



AGENDA REPORT

Meeting Date: February 17, 2015
Item Number: D-19
To: Honorable Mayor & City Council
From: Alan Schneider, Director of Project Administration *AS*
Subject: APPROVAL OF THE AWARD OF CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, LANDSCAPE SUPPORT SERVICES, INC. FOR THE LA CIENEGA PARK IRRIGATION MAINLINE REPLACEMENT PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND

APPROVAL OF PURCHASE ORDER TO LANDSCAPE SUPPORT SERVICES, INC. FOR THE CONTRACT WORK IN THE TOTAL AMOUNT OF \$283,734

Attachments:

1. Form of Contract
2. Categorical Exemption

RECOMMENDATION

Staff recommends that the City Council move to approve the award of a contract to the lowest responsible bidder, Landscape Support Services, Inc., for the La Cienega Park Irrigation Mainline Replacement Project, Bid No. 15-12, in the amount of \$248,734; approve the construction contingency in the amount of \$35,000 and delegate the authority to approve change orders to the Director of Capital Assets as provided in Beverly Hills Municipal Code Section 3-3-111; approve the plans and specifications for the Project, dated November 17, 2014, which are adopted and approved with respect to design criteria; approve a purchase order in the amount of \$283,734; and reject the bid of the apparent low bidder, ICS, Inc. as non-responsible.

INTRODUCTION

The irrigation mainline for the park was installed in 1989 as part the park renovation project. At that time, the galvanized line was replaced with PVC pipe with ceramic couplers. Due to its age the line is now failing at the ceramic coupler locations. The proposed project consists of the complete replacement of the irrigation mainline for the park.

DISCUSSION

Pursuant to the approved fiscal year 2014-15 Capital Improvement Program budget for Project #0250, Park Mainline Irrigation Replacement, staff engaged the services of landscape architecture firm, Community Works Design Group, to prepare the construction plans and specifications suitable for public bidding. The base bid includes the necessary replacement of the mainline piping, upgrading the couplers to an industry standard PVC material which has a longer life span. Additionally, the solenoid valves that control the irrigation zones are failing and will be replaced as an industry best practice.

In addition, two alternate bid items were specified as part of the bid package that included:

- Alternate #1 – Turf feeding system “fertigation” unit, which applies water-soluble products through the irrigation system.
- Alternate #2 – Conduit placed in trench for future CCTV security cameras.

The project was advertised in the Beverly Hills newspapers, required trade journals and posted on the City’s website.

Twelve firms attended the mandatory pre-bid meeting for this project and on December 10, 2014, a total of 4 bids were received. The lump sum base bid amount determines the low bidder. The bid results are as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate #1</u>	<u>Alternate #2</u>
ICS, Inc.	\$177,000	\$15,000	\$5,000
Landscape Support Services	\$237,390	\$11,344	\$46,051
Green Building Corp.	\$245,000	\$23,000	\$10,000
CS Legacy Construction	\$247,918	\$16,928	\$16,615

The bid documents include the following language:

“SPECIFIC QUALIFICATIONS Bidders shall have the following experience. **City shall reject such bids that fail to demonstrate such experience as non-responsive.** Bidders shall have experience in installation of the irrigation systems for public facilities that are comparable to the work specified by this bid package, such as governmental, municipal or university facilities. City shall determine, in its sole discretion, what constitutes comparable projects. **Bidders’ failure to meet the minimum specific qualifications required herein and accurately represent bidders past project experience will render the bid non-responsible and are grounds for rejection by the City Council.**

7. Within the last five years, list at least three (3) irrigation systems projects exceeding \$100,000 your organization has completed involving public facilities, which include similar trade categories. On a separate sheet, provide the following project information for the projects listed.”

The apparent low bidder, International Computing Systems, Inc. (ICS) did not provide evidence of at least three completed irrigation landscape projects that meet the minimum dollar value specified in the Specific Qualifications. Staff notified ICS by certified letter to provide the company with an opportunity to respond to its failure to comply with the specific qualifications, and as of the date of the writing of this agenda report, the City has not received communication from ICS. If ICS should provide additional information to the City Council at the City Council meeting, it can be considered at that time.

Public Contracts Code defines "Responsible bidder" as a bidder who has demonstrated the attribute of trustworthiness, as well as quality, fitness, capacity, and experience to satisfactorily perform the public works contract. A range of factors may be used to determine bidder responsibility, including performance history, reliable financial information, bonding and insurance capacity, public works experience, personnel, and litigation history.

Staff, in consultation with the City Attorney's office, recommends that the City Council find that the ICS bid is non-responsible and reject it as it does not list three completed projects each exceeding \$100,000 it has performed in the last five years.

Per the bid document the low bidder is determined by the lump sum base bid. Therefore, the low bid was submitted by Landscape Support Services (LSS) which is 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 at Roxbury Park.

Staff recommends that the base bid and alternate bid #1 be accepted as the contract work in the amount of \$248,734. It is also recommended that alternate bid #2 not be accepted since the bidder's cost is far in excess of the value of the work as compared to the other bid amounts. Subject to an award of contract staff would pursue negotiation of alternate bid #2 with the bidder to reduce the cost in line with the other bidders and incorporate that work by change order to the contract.

In addition, a contingency of \$35,000 (approximately 10% of the contract amount) is recommended for changes due to unforeseen conditions to complete the work. The pre-bid estimate was \$230,000. Expenditures from the contingency are made utilizing the Change Order process in the Municipal Code upon adequate written justification and substantiation.

The bid documents specify a 60 day (two month) completion period for the contract work. The anticipated project start date is March 2015 with completion in May 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

The total contract amount of \$283,734 (including the contingency) has been budgeted

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for in the FY 14-15 Capital Improvement Program (CIP) budget approved by the City Council for the Park Mainline Irrigation Replacement Project #0250 and Park Facilities and Maintenance Project #0315.

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, LANDSCAPE SUPPORT SERVICES, INC. a Corporation, whose address is PO Box 55307, Sherman Oaks, CA 91413.

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:

LA CIENEGA PARK MAINLINE REPLACEMENT PROJECT

Item Description: The project scope consists the replacement of the Irrigation Mainline valves and wires for the park at La Cienega Park, 8400 Gregory Way, Beverly Hills, CA 90210.

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. 15-12, dated November 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 Two Hundred Forty Eight Thousand Seven Hundred Thirty Four Dollars (\$248,734.00), 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"

LANDSCAPE SUPPORT SERVICES, INC.
"Contractor"

LILI BOSSE
Mayor

By: _____
SOHEILA STURM
President & Secretary

ATTEST:

BYRON POPE
City Clerk

APPROVED TO FORM:

APPROVED AS TO CONTENT:

LAURENCE S. WIENER
City Attorney

MAHDI ALUZRI
Interim 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 La Cienega Park Irrigation Mainline Replacement Project

LOCATION 8400 Gregory Way, Beverly Hills, California

TYPE OF BUSINESS (IF COMMERCIAL) City park

PROJECT DESCRIPTION The proposed project consists of the complete replacement of the irrigation mainline for the park.

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 2(c) (15302) Replacement or Reconstruction

COMMENTS Class 2 includes the replacement of existing utility systems and/or facilities—in this case the irrigation mainline—involving negligible or no expansion of capacity.

REVIEWED BY Cynthia de la Jove Date January 26, 2015