AGENDA REPORT

Meeting Date: February 17, 2009

Item Number: F-11

To: Honorable Mayor & City Council

From: Alan Schneider, Director of Project Administration

Subject: APPROVAL OF THE AWARD OF A CONTRACT TO AVI-CON, INC. DBA CA CONSTRUCTION FOR THE PUBLIC WORKS FACILITY FIRST FLOOR REMODEL; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF $847,000 TO AVI-CON, INC. DBA CA CONSTRUCTION FOR THE CONTRACT WORK

Attachments:
1. Form of Contract
2. Categorical Exemption

RECOMMENDATION

Staff recommends that the City Council move to approve the award of a contract to the lowest responsible bidder, Avi-Con, Inc., dba CA Construction for the Public Works Facility First Floor Remodel (Project) in the amount of $772,000; approve the construction contingency of $75,000; approve the plans and specifications for the Project, dated January 8, 2009, which are adopted and approved with respect to design criteria; and approve a purchase order in the amount of $847,000.

INTRODUCTION

Under the current 2008-2009 fiscal year Capital Improvement Program (CIP), the City engaged RTK Architects, Inc. (RTK), a licensed California architect to provide design consulting services to address the remodel of the first floor of the Public Works Facility necessitated to accommodate Public Works Transportation Division Parking Enforcement staff to be relocated from City Hall. The proposed contract will implement the following scope of work.

DISCUSSION

Plans and specifications were prepared to accommodate the relocation of staff, and address various inefficiencies within the shop area of the Public Works Facility. The scope of the remodel includes:

- Construction of operating space for the Parking Enforcement group
- Expansion of the men's locker room for relocated staff
- Modifications to solid waste and environmental division shop and work area
- Expansion of the electrical shop
- Relocation of water operations to second floor resulting from the purchase of the Water Treatment Plant from Earth Tech
- Improvements to first floor exhibition space, including new air conditioning equipment

The contract documents incorporated the base bid work and two alternate bid items. Alternate #1 is to provide and install a new air handler unit to increase the air conditioning for the Exhibition Room. Alternate #2 is to provide and install a new exhaust system serving a new fume hood at the Water Treatment Plant lab.

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

On February 4, 2009, four bids were received. The bids results are as follows:

Bidder	*Base Bid*	*Alt. #1*	*Alt. #2*	*Comp. Delay*	*Total Bid*
CA Construction	$642,000	$31,700	$98,300	$1,000	$773,000
S.H.E. Eng. & Constr.	$589,000	$167,500	$25,412	$0	$781,912
SBS Corporation	$693,357	$97,350	$25,960	$5,000	$821,667
Ardalan Construction	$700,000	$150,724	$32,000	$0	$822,000

In accordance with the instructions in the Bid Documents, the lowest responsive bidder is determined by computing the total base bid amount, the two alternate bid amounts and an amount for compensatory delay (if necessitated during the work). Therefore, the low bidder is CA Construction. CA Construction 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 multiple municipal projects.

The consultant's pre-bid cost estimate was $750,000 including the alternate bid items, and is within the range of the bids received.

In consideration of the bids submitted, staff in consultation with the City's HVAC contract services provider, ABM Engineering Service, recommends that the base bid and the two bid alternates be accepted as the contract work.

The total contract amount is $772,000 including the above alternate bid items. In addition, a contingency of $75,000 (approximately 10% of the contract amount) is recommended for changes due to unforeseen conditions to complete the work.

The bid documents specify a 150 calendar day completion period for the work, resulting in completion of the project in July-August 2009.

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 Capital Improvement Program (CIP) budget in two projects as follows:

- $672,000 from Improvements to the Public Works Yard and Facility, project #0894
- $175,000 from Water Facility Improvements, project #0880

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 AVI-CON, INC. DBA CA CONSTRUCTION, a Corporation, whose address is 981 Iowa Avenue, Suite A, Riverside, CA 92507.

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:

PUBLIC WORKS FACILITY FIRST FLOOR REMODEL

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

as contained in City's Bid Document for Bid No. 09-18, dated January 8, 2009 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 150 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 Seven Hundred Seventy-two Thousand Dollars ($772,000.00), inclusive of Alternate Bids #1 and #2, 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: _____

AVI-CON, INC. DBA CA CONSTRUCTION
"Contractor"

By: _____

By: _____

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

BeverlyHills.org

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

Categorical Exemption

Name of Project Public Works Facility First Floor Remodel

Location 345 Foothill Road, Beverly Hills, CA

Type of Business (if commercial) City Public Works Facility

Project Description Remodel interior portions of the facility first floor shops and locker room, and upgrade HVAC equipment for the exhibition space.

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)

Comments Minor interior and exterior alterations to an existing public building.

Reviewed by [signature] Date 2/3/2009