



## AGENDA REPORT

**Meeting Date:** May 5, 2015  
**Item Number:** D-10  
**To:** Honorable Mayor & City Council  
**From:** Alan Schneider, Director of Project Administration  
**Subject:** APPROVAL OF THE AWARD OF CONTRACT TO LIFTECH ELEVATOR SERVICES, INC. FOR THE MODERNIZATION OF ELEVATOR EQUIPMENT AT BEVERLY-CANON – PHASE 3B; AND APPROVING PLANS AND SPECIFICATIONS THEREFOR; AND APPROVAL OF A PURCHASE ORDER TO LIFTECH ELEVATOR SERVICES, INC. IN THE AMOUNT OF \$1,554,000 FOR THE CONTRACT WORK

**Attachments:**

1. Contract
2. Categorical Exemption

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### RECOMMENDATION

It is recommended that the City Council move to approve the award of a contract to the lowest responsible bidder, Liftech Elevator Services Inc. for the "Modernization of Elevator Equipment at Beverly-Canon – Phase 3B," Bid No. 15-19, in the amount of \$1,414,000; approve the construction contingency of \$140,000; and delegate the authority to approve change orders to the Director of Capital Assets; approve the plans and specifications for the Project, dated March 3, 2015, which are adopted and approved with respect to design criteria; and approve a purchase order in the amount of \$1,554,000.

### INTRODUCTION

The proposed contract will modernize the elevators at 438 N. Beverly Drive and 439 N. Canon Drive, also known as Beverly-Canon. These elevators are in need of upgrading to ensure reliable day to day operation due to the extreme high volume of elevator passengers at this facility. Additionally, one of the two elevators on the Canon side does not extend to the third floor, and the proposed contract will add that floor stop.

### DISCUSSION

In July 2013 the City Council awarded a contract for the first of a multi-phased elevator modernization program. Elevators at the Police Facility, 440 N. Camden garage and

333 N. Crescent garage have been completed (phase 1), and currently elevators at City Hall, 461 N. Bedford Drive garage and 216 S. Beverly Drive garage (phase 2) are on schedule to be completed in June 2015. A contract for phase 3A was awarded on April 21, 2015 to modernize the elevators at 345 N. Beverly Drive, 9510 Brighton Way, and 450 N. Rexford Drive parking garages. Phase 3B addresses the elevators at the Beverly-Canon garage and commercial space. Future modernization phases are planned for the hydraulic elevators in the Police Facility, Fire Station Headquarters and Library, and the disable access lifts at the Santa Monica Five garages.

The City's elevator consultant, HKA Elevator Consulting, Inc. has been engaged to evaluate the condition of the existing elevator equipment and prepare bid documents. The scope of services included preparation of plans and specifications for the project, consisting of the modernization of the traction passenger elevators with new gearless hoist machines, new controls, selectors, signals and fixtures, door operating equipment, cab interiors, hoist way wiring, and recondition other equipment as specified. This phase will modernize four elevators, two at the Beverly side and two at the Canon side; and includes the additional floor stop to the tenants on the third floor on Canon Drive side.

For this project a prequalification procedure was utilized following the State guidelines. Among the items that the procedure required was elevator construction experience in several recent, local, and similar completed projects. The process was advertised in the Beverly Hills newspapers, required trade journals and the pre-qualification documents were posted on the City's website. Four elevator companies were pre-qualified for this project; however only two companies attended the mandatory job walk and obtained bid documents for this project.

The bid documents were prepared with a base bid for the elevator modernization and one alternate bid item. The alternate bid item is for a credit should the bidder be interested in purchasing the removed controllers for use by their maintenance department.

On April 22, 2015, two bids were received as shown below:

<u>Bidder</u>	<u>Lump Sum Base Bid</u>	<u>Alternate Bid #1</u>
Liftech Elevator	\$ 1,419,000	\$5,000 credit
Thyssen Krup Elevator	\$1,810,710	\$0

The low bidder, Liftech Elevator Services 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 recommends that the base bid and alternate #1 be accepted as the contract work. The total contract amount is \$1,414,000. In addition, a contingency of \$140,000 (approximately 10% of the contract amount) is recommended for changes due to unforeseen conditions to complete the work.

The bid documents specify a 360 calendar day completion period for the work, resulting in completion of the project in June 2016. A provision is included in the contract documents that require the elevator shaft modifications at the Canon side to be completed in order to restore both elevators in service by November 1, 2015 or be subject to a \$1,000 per day penalty. This will ensure full elevator service during the

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holiday season. The actual modernization of the elevators would then start in January 2016.

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**

Total contract amount including contingency is \$1,554,000.

Funding for this contract work has been budgeted from the fiscal year 2014-15 Capital Improvement Program budget for City elevator replacement and upgrades, project #0937.

David E. Lightner 

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Approved By

# **Attachment 1**

# CONTRACT

## CITY OF BEVERLY HILLS

### CONTRACT FOR

#### MODERNIZATION OF ELEVATOR EQUIPMENT AT BEVERLY-CANON – PHASE 3B

THIS CONTRACT ("Contract") is made and entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ ("Effective Date"), by and between the CITY OF BEVERLY HILLS, a California municipal corporation ("City") and Liftech Elevator Services, Inc. ("Contractor"). Contractor's license number is 808879.

In consideration of the mutual covenants hereinafter set forth, the parties hereto agree as follows:

1. Contract Documents. The Contract Documents consist of this Contract, the Notice Inviting Bids, Instructions to Bidders, Bid (including documentation accompanying the Bid and any post-Bid documentation submitted before the Notice of Award), the Bonds, permits from regulatory agencies with jurisdiction, General Provisions, Special Provisions, Plans, Standard Plans, Standard Specifications, Reference Specifications, Addenda, Change Orders, and Supplemental Agreements. The Contract Documents are attached hereto and incorporated herein by reference. In the event of any conflict between the terms of this Contract and any incorporated documents, the terms of this Contract shall control.
2. Scope of Services. Contractor shall perform the Work in a good and workmanlike manner for the project identified as Modernization of Elevator Equipment at Beverly-Canon – Phase 3B ("Project"), as described in this Contract and in the Contract Documents.
3. Compensation. In consideration of the services rendered hereunder, City shall pay Contractor a not to exceed amount of One Million Four Hundred Fourteen Thousand Dollars (\$1,414,000) in accordance with the prices as submitted in Contractor's Proposal, attached hereto and incorporated herein by this reference.
4. Incorporation by Reference. All of the following documents are attached hereto and incorporated herein by this reference: Workers' Compensation Certificate of Insurance; Additional Insured Endorsement (Comprehensive General Liability); Additional Insured Endorsement (Automobile Liability); and Additional Insured Endorsement (Excess Liability).
5. Antitrust Claims. In entering into this Contract, Contractor offers and agrees to assign to the City all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the California Business and Professions Code) arising from purchases of goods, services, or materials pursuant to the Contract. This assignment shall be made and become effective at the time the City tenders final payment to Contractor without further acknowledgment by the parties.
6. Prevailing Wages. City and Contractor acknowledge that this Project is a public work to which prevailing wages apply. The provisions of Section 7.A of the General Provisions shall apply and are mandatory for this Project.
7. Workers' Compensation. California Labor Code Sections 1860 and 3700 provide that every contractor will be required to secure the payment of compensation to its employees. In accordance with the provisions of California Labor Code Section 1861, by signing this Contract, the Contractor certifies as follows:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for workers' compensation or to under take self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the Work of this Contract."

8. Titles. The titles used in this Contract are for convenience only and shall in no way define, limit or describe the scope or intent of this Contract or any part of it.

9. Authority. Any person executing this Contract on behalf of Contractor warrants and represents that he or she has the authority to execute this Contract on behalf of Contractor and has the authority to bind Contractor to the performance of its obligations hereunder.

10. Entire Agreement. This Contract, including any other documents incorporated herein by specific reference, represents the entire and integrated agreement between City and Contractor. This Contract supersedes all prior oral or written negotiations, representations or agreements. This Contract may not be modified or amended, nor any provision or breach waived, except in a writing signed by both parties which expressly refers to this Contract.

11. Counterparts. This Contract may be executed in counterpart originals, duplicate originals, or both, each of which is deemed to be an original for all purposes.

IN WITNESS WHEREOF, the parties hereto have executed the Contract the day and year first above written.

CITY OF BEVERLY HILLS

By: \_\_\_\_\_  
JULIAN A. GOLD, M.D.  
Mayor

ATTEST:

By: \_\_\_\_\_  
BYRON POPE  
City Clerk

Dated: \_\_\_\_\_

LIFTECH ELEVATOR SERVICES, INC.  
("CONTRACTOR")

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

Printed Name: DANIEL M. SIMON

Title: President

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

Printed Name: MICHAEL PERKINS

Title: Secretary

APPROVED AS TO FORM:

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

APPROVED AS TO CONTENT:

By: \_\_\_\_\_  
MAHDI ALUZRI  
Interim City Manager

By: \_\_\_\_\_  
DAVID E. LIGHTNER  
Deputy City Manager/Director of Capital  
Assets

By: \_\_\_\_\_  
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 Elevator Modernization for City Facilities Project

LOCATION 438 N. Beverly Dr./439 N. Canon Dr.; 345 N. Beverly Dr.; 9510 Brighton Way; 464 N. Rexford Dr.; 445 N. Rexford Dr. and 444 N. Rexford Dr., Beverly Hills, California

TYPE OF BUSINESS (IF COMMERCIAL) Beverly Hills Parking Garages and Facilities

PROJECT DESCRIPTION Modernization of elevator equipment including gearless hoist machines, new controls, selectors and other associated parts.

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(d) (15301) Existing Facilities

COMMENTS Class 1 includes the rehabilitation of mechanical equipment-- in this case, elevator equipment--to meet current standards.

REVIEWED BY *Gyuthia de la Jove* Date 10/16/14