brooks 5T	1	EA
45	Maple-Palm Alley	100 Block South		Brooks 6T	3	EA
45	Maple-Palm Alley	100 Block South		RR 6" of AC Paving	3,933	SF
59	301 N. Doheny	n/s of Dayton		RR sidewalk & c ramp	165	SF
59	301 N. Doheny	n/s of Dayton		RR curb and 2ft gutter	26	LF
59	301 N. Doheny	n/s of Dayton		Adjust gutter	26	LF
121	312 N. Foothill			RR curb & gutter	14	LF
121	312 N. Foothill			Adjust gutter	14	LF
128	208 N. Foothill			RR curb & gutter	4	LF
128	208 N. Foothill			Adjust gutter	4	LF
129	210 N. Foothill			RR curb & gutter	6	LF
129	210 N. Foothill			Adjust gutter	6	LF
130	304 N. Foothill			RR curb & gutter	18	LF
130	304 N. Foothill			Adjust gutter	18	LF
131	308 N. Foothill			RR curb & gutter	11	LF
131	308 N. Foothill			Adjust gutter	11	LF
132	309 N. Foothill			RR curb & gutter	11	LF
132	309 N. Foothill			Adjust gutter	11	LF
150	s/s Gregory w/o McCarty			RR alley approach	270	SF
173	400 Block S. Rodeo-Camden alley			Brooks 3.5T in asphalt	5	ea
173	400 Block S. Rodeo-Camden alley			RR AC paving	1,046	SF
173	400 Block S. Rodeo-Camden alley			RR curb & gutter	3	LF
173	400 Block S. Rodeo-Camden alley			Adjust gutter	3	LF
173	400 Block S. Rodeo-Camden alley			RR alley approach	259	SF
173	400 Block S. Rodeo-Camden alley			RR alley gutter	172	SF
176	n/s Virginia w/o Rodeo			Brooks 3.5T in asphalt	3	ea
176	n/s Virginia w/o Rodeo			RR AC paving	259	SF
176	n/s Virginia w/o Rodeo			RR alley gutter	3	SF

REPAIR LOCATION LIST

LOCATION ID	LOCATION	TO	FROM	DESCRIPTION	EST. QUANTITY	UNIT
186	400 block Smithwood			RR sidewalk & c ramp	1,102	SF
186	400 block Smithwood			RR curb & gutter	35	LF
189	Whitworth	Robertson	Beverly Drive	RR sidewalk & c ramp	6,117	SF
190	Doheny	Gregory	Olympic	RR sidewalk & c ramp	1,786	SF
190	Doheny	Gregory	Olympic	RR curb & gutter	78	LF
190	Doheny	Gregory	Olympic	Adjust gutter	5	LF
190	Doheny	Gregory	Olympic	RR driveway approach	200	SF
192	Doheny	Charleville	Gregory	RR sidewalk & c ramp	2,872	SF
192	Doheny	Charleville	Gregory	RR curb & gutter	94	LF
193	El Camino	Olympic	Whitworth	RR sidewalk & c ramp	2,267	SF
193	El Camino	Olympic	Whitworth	RR curb & gutter	78	LF
193	El Camino	Olympic	Whitworth	Adjust gutter	5	LF
193	El Camino	Olympic	Whitworth	RR driveway approach	200	SF
194	Clark (100 Block South)			RR sidewalk & c ramp	1,730	SF
194	Clark (100 Block South)			RR curb & gutter	28	LF
194	Clark (100 Block South)	Wilshire	Charleville	RR driveway approach	319	SF
195	Clark (200 Block South)	Charleville	Gregory	RR sidewalk & c ramp	1,970	SF
195	Clark (200 Block South)	charleville	Gregory	RR driveway approach	331	SF
196	Clark (300 Block South)	Gregory	Olympic	RR sidewalk & c ramp	1,279	SF
196	Clark (300 Block South)	Gregory	Olympic	RR driveway approach	164	SF
198	Lapeer (200 Block South)	Charleville	Gregory	RR sidewalk & c ramp	1,845	SF
229	NSM-Roxbury			Install #5 or #6 pull box	1	EA
229	NSM-Roxbury			Construct 24x24 conc. pad	1	EA
229	NSM-Roxbury			RR sidewalk & c ramp	10	SF
400	502 N. Maple			RR driveway approach	124	SF
401	512 N. Maple			RR driveway approach	143	SF
402	516 N. Maple			RR driveway approach	211	SF
403	517 N. Maple			RR driveway approach	173	SF
404	520 N. Maple			RR driveway approach	138	SF
405	523 N. Maple			RR driveway approach	159	SF
406	601 N. Maple			RR curb & gutter	2	LF
406	601 N. Maple			Adjust gutter	(2)	LF
406	601 N. Maple			RR driveway approach	229	SF
407	603 N. Maple			RR driveway approach	174	SF
407	606 N. Maple			RR driveway approach	143	SF
408	607 N. Maple			RR curb & gutter	2	LF
408	607 N. Maple			Adjust gutter	(2)	LF
408	607 N. Maple			RR driveway approach	162	SF
408	607 N. Maple			RR driveway approach	143	SF

REPAIR LOCATION LIST

LOCATION ID	LOCATION	TO	FROM	DESCRIPTION	EST. QUANTITY	UNIT
409	609 N. Maple			RR curb & gutter	4	LF
409	609 N. Maple			RR driveway approach	182	SF
410	611 N. Maple			RR curb & gutter	2	LF
410	611 N. Maple			Adjust gutter	(2)	LF
410	611 N. Maple			RR driveway approach	178	SF
412	612 N. Maple			RR driveway approach	170	SF
413	613 N. Maple			RR sidewalk & c ramp	55	SF
413	613 N. Maple			RR driveway approach	188	SF
414	616 N. Maple			RR driveway approach	162	SF
415	617 N. Maple			RR curb & gutter	5	LF
415	617 N. Maple			Adjust gutter	(5)	LF
415	617 N. Maple			RR driveway approach	163	SF
416	619 N. Maple			RR driveway approach	180	SF
417	621 N. Maple			RR driveway approach	152	SF
418	624 N. Maple			RR curb & gutter	11	LF
418	624 N. Maple			Adjust gutter	(11)	LF
418	624 N. Maple			RR driveway approach	162	SF
419	627 N. Maple			RR curb & gutter	12	LF
419	627 N. Maple			Adjust gutter	(12)	LF
419	627 N. Maple			RR driveway approach	156	SF
420	628 N. Maple			RR driveway approach	212	SF
421	703 N. Maple			RR driveway approach	169	SF
422	704 N. Maple			RR driveway approach	219	SF
423	705 N. Maple			RR sidewalk & c ramp	75	SF
423	705 N. Maple			RR driveway approach	185	SF
424	713 N. Maple			RR sidewalk & c ramp	100	SF
424	713 N. Maple			RR driveway approach	265	SF
425	717 N. Maple			RR driveway approach	163	SF
426	720 N. Maple			RR driveway approach	169	SF
427	722 N. Maple			RR driveway approach	199	SF