



## AGENDA REPORT

**Meeting Date:** May 27, 2009  
**Item Number:** E-2  
**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; 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**

The remodel of the first floor of the Public Works Facility is a two-phased project to achieve a number of key objectives for the department to create a more efficient management operation and provide more effective City services. Foremost, is the consolidation of all department staff within the Public Works campus at Foothill Road and Third Street. Other project goals are to provide appropriate locker room facilities for all department field staff; upgrade the HVAC system in the Conservation/Exhibition space of the Public Works Facility to enable a variety of activities and meetings in that space; and other building modifications to address operational changes.

In 2006, the City Council approved a project to renovate portions of the second floor of the Public Works Facility to consolidate various divisions of the department that were located in other locations, such as City Hall. The relocation of the Engineering and Transportation Divisions from City Hall to the Public Works Facility was also a key

element in the development of the new customer service center on the first floor of City Hall in providing the necessary space for that service.

The first phase of the renovation project accounted for the relocation of all Public Works and Transportation staff except for the Parking Enforcement operation that has remained in City Hall. Relocation of the staff of 30 is planned for the first floor of the Public Works Facility.

The final design of the recently completed Fleet Services facility did not include a locker room and shower facility for the Maintenance staff. Instead, it was determined to be more cost effective to enlarge the existing locker room in the Public Works Facility to accommodate the approximate 25 staff from the Fleet Services and Facilities Maintenance Divisions. The construction of a locker room and shower in the Fleet Services facility would have cost approximately \$200,000 compared to approximately \$50,000 to renovate the existing facility.

The Conservation/Exhibition space that was created as part of the Public Works Facility is located on the first floor and provides a unique feature with observation of the water treatment plant. The space has been minimally used since the facility was opened because the full glass exterior exposure permits excessive heat and glare. During the past year solar glazing film and draperies have been installed to mitigate those conditions. However, an analysis of the existing air conditioning system finds that there is insufficient cooling to fully offset the heat load from the glazing. The engineering recommendation is to install a stand-alone HVAC unit to serve the space. This improvement would enable meetings and activities to be scheduled all year, and would result in increased energy efficiency since this new unit would only operate when the Conservation/Exhibition space was occupied.

## **DISCUSSION**

Under the approved 2008-2009 fiscal year Capital Improvement Program (CIP), the City approved an agreement on November 18, 2008 with RTK Architects, Inc. (RTK), a licensed California architect, to provide design consulting services to address Phase 2 of the Public Works Facility renovation. The proposed construction contract will implement the following scope of work.

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 renovation includes:

- Construction of operating space for the Parking Enforcement group
- Expansion of the men's locker room for relocated staff
- Improvements to first floor Conservation/Exhibition space, including new air conditioning equipment
- Modification to the parking meter repair and meter collection space to address needs for auditing the coin revenue from the parking meters
- Relocation of water operations to second floor resulting from the purchase of the Water Treatment Plant from Earth Tech
- Modifications to solid waste and environmental division shop and work area
- Expansion of the electrical shop

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 Conservation Classroom. 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:

<i>Bidder</i>	<i>Base Bid</i>	<i>Alt. #1</i>	<i>Alt. #2</i>	<i>Comp. Delay</i>	<i>Total Bid</i>
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	\$882,724

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.

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 consultant's pre-bid cost estimate was \$750,000 including the alternate bid items, and is within the low bid received.

The bid documents specify a 150 calendar day completion period for the work, resulting in completion of the project in December 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:

Meeting Date: May 27, 2009

- \$672,000 from Improvements to the Public Works Yard and Facility, project #0894 which is funded from the Capital Assets Fund
- \$175,000 from Water Facility Improvements, project #0880 which is funded from the Water Enterprise Fund



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



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

# **Attachment 1**

Form of Contract

## 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"

\_\_\_\_\_  
NANCY KRASNE  
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

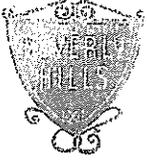
\_\_\_\_\_  
DAVID D. GUSTAVSON  
Director of Public Works

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

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

## **Attachment 2**

### Categorical Exemption



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