



## AGENDA REPORT

**Meeting Date:** December 4, 2012

**Item Number:** F-12

**To:** Honorable Mayor & City Council

**From:** Alan Schneider, Director of Project Administration

**Subject:** APPROVAL OF THE AWARD OF A CONTRACT TO 1<sup>ST</sup> CALIFORNIA CONSTRUCTION INC. FOR THE MURAL AT CIVIC CENTER PARKING STRUCTURE PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$273,440 TO 1<sup>ST</sup> CALIFORNIA CONSTRUCTION INC. FOR THE CONTRACT WORK

**Attachments:**

1. Agreement
2. Categorical Exemption

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### **RECOMMENDATION**

It is recommended that the City Council approve the "Award of a Contract to 1<sup>ST</sup> California Construction Inc. for the "Mural at Civic Center Parking Structure Project", Bid No. 13-04, in the amount of \$248,440; approve the construction contingency of \$25,000; and delegate the authority to approve change orders to the Director of Public Works & Transportation, approve the plans and specifications for the Project, dated August 30, 2012, which are adopted and approved with respect to design criteria; and approve a purchase order in the amount of \$273,440.

### **INTRODUCTION**

In 1987 the City accepted a donation of a mosaic mural created by renowned artist Millard Sheets. The mural titled "Early California Scene" was originally located at the El Camino Real motor entrance of the Beverly-Wilshire Hotel. The mosaic measures approximately 31'-9" long x 15'-6" tall and was removed in 30 panels approximately 3'-2" x 5'-2" each.

Carnevale and Lohr performed the mural removal from the Beverly-Wilshire Hotel and have stored the mural panels without charge awaiting location of a suitable site at a City facility to reinstall the mural. Since the 1930's the Carnevale and Lohr families have been involved with marble, granite, and limestone fabrication and installation in the Los

Angeles area. In 1958 the two families formally joined forces and founded Carnevale & Lohr Inc. Today, sons Edmund B. Lohr IV, David Carnevale, and Michael Carnevale, P.E., along with Louie Carnevale, supervise all operations at the company.

In 2011 the Fine Arts Commission (FAC) evaluated potential site locations for the mural and selected the west-facing wall of the Civic Center parking garage, above the vehicular entrance.

### **DISCUSSION**

Based on the FAC's recommendation, RTK Architects was engaged to engineer the structural support to place the mural panels onto the garage wall. The scope of services included preparation of plans and specifications, which consist of a structural steel frame secured to the garage structure and installation of the mural panels.

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

- Installation of structural steel framework over the garage entry
- Delivery and erection of the mosaic panels by Carnevale and Lohr
- Restoration of the mural including the joining of the mosaic panels to replicate the original single mural by Carnevale and Lohr

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

On September 20, 2012, three bids were received. The bids results are as follows:

<u>Bidder</u>	<u>Lump Sum Base Bid</u>
1 <sup>st</sup> California Construction Inc.	\$248,440
BBS Construction Inc.	\$269,500
Union Construction	\$287,000

The apparent low bidder, 1<sup>st</sup> California Construction Inc. 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.

Staff recommends that the base bid be accepted as the contract work. The total contract amount is \$248,440. In addition, a contingency of \$25,000 (approximately 10% of the contract amount) is recommended for change due to unforeseen conditions to complete the work. The consultant's pre-bid estimate was \$250,000.

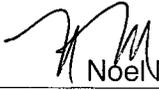
This recommendation was presented to the FAC and the City Council liaison committee members Bosse and Brucker, and has recommended the award of contract for the mural installation.

The bid documents specify a 60 calendar day completion period for the work, resulting in completion of the project in February 2013.

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 is available in Fund 18 which is reserved for fine art related activities. The Fund currently has an unencumbered balance of approximately \$690,000.



Noel Marquis

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Finance Approval



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David D. Gustavson

Approved By

# **Attachment 1**

**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 1<sup>st</sup> CALIFORNIA CONSTRUCTION INC., a corporation, whose address is 310 E. NEWMAN AVENUE, ARCADIA, CALIFORNIA 91006.

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:

**MURAL AT CIVIC CENTER PARKING STRUCTURE**

Item Description: Installation of mural panels on new steel frame attached to existing exterior wall of the parking structure.

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. 13-04, dated August 8, 2012 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 Two Hundred Forty Eight Thousand Four Hundred Forty Dollars (\$248,440.00), 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: \_\_\_\_\_

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

CITY OF BEVERLY HILLS  
"City"

"Contractor"

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

By: \_\_\_\_\_

By: \_\_\_\_\_

ATTEST:

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

APPROVED TO FORM:

APPROVED AS TO CONTENT:

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

\_\_\_\_\_  
JEFFREY KOLIN  
City Manager

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

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

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

# **Attachment 2**



COMMUNITY DEVELOPMENT DEPARTMENT

455 N. Rexford Drive  
Beverly Hills, CA 90210-4817  
(310) 285-1123  
FAX: (310) 858-5966

www.beverlyhills.org

CITY OF BEVERLY HILLS

Categorical Exemption

NAME OF PROJECT Mural Install at Civic Center Parking Structure

LOCATION 450 N. Rexford Drive, Beverly Hills, California

TYPE OF BUSINESS (IF COMMERCIAL) City Parking Garage

PROJECT DESCRIPTION Installation of a City-owned mosaic mural to the west elevation of the Civic Center Parking Garage. The mural measures 31'-9" long x approx. 15'-6" tall in 30 panels approximately 3'-2" x 5'-2" each.

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 The project involves minor exterior changes to an existing public facility by way of installing a mural on the outside of the structure.

REVIEWED BY *[Signature]* Date 11/26/2012