



AGENDA REPORT

Meeting Date: January 6, 2015
Item Number: D-15
To: Honorable Mayor & City Council
From: Alan Schneider, Director of Project Administration *AS*
Subject: APPROVAL OF THE AWARD OF CONTRACT TO BBS CONSTRUCTION, INC. FOR THE DEWATERING SYSTEM SEWER DISCHARGE RETROFIT FOR 221 N. CRESCENT DRIVE PARKING FACILITY PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND
APPROVAL OF A PURCHASE ORDER IN THE AMOUNT OF \$84,900 TO BBS CONSTRUCTION, INC. FOR THE CONTRACT WORK

Attachments:

1. Form of Contract
2. Categorical Exemption

RECOMMENDATION

It is recommended that the City Council move to approve the award of a contract to the lowest responsible bidder BBS Construction, Inc. for the Dewatering Sewer System Discharge Retrofit Project at 221 N. Crescent Drive Parking Facility in the amount of \$76,900, and approval of the construction contingency of \$8,000; and delegate the authority to approve change orders to the Director of Capital Assets, approve the plans and specifications for the Project, dated October 17, 2014, which are adopted and approved with respect to design criteria; and approve a purchase order in the amount of \$84,900

INTRODUCTION

The proposed contract work addresses the modification of the ground water discharge as part of the permanent dewatering system for the City owned subterranean parking structure. A network of below-slab collection pipes discharges the ground water into a storm drain on Dayton Way. Water samples are collected as required by the facility's National Pollutant Discharge Elimination System (NPDES) permit.

Due to the implementation of stringent requirements for the discharge of selenium into the storm water system, the discharge is currently not in compliance with the NPDES

permit. The design and construction of this system will allow the water to be discharged to the regular sewer system instead.

DISCUSSION

Lindmark Engineering was engaged to prepare the plans and specifications for the project, which consist of the discharge of ground water into the sewer system.

The project was issued for informal bidding in accordance with the Public Contract Code and twelve bidders that had submitted a notice of interest to bid City work under a Class B license were notified of project bid process. Two firms attended the pre-bid meeting and obtained bid documents for this project.

On November 25, 2014, two bids were received. The bids results are as follows:

<u>Bidder</u>	<u>Total Lump Sum Bid</u>
BBS Construction, Inc.	\$76,900
Evan & Son, Inc.	\$212,000

The low bidder, BBS 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 recognizes the variance between the two bids and has verified the low bidder is responsive and responsible to perform the specified work.

Staff recommends that the base bid be accepted as the contract work in the amount of \$76,900. In addition, a contingency of \$8,000 (approximately 10% of the contract amount) is recommended for change due to unforeseen conditions to complete the work. The pre-bid estimate was in the range of \$100,000-\$150,000.

The bid documents specify a 60 calendar day completion period for the work, resulting in completion of the project in March 2015.

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 fiscal year 2014-15 Capital Improvement Program budget for project #0786.

David E. 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, and BBS Construction Inc., a Corporation, whose address is 216 S. Citrus Street #361 West Covina, CA. 91791.

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:

DEWATERING SYSTEM SEWER DISCHARGE RETROFIT FOR 221 NORTH CRESCENT DRIVE

Item Description: The work required consists of furnishing all labor, equipment, materials, and services necessary to complete the Dewatering System Sewer Discharge Retrofit at the City multi-level parking structure, located at 221 North Crescent Drive, Beverly Hills, California.

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. 15-10, dated October 17, 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 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 Seventy Six Thousand Nine Hundred Dollars (\$76,900.00), 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: _____

CITY OF BEVERLY HILLS
"City"

LILI BOSSE
Mayor

ATTEST:

BYRON POPE
City Clerk

APPROVED TO FORM:

LAURENCE S. WIENER
City Attorney

DATED: _____

BBS CONSTRUCTION, INC.
"Contractor"

By: _____
SONIA BILAVER
President

By: _____
TOM BILAVER
Vice President, Secretary, Treasurer

APPROVED AS TO CONTENT:

JEFFREY KOLIN
City Manager

DAVID E. LIGHTNER
Deputy City Manager/Director of Capital Assets

ALAN SCHNEIDER
Director of Project Administration

KARL KIRKMAN
Risk Manager

Attachment 2



www.beverlyhills.org

COMMUNITY DEVELOPMENT DEPARTMENT

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

CITY OF BEVERLY HILLS

Categorical Exemption

NAME OF PROJECT Ground Water Discharge Modifications

LOCATION 221 N. Crescent Drive, Beverly Hills, California

TYPE OF BUSINESS (IF COMMERCIAL) City parking garage and retail facility

PROJECT DESCRIPTION Modify the existing ground water discharge as of the permanent dewatering system from the storm drain system into the sewer system.

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 Class 1(d) (15301) Existing Facilities

COMMENTS Class 1 includes the rehabilitation of structures—in this case, the storm drain system—to meet current standards.

REVIEWED BY *Gyutha de la Jove* Date *12/30/14*