



## AGENDA REPORT

**Meeting Date:** June 19, 2012  
**Item Number:** G-16  
**To:** Honorable Mayor & City Council  
**From:** Ara Maloyan, City Engineer   
Tristan Malabanan, Civil Engineer

**Subject:** AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE PRE-QUALIFIED BIDDER, GRIFFITH COMPANY, FOR THE "CONSTRUCTION OF GATEWAY AND STREETScape LOCATED AT WILSHIRE BOULEVARD AND WHITTIER DRIVE", IN THE AMOUNT OF \$605,381; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$670,000 TO GRIFFITH COMPANY FOR THE PROJECT

**Attachments:**

1. Agreement
2. Categorical Exemption
3. Location Map

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### RECOMMENDATION

Staff recommends the City Council move to approve the award of a contract to the lowest responsible pre-qualified bidder, Griffith Company for the work pertaining to the construction of a new Gateway Monument and Streetscape on Wilshire Boulevard at east City limit entry way in the amount of \$605,381; approve the plans and specifications which are adopted and approved with respect to design criteria; approve a construction contingency of 10.7% in the amount of \$64,619 and delegate the authority to approve change orders to the Director of Public Works and Transportation Department as defined in the Purchase Ordinance; and approve the issuance of a purchase order to Griffith Company in the amount of \$670,000.

## **INTRODUCTION**

At the November 5, 2009, City Council meeting; Community Services/Recreation staff and Landscape Architect Steve Smith of Gruen and Associates presented proposed options associated with monument signage intended for placement at four specified locations in the City. City Council gave approval to conceptual designs presented for each location but directed the Wilshire/Whittier location as the first "test" site for installation.

## **DISCUSSION**

At the January 12, 2010, City Council meeting; Community Services/Recreation staff and Landscape Architect Steve Smith of Gruen and Associates presented three dimensional models of the various proposed gateway signage followed by a presentation of their final design for Wilshire/Whittier Gateway Feature at the August 31, 2010, City Council meeting.

After a report to Council at December 21, 2010, City Council meeting; addressing the recommendation by the City's Traffic and Parking Commission to continue the left-turn pocket as part of Wilshire/Whittier Gateway Project (with some additional safety measures), Council advised Project Administration staff to move forward with opening the project up to bid.

In early February 2011, Public Works Civil Engineering staff was assigned the Wilshire/Whittier Gateway project to determine it's readiness for bid. A peer review was conducted by Psomas and Engineering Division's staff which resulted in revisions by Gruen to the Contract Documents. The project was advertized for bid on August 25, 2011.

On December 19, 2011, all seven bids received and opened on September 28, 2011, were rejected and staff was directed by Council to a) modify the existing Contract Documents to ensure that none of the proposed Gateway improvements at this location will be impacted by the impending "Project Lotus" construction at 9900 Wilshire Boulevard; b) pre-qualify Contractors for the rebidding of both this modified project together with the other three proposed high-profile gateway monument projects and c) re-advertise the modified project for public bid in early FY 2012/2013.

During the modification of the design plans and specifications by Gruen and Associates, Engineering staff conducted a prequalification process in accordance with §20101 of the Public Contract Code to ensure that all prospective bidders on this and all three future Gateway and Streetscape projects had undertaken and successfully completed a minimum of three similar-type projects (in terms of scope, working conditions, maintaining uninterrupted traffic control and business access, project management and public relations, controlling noise and dust impacts upon adjacent properties and businesses, or other related matters) within the last 5 years. The first official notice requesting pre-qualification was published in the Beverly Hills Weekly on January 19, 2012, and in the Beverly Hills Courier on January 20, 2012, to which staff received no responses on/before the February 14, 2012, submittal deadline. Consequently, a second official notice requesting pre-qualification was published in the Beverly Hills Weekly on March 8, 2012, and in the Beverly Hills Courier on March 9, 2012, to which staff received five responses on/before the March 29, 2012, submittal deadline. By April 12, 2012, staff had completed scoring the five submitted Pre-Qualification Packages and had sent certified

letters to all five Contractors advising them of their prequalification rating. The three Contractors who failed to be pre-qualified pursuant to the scoring system set forth in the prequalification package were also advised in the certified letter of their right to appeal staff's decision with respect to its prequalification rating, no later than two business days following notification that they were not pre-qualified. No official appeals were received by staff so on April 17, 2012, a full set of modified contract documents were transmitted to the two pre-qualified Contractors Griffith Company and Sully-Miller Contracting Company and a mandatory job walk was held on site on April 26 and 27, 2012.

On May 17, 2012, bids were received and opened from the two pre-qualified bidders as follows:

Griffith Company	\$605,381
Sully-Miller Contracting Company	\$772,783

The Design Landscape Architect Gruen's construction estimate was \$818,696. Staff recommends that the lowest bid be accepted and awarded.

The above bid amounts were tabulated using unit prices which take precedence over the submitted total bid amounts. All documents submitted by these bidders were in order and the apparent low Pre-Qualified Bidder is Griffith Company. Staff recommends that the lowest bid be accepted and a contract for the construction of Gateway and Streetscape located at Wilshire Boulevard and Whittier Drive be awarded to Griffith Company in the amount of \$605,381 and that a 10.7% contingency allowance in the amount of \$64,619 be included in the Purchase Order amount (for potential change orders due to unforeseen conditions) for a total authorization of \$670,000. The work on this project is scheduled to be completed within 6 months of the issuance of the notice to proceed.

Notifications to nearby residents, businesses and the El Rodeo School will be sent two weeks prior to Griffith Company starting work on Wilshire Boulevard.

#### **ENVIRONMENTAL ASSESSMENT**

A Categorical Exemption was prepared for the "Construction of Gateway and Streetscape located at Wilshire Boulevard and Whittier Drive" project and certified by the City's Community Development staff on April 30, 2012.

#### **FISCAL IMPACT**

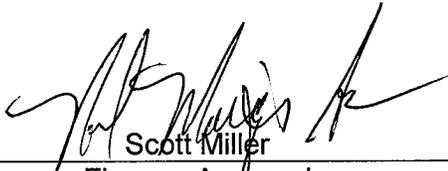
Funds in the amount of \$2.8M for all for Gateway projects are currently provided in Community Service's "Improvements to City Gateways" Capital Improvement Project Fund Account Number 35-06-0701.

A construction contingency allowance in the amount of \$64,619 has been included in the total purchase order amount of \$670,000. Any change orders that require expenditures from this allowance shall be made only upon written request in accordance with the Municipal Code §3-3-111 regarding change orders.

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Funds for this project are provided as follows:

DEPT	FUND	PROJECT NUMBER	SUB-PROJECT NUMBER	FUNDING SOURCE	AMOUNT
35	06	0701	35-06-0701-85040	Imp. To City Gateways CIP fund	\$670,000

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

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

# **Attachment 1**

**AGREEMENT**

THIS AGREEMENT, made and entered into this 19<sup>th</sup> day of June, 2012, by and between the CITY OF BEVERLY HILLS, a municipal corporation, hereinafter referred to as "City", and

**Griffith Company  
12200 Bloomfield Avenue  
Santa Fe Springs, CA 90670**

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, and Standard Contractual Requirements, inclusive of Addenda, each of these documents is made a part of this Contract as though fully set forth herein:

**GATEWAY AND STREETScape LOCATED AT WILSHIRE AND WHITTIER DRIVE**

2. In consideration of such work City agrees to pay Contractor and Contractor agrees to accept the sum of **\$605,381.00** 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

\_\_\_\_\_  
WILLIAM W. BRIEN, M.D., Mayor

APPROVED AS TO CONTENT:

CONTRACTOR:

\_\_\_\_\_  
JEFF KOLIN, City Manager

\_\_\_\_\_  
RYAN J. AUKERMAN, Regional Manager

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

\_\_\_\_\_  
MARY L. MCGEE, Assistant Secretary

\_\_\_\_\_  
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

# **Attachment 2**



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: Beverly Hills Gateway and Streetscape – Wilshire Blvd. at Whittier Dr.

Location: Wilshire Blvd. between Whittier Dr. and west city limits

Type of Business (if commercial)

Project Description: Construction/installation of city gateway monument, curbs, gutters, pavement, landscaping, irrigation, markings, striping, masonry planter walls, landscape lighting, electrical outlets, and electrical service cabinet.

Applicant's Name: City of Beverly Hills Phone: 310-285-100

Applicant's Address: 455 N Rexford Drive

City: Beverly Hills Zip: 90210

If different, provide:

Agent's Name Phone

Agent's Address

City Zip

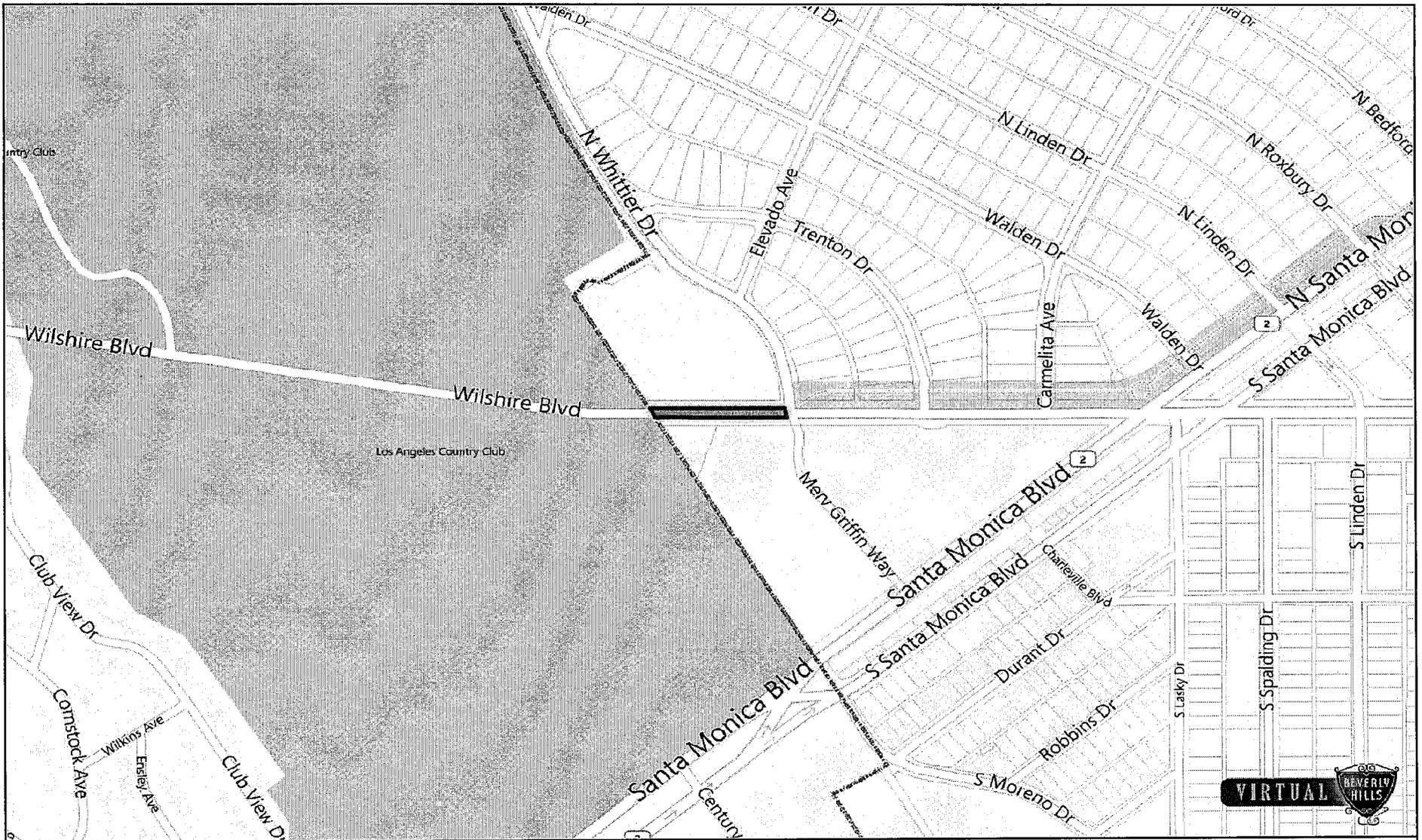
The undersigned, having received this project for processing, has reviewed it for environmental impact and concluded that the project qualifies for a categorical exemption under the procedures adopted by the City of Beverly Hills and no further environmental assessment is necessary.

Applicable Exemption Class 1 and 3

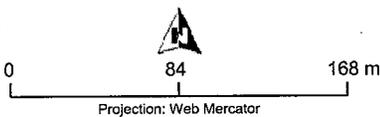
Comments: Rehabilitation of existing public rights-of-way. No expansion of use. Construction of new small structures associated with an existing public right-of-way.

Reviewed by [Signature] Date 4/30/2012

# **Attachment 3**



© Copyright 2010 City of Beverly Hills. All rights reserved. Although we make every effort to provide accurate data herein, this map is only representational and no warranties expressed or implied.



Author: T. Malabanan
Date: 31 May 2012

## Gateway and Streetscape Project LOCATION MAP