



## AGENDA REPORT

**Meeting Date:** March 4, 2014  
**Item Number:** D-8  
**To:** Honorable Mayor & City Council  
**From:** Donielle Kahikina, Project Manager  
**Subject:** APPROVAL OF THE AWARD OF CONTRACT TO VENTURA CONSTRUCTION, INC. FOR THE ROXBURY PARK FIELD RESTROOM BUILDING PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND  
APPROVAL OF A PURCHASE ORDER TO VENTURA CONSTRUCTION, INC. FOR THE CONTRACT WORK IN THE TOTAL AMOUNT OF \$292,500

**Attachments:** 1. Form of Contract

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### **RECOMMENDATION**

Staff recommends that the "City Council move to approve the award of a contract to the lowest responsible bidder, Ventura Construction, Inc., for the construction of the Roxbury Park Field Restroom Building in the amount of \$262,500"; approve the construction contingency in the amount of \$30,000 and delegate the authority to approve change orders to the Director of the Department of Capital Assets; approve the plans and specifications for the Project, dated December 20, 2013, with respect to design criteria; and approve a purchase order in the amount of \$292,500.

### **INTRODUCTION**

The proposed project consists of a single story building of approximately 600 SF, sited over the footprint of the existing restroom building. This new facility replaces the existing facility of similar size originally constructed in the 1970's.

The design of the restroom building has gone through review with both the Recreation & Parks Commission and the City Council Liaison. The design was reviewed by the Architectural Commission and utilizes the same materials as incorporated at the new Community Center.

**DISCUSSION**

The City sought to obtain bids from experienced building contractors for the construction. A prequalification procedure was utilized following the State guidelines. Among the items that the procedure required was construction experience in several recent, local, and similar completed projects. The process was advertised in the Beverly Hills newspapers and the construction documents were posted on the City's website.

Three firms applied for prequalification. After examination of the submissions and through an objective scoring system, all three of the firms were prequalified by staff.

Two deductive alternates were incorporated into the bid documents, primarily to evaluate the value of the alternate scope work and determine if the City could accomplish the work in a more cost efficient manner.

The bid alternates are as follows:

- Deductive Alternate #1 – Material cost only for the synthetic wood exterior siding
- Deductive Alternate #2 – Cost for abatement of lead paint

On November 16, 2011, three bids were received from Ventura Construction, 1<sup>st</sup> California Construction, and BBS Construction. The bid results are as follows:

	Ventura	1 <sup>st</sup> California	BBS
Base Bid	\$262,500	\$337,440	\$385,000
Alternate #1	(\$9,853)	(\$11,753)	(\$7,000)
Alternate #2	(\$850)	(\$849)	(\$1,000)
20 days delay	0	0	0
Basis of Selection	\$251,797	\$324,838	\$377,000

The bid documents specify that the low bidder is determined by the sum of the Base Bid, all alternate bids, and the compensable delay cost for twenty days. The bids were reviewed and the lowest responsible bidder is Ventura Construction. Based on the analysis of the results and in consideration that the pre-bid estimated cost of the work was \$354,000, the project can be completed as envisioned within the approved budget. Therefore, staff recommends acceptance of the base bid without deductive alternates #1 and #2, resulting in a construction award amount of \$262,500.

The bid documents specify a 104 day (3 ½ month) completion period for the work. The anticipated project start date is March 2014 with completion in July 2014.

A contingency of \$30,000 has been included in the purchase order to cover unforeseen conditions. Expenditures from the contingency are made utilizing the Change Order process in the Municipal Code upon adequate written justification and substantiation.

**FISCAL IMPACT**

The total contract amount of \$292,500 (including the contingency) has been budgeted in the FY 13-14 Capital Improvement Program (CIP) budget approved by the City Council for the Roxbury Park Community Center Project #0914.

Don Rhoads  
Finance Approval



David Lightner  
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, \_\_\_\_\_ a \_\_\_\_\_, whose address is \_\_\_\_\_.

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:

**ROXBURY PARK FIELD RESTROOM BUILDING PROJECT**

Item Description: Demolition and replacement of an existing 700 square foot restroom building; the new building will be sited in approximately the same location as the existing. The building consists of the construction of new masonry walls, steel stud framing wrapped in a synthetic-wood material at the vestibules, and institutional grade plumbing fixtures on the interior at the Roxbury Memorial Park located at 471 S. Roxbury Drive in the City of Beverly Hills.

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**

as contained in City's Bid Document for Bid No. 14-13, dated January 15, 2014 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 104 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 \_\_\_\_\_  
(\_\_\_\_\_), 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"

\_\_\_\_\_  
JOHN A. MIRISCH  
Mayor

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

ATTEST:

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

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

APPROVED TO FORM:

APPROVED AS TO CONTENT:

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

\_\_\_\_\_  
JEFFREY C. KOLIN  
City Manager

\_\_\_\_\_  
DAVID E. LIGHTNER  
Director of Capital Assets

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

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