



## AGENDA REPORT

**Meeting Date:** October 7, 2008  
**Item Number:** F-10  
**To:** Honorable Mayor & City Council  
**From:** Alan Schneider, Director of Project Administration  
**Subject:** APPROVAL OF THE AWARD OF A CONTRACT TO EBERHARD FOR THE POLICE FACILITY ROOFING PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$436,500 TO EBERHARD FOR THE CONTRACT WORK

**Attachments:**

1. Agreement
2. Categorical Exemption

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### RECOMMENDATION

Staff recommends that the City Council move to approve the award of a contract to the lowest responsible bidder, Eberhard, for the Police Facility Roofing project, Bid No. 09-02, in the amount of \$396,500; approve the construction contingency of \$40,000; approve the plans and specifications for the Project, dated September 4, 2008, which are adopted and approved with respect to design criteria; and approve a purchase order in the amount of \$436,500.

### INTRODUCTION

The existing roofing on the Police Facility was installed as part of the building construction in 1989-90. Over the past 18 years, minor roofing repairs have been required. During the past winter, a number of leaking conditions occurred. The proposed contract will address a long-term solution to prevent further rain leaks.

### DISCUSSION

The City engaged a roofing consultant, Van Dijk & Associates, to examine the existing roofing conditions and provide a recommendation for the appropriate course of action. The results of the inspection and sample cuts of the existing roofing system concluded that existing roofing needs to be replaced. Furthermore, the test cuts revealed that the insulation underneath the roofing has severely deteriorated from moisture infiltration. The consultant's final recommendation was to remove the entire roof and insulation, and install a complete new energy efficient roofing system.

The specifications developed for this project include the following scope of work:

- Tear-off and dispose of the existing roof system, including all base flashings and existing sheet metal wall counter-flashing inserts.
- Over the properly prepared existing deck substrate, provide and install new rigid insulation and protection board. The new ¼ inch thick protection board and new 3 inch thick layer of roof insulation shall be set into an approved adhesive over the underlying structural deck, in accordance with manufacturer's recommendations.
- Provide all materials and accessories to install a new 72 mil thick fiberglass reinforced PVC roof membrane using an extrusion coating process, adhered over new protection board using a volatile organic compound (VOC) compliant water based adhesive, in accordance with manufacturer's recommendations.

The fiberglass reinforced PVC roof membrane roofing is a product manufactured by Sarnafil and includes an "Energy Star White" color. The membrane has an initial solar reflectance of 83% and a corresponding emissivity of 92%. In combination, the total solar reflectance index value (SRI) of the membrane is 104. This ranks at the highest level of available roofing products for energy conservation. Sarnafil roofs are recognized by the U.S. Green Building Council as a qualifying LEED roofing system for "green buildings".

The bid package was prepared for the reroofing of the Police roof, Police penthouse roof, and Library roof. The penthouse roof was shown as a separate bid item because of the uncertainty in proceeding with that area due to the extensive amount of communications equipment mounted on the roof.

The project was advertised in the local Beverly Hills newspapers and the construction trade plan room, McGraw-Hill Construction Information Group (Dodge Report). Ten firms attended the mandatory job walk and obtained bid documents for this project.

On September 18, 2008, five bids were received. The bids results are as follows:

	Total Base Bid	Police Roof	Police Penthouse	Library Roof
Eberhard	\$964,835	\$396,000	\$93,750	\$474,585
Solar Integrated	\$966,000	\$444,000	\$93,000	\$429,000
Best Contracting	\$974,000	\$450,000	\$135,000	\$389,000
ADCO Roofing	\$1,208,914	\$429,683	\$116,842	\$662,389
Anning Johnson Co.	\$1,384,000	\$591,520	\$153,580	\$638,900

The low bidder, Eberhard, submitted a fully responsive bid, and as reported by the State Contractors Licensing Board, their license is current and in good standing. Review of the firm's references indicates that the firm has successfully executed similar work including past projects for the City of Beverly Hills.

The bid instructions stated that the City retained the right to award a contract for the total base bid, or the Police roof excluding the penthouse roof, or the Police roof excluding the penthouse roof and the Library roof. This breakdown of the bid provided the City the option to award a contract in consideration of the available budget for the project.

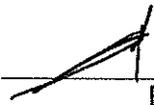
The Capital Improvement Program (CIP) budget includes \$500,000 for new roofing of City buildings in fiscal year 2008-09 and another \$500,000 in the 2009-10 budget. It is staff's recommendation that the most critical need for reroofing is the Police Facility and to award a contract for that roof. The budget for the next fiscal year would then be used for the Library roof. Future funding will also be requested to address aging roofs at City Hall, Fire Station Headquarters, and other City facilities.

The bid documents specify a 60 calendar day completion period for the work, resulting in completion of the project in mid December 2008.

The Department of Community Development has reviewed the project 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.

**FISCAL IMPACT**

Funding for this contract work has been budgeted from the 08-09 CIP budget for New Roofing City Buildings, project #0833.

  
\_\_\_\_\_  
Scott G. Miller  
Finance Approval

   
\_\_\_\_\_  
David D. Gustavson  
Approved By

APPENDIX A

FORM OF CONTRACT

This contract ("Contract") is entered into by and between the City of Beverly Hills ("City"), a California municipal corporation, and EBERHARD, a Corporation, whose address is 15220 Raymer Street, Van Nuys, CA 91405.

In consideration of the agreements herein contained, the parties agree as follows:

1. WORK TO BE PERFORMED. Contractor shall furnish at Contractor's own expense all labor, materials, supplies, equipment, tools, transportation and other items of expense necessary to complete in a workmanlike manner all Work in accordance with the terms and conditions of the Contract, except for the labor, materials, supplies, equipment, tools, transportation and other items of expense as may be required to be furnished by the City. The Work is defined in detail in the Contract Documents, which govern the interpretation and performance of this Contract, but may be generally described as follows:

**POLICE FACILITY ROOFING PROJECT**

Item Description: Removal, disposal and installation of new roofing system at the Police Facility and Beverly Hills Library, located at 464 N. Rexford Drive and 444 N. Rexford Drive, Beverly Hills, California 90210.

2. CONTRACT DOCUMENTS. This contract consists of this Form of Contract and the following Contract Documents, including all exhibits, appendices, addenda, drawings, specifications and documents therein and attachments thereto, all of which are by this reference incorporated herein and made a part of this Contract:

- SECTION 1: NOTICE INVITING BIDS**
- SECTION 2: INSTRUCTIONS TO BIDDERS**
- SECTION 3: SPECIAL CITY REQUIREMENTS**
- SECTION 4: GENERAL SPECIFICATIONS**
- SECTION 7: ADDITIONAL FORMS**
- APPENDIX B: SCOPE OF WORK**
- APPENDIX C: PAYMENT PROCEDURES**
- APPENDIX D: BID FORM**
- APPENDIX E: TECHNICAL SPECIFICATIONS**

as contained in City's Bid Document for Bid No. 09-02, dated September 4, 2008 and

- SECTION 5: BIDDER'S BID**
- SECTION 6: SIGNATURE PAGE AND LEGAL STATUS**

of Contractor's Bid in response thereto, all of which are incorporated herein by reference, and all of which shall comprise the Contract Documents for this Contract. If any item of the Scope of Work, Payment Schedule, or any other item of the Bid Package is modified by either of the parties or arrived at by negotiation between the parties, that item as finally agreed upon by the parties shall also become a Contract Document, it shall supersede the corresponding item of the Bid Package, if any, and it shall be subject to all terms and conditions of the Contract.

3. PERFORMANCE PERIOD. Contractor shall commence Work after execution of the Contract, and shall complete all Work in 60 calendar days from the date of Notice To Proceed as set forth in the Contract Documents.

4. PAYMENT. City shall pay Contractor as full consideration for the satisfactory performance by Contractor of all Work required under this Contract the sum of Three Hundred Ninety Six Thousand Five Hundred Dollars (\$396,500.00), payable as provided in the Contract Documents.

5. The City Manager or his designee shall administer the terms of the Agreement on behalf of the City.

IN WITNESS WHEREOF, the parties hereto have caused this Contract to be executed as of the date stated below.

DATED: \_\_\_\_\_

CITY OF BEVERLY HILLS  
"City"

\_\_\_\_\_  
BARRY BRUCKER  
Mayor

ATTEST:

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

APPROVED TO FORM:

\_\_\_\_\_  
LAURENCE S. WIENER  
City Attorney

DATED: \_\_\_\_\_

EBERHARD  
"Contractor"

By: \_\_\_\_\_  
BRIAN L. MOWATT  
President

By: \_\_\_\_\_  
DAVID J. STEFCO  
Corporate Secretary

APPROVED AS TO CONTENT:

\_\_\_\_\_  
RODERICK J. WOOD  
City Manager

\_\_\_\_\_  
DAVID D. GUSTAVSON  
Director of Public Works

\_\_\_\_\_  
ALAN SCHNEIDER  
Director of Project Administration

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



CITY OF BEVERLY HILLS  
COMMUNITY DEVELOPMENT DEPARTMENT- PLANNING DIVISION  
455 North Rexford Drive  
Beverly Hills, CA 90210-4817  
(310) 285-1123  
FAX: (310) 858-5966

*BeverlyHills.org*

### Categorical Exemption

Name of Project Police Facility Roofing Project

Location City Police Facility, 464 North Rexford Drive, Beverly Hills, CA

Type of Business (if commercial) City Police Facility

Project Description Remove and replace the existing roofing system on the  
the police facility.

Applicant's Name City of Beverly Hills Phone 310-285-1188

Applicant's Address Project Administration, 345 Foothill Road

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(a) & 1(d)

Comments Minor alterations to the exterior of an existing building and repair of existing  
facilities.

Reviewed by *[Signature]* Date 9/23/2008