



AGENDA REPORT

Meeting Date: April 7, 2015
Item Number: E-13
To: Honorable Mayor & City Council
From: Alan Schneider, Director of Project Administration
Subject: APPROVAL OF THE AWARD OF CONTRACT TO THE LOWEST RESPONSIBLE BIDDER, SOUTH COAST PAINTING FOR THE PAINTING OF THE 440 N. CAMDEN AND 461 N. BEDFORD PARKING STRUCTURES PROJECT; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND
APPROVAL OF A PURCHASE ORDER TO SOUTH COAST PAINTING IN THE TOTAL AMOUNT OF \$168,600 FOR THE CONTRACT WORK

Attachments:

1. Form of Contract
2. Categorical Exemption

RECOMMENDATION

It is recommended that the City Council approve the award of a contract to the lowest responsible bidder, South Coast Painting for the "Painting of the 440 N. Camden and 461 N. Bedford Parking Structures Project", Bid No. 15-15, in the amount of \$153,600; approve the construction contingency of \$15,000 and delegate the authority to approve change orders to the Director of Capital Assets as provided in the Beverly Hills Municipal Code, Section 3-3-111; approve the plans and specifications for the Project, dated February 6, 2015, which are adopted and approved with respect to design criteria; and approve a purchase order in the amount of \$168,600.

INTRODUCTION

The fiscal year 2014-15 Capital Improvement Program (CIP) includes a project to address capital maintenance and improvements for the City's parking facilities geared toward improving operations and/or revenue. Completed projects include painting, new signage, new doors and hardware at 9510 Brighton Way (at Rodeo Drive) and 216 S. Beverly Drive. Renovation of the garage restrooms for ADA compliance at 216 S. Beverly Drive is currently underway.

The proposed contract will continue the City parking garage improvements by repainting the entire parking structures at 440 N. Camden Drive and 461 N. Bedford Drive. A contract for replacement of doors and hardware was recently approved at these two garages, and a bid package for new signage will be issued shortly.

DISCUSSION

The City engaged the project management consultant, Stegeman & Kastner, to develop the program of facility upgrades related to painting and wayfinding signage at the parking garages.

The painting scope of work for this project includes the interior and exterior painting of the entire structure for both garages.

The project was issued for informal bidding in accordance with the Public Contract Code and was distributed to six bidders that had submitted a notice of interest to bid City painting projects. Five firms attended the job walk and obtained bid documents for this project.

On March 5, 2015, three bids were received. The bids results are as follows:

<u>Bidder</u>	<u>Total Lump Sum Base Bid</u>
South Coast Painting	\$153,600
Interlog Construction	\$298,899
Tony Painting	\$422,815

The low bidder, South Coast Painting, 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 including the City's own experience with the interior and exterior painting of the 9510 Brighton and 216 S. Beverly parking structures. The wide spread in the bid amounts has occurred on previous painting bids that South Coast has been the low bidder, and has not affected their ability to professionally perform the scope of work.

On March 9, 2015 a bid protest was filed by Tony Painting claiming that the bid submitted by South Coast Painting is not responsive and should be rejected. It further states that "South Coast did not thoroughly complete the Bid Form." Staff and the City Attorney's office reviewed the bid documents submitted by the low bidder South Coast Painting and have concluded that the Bid Form was completed fully and without omissions or alterations, and find no basis for rejection of the bid.

Staff recommends that the base bid be accepted as the contract work. In addition, a contingency of \$15,000 (approximately 10% of the contract amount) is recommended for changes due to unforeseen conditions to complete the work.

The bid documents specify a 30 calendar day completion period for the work, resulting in completion of the project in May 2015. All work is specified to be performed when the garage is closed so there will be no impact to garage operations during the painting work.

The Department of Community Development has reviewed the project for environmental impact and concluded that the project qualifies for a categorical exemption under the

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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 Parking Program Upgrades and Improvements, 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 South Coast Painting, a Sole Owner, whose address is 29318 Highmore Avenue, Rancho Palos Verdes, California 90275.

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:

PAINTING OF THE 440 N. CAMDEN AND 461 N. BEDFORD PARKING STRUCTURES

Item Description: Interior and Exterior painting of the parking structure and associated repairs as necessary.

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**15-15**, dated February 6, 2015 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 One Hundred Fifty Three Thousand Six Hundred Dollars (\$153,600.00), 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"

JULIAN A. GOLD, M.D.
Mayor

DATED: _____

SOUTH COAST PAINTING
"Contractor"

By: _____
BOBBIE MANTIKAS
Owner

ATTEST:

BYRON POPE
City Clerk

APPROVED TO FORM:

LAURENCE S. WIENER
City Attorney

APPROVED AS TO CONTENT:

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



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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 PAINTING OF THE 440 N. CAMDEN AND 461 N. BEDFORD PARKING STRUCTURES PROJECT

LOCATION 440 N. Camden Drive and 461 N. Bedford Drive, Beverly Hills, California

TYPE OF BUSINESS (IF COMMERCIAL) Parking Facilities

PROJECT DESCRIPTION Painting of the interior and exterior of the parking structures.

APPLICANT'S NAME City of Beverly Hills PHONE 310-285-1132

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(a) (15301) Existing Facilities

COMMENTS Class 1 includes interior or exterior alterations—in this case, painting of the existing parking structures.

REVIEWED BY Cynthia de la Jone Date March 24, 2015