



## AGENDA REPORT

**Meeting Date:** September 2, 2014  
**Item Number:** E-8  
**To:** Honorable Mayor & City Council  
**From:** Mark Cuneo, City Engineer  
Aaron Kunz, Deputy Director of Transportation  
Tristan Malabanan, Civil Engineer *JDM*

**Subject:** AWARD OF A CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, SUPERIOR PAVEMENT MARKINGS, INC. FOR THE CITYWIDE PAVEMENT AND CURB MARKINGS (JOB NO. 2191) WITHIN THE CITY OF BEVERLY HILLS, CALIFORNIA, IN THE AMOUNT OF \$235,310; APPROVAL OF THE PLANS AND SPECIFICATIONS THEREFOR; APPROVAL OF ISSUANCE OF A PURCHASE ORDER IN THE AMOUNT OF \$245,000 TO SUPERIOR PAVEMENT MARKINGS, INC. FOR THE PROJECT

**Attachments:**

1. Agreement with Superior Pavement Markings, Inc.
2. Categorical Exemption

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### RECOMMENDATION

Staff recommends the City Council move to approve the award of a contract to the lowest responsible bidder, Superior Pavement Markings, Inc. (Superior) for the restriping/repainting work citywide in the amount of \$235,310; approve the plans and specifications which are adopted and approved with respect to design criteria; approve a construction contingency of 4.1% in the amount of \$9,690 and delegate the authority to approve change orders to the Director of Capital Assets; and approve the issuance of a purchase order to Superior Pavement Markings, Inc. in the amount of \$245,000.

### INTRODUCTION

This report is a request for City Council approval to award a contract to Superior Pavement Markings, Inc. for the Citywide Pavement and Curb Markings work within the City of Beverly Hills.

The plans and specifications for the Project, dated April 2014, were prepared by Transportation and Civil Engineering Staff.

### **DISCUSSION**

The condition of pavement striping and markings throughout the City has deteriorated in recent years due to aging, weather conditions and the shortage of manpower for upkeep. The Street Maintenance Division is unable to take on this urgently needed city wide task due to staff workload and the lack of highly priced pavement marking machinery and materials that would be associated with a job this large. Staff has inventoried deteriorated striping citywide and included all repainting work in this project. The scope of work includes the repainting of approximately 150,000 LF of striping, 69,000 LF of curb markings, 222 intersections (stop bars, stop legends, adjacent centerlines, red curb, lane line, etc.), and a number of miscellaneous pavement marking refreshes City wide. Such a high volume of work necessitated contracting out this project. However, the curb painting portion of the scope of work will be completed by City crews which will be reflected in a deductive change order from the selected contractor. This will be a "one time" contract in order to catch up with deferred work and the task of striping and marking maintenance in future years will remain with the Public Works Services Department crews.

In mid-April, a Notice to Bidders was published in the Beverly Hills Courier (April 11, 2014), the Beverly Hills Weekly (April 17, 2014), several online industry advertisers, and on the City's website. On May 7, 2014, three bids were received and publicly opened in the City Clerk's Office. Bid results were as follows:

Superior Pavement Markings, Inc.	\$235,310
Sterndahl Enterprises, Inc.	\$256,395
Crisp Company	\$394,594

The Engineer's construction estimate prepared by staff was \$360,000.

All documents submitted by the bidders were in order and the apparent low bidder is Superior Pavement Markings, Inc. Staff has also conducted reference checks and received positive references from the Cities of Costa Mesa, Ontario, Murrieta, and Whittier. Staff recommends that the lowest bid be accepted and a contract for the construction of Citywide Pavement and Curb Markings be awarded to Superior Pavement Markings, Inc. in the amount of \$235,310 and that a 4.1% contingency allowance in the amount of \$9,690 be included in the Purchase Order amount (for potential change orders due to unforeseen conditions) for a total authorization of \$245,000. The work on this project is scheduled to be completed within 200 working days (approximately 10 months) of the issuance of the notice to proceed.

### **ENVIRONMENTAL ASSESSMENT**

A Categorical Exemption was prepared for the "Citywide Pavement and Curb Markings" project and certified by the City's Community Development staff on May 20, 2014.

### **FISCAL IMPACT**

Funds in the amount of \$245,000 for this project are available in Infrastructure Capital Improvement Project Fund Account Number 35-06-0863.

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A construction contingency allowance in the amount of \$9,690 has been included in the total purchase order amount of \$245,000. 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.

Funds for this project are provided as follows:

DEPT	FUND	PROJECT NUMBER	SUB-PROJECT NUMBER	FUNDING SOURCE	AMOUNT
35	06	0863	35-06-0863-85040	Infrastructure CIP fund	\$245,000

David E. Lightner *DEL*

Approved By

# **Attachment 1**

**AGREEMENT**

THIS AGREEMENT, made and entered into this **2nd** day of **September, 2014**, by and between the CITY OF BEVERLY HILLS, a municipal corporation, hereinafter referred to as "City", and

Superior Pavement Markings, Inc.  
5312 Cypress St.  
Cypress, CA 90630

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, Standard Contractual Requirements and inclusive of Addendums, each of which documents are made a part of this Contract as though fully set forth herein:

**CITYWIDE PAVEMENT AND CURB MARKINGS**

2. In consideration of such work City agrees to pay Contractor and Contractor agrees to accept the sum of **Two Hundred Thirty-five Thousand, Three Hundred Ten Dollars and Zero Cents (\$235,310.00)** 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

\_\_\_\_\_  
Lili Bosse, Mayor

APPROVED AS TO CONTENT:

CONTRACTOR:

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

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

\_\_\_\_\_  
DAVID LIGHTNER, Director of Capital Assets

FUNDS AVAILABLE:

APPROVED AS TO FORM:

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

\_\_\_\_\_  
DON RHOADS, 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: Citywide Pavement and Curb Markings

Location: Citywide

Type of Business (if commercial) \_\_\_\_\_

Project Description: Repainting of pavement striping, stop bars, legends, speed humps, cross walks, and curbs, etc.

Applicant's Name: City of Beverly Hills Phone: 310-285-1000

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(C)

Comments: Class 1(C) exemption for maintenance of existing streets and highways with no expansion of the streets or highways.

Reviewed by  Date 5/20/2014