



CITY COUNCIL AGENDA REPORT

MEETING DATE: August 16, 2004

ITEM NUMBER:

SUBJECT: PARKWAY CONCRETE REPAIR, AND NEW SIDEWALK CONSTRUCTION - CITY PROJECT NO. 04-16

DATE: AUGUST 3, 2004

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: WILLIAM J. MORRIS, DIRECTOR OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUNOZ, CITY ENGINEER, (714) 754-5343

RECOMMENDATION:

1. Reject the non-responsive bid from Southland Construction.
2. Award a construction contract to S. Parker Engineering, Inc., 10059 Whippoorwill Avenue, Fountain Valley, CA 92708, in the amount of \$127,160.
3. Authorize the Mayor and the Deputy City Clerk to execute the Public Works Agreement.

BACKGROUND:

This project was previously advertised in May 2004. Subsequently, on May 24, 2004, the Deputy City Clerk received and opened one bid for this project. The apparent low bid submitted was 35 percent higher than the Engineer's estimate, and exceeded the funding budgeted for the project (\$116,130). Since the apparent low bidder's price exceeded the project funding allocation, staff recommended rejecting all bids and re-advertising the project.

At Council's direction to continue with the contract award, staff re-advertised the project in June 2004.

This project consists of the construction of new sidewalk on the south side of Del Mar Avenue between Orange Avenue and Santa Ana Avenue. This new sidewalk to be constructed will complete the missing portions and establish a continuous path of travel. In addition, the project also included Americans with Disabilities Act (ADA) improvements at bus stop locations throughout the City. All work will include the reconstruction of curb and gutter, driveway/driveway approach, spandrel, cross gutter, and sidewalk; roadway reconstruction; construction of new sidewalk; sod placement; mobilization; traffic control; and all other work as required.

ANALYSIS:

On July 12, 2004, the Deputy City Clerk received and opened seven bids for this project. The apparent low bidder, Southland Construction, submitted a proposal that contained numerous omissions that were inconsistent with the proposal instructions, which render the proposal as non-responsive. It is for this reason staff recommends that the non-responsive bid from Southland Construction be rejected.

Rejecting the bid from the apparent low bidder would establish an award to the next low bidder, S. Parker Engineering, with a total base bid proposal of \$127,160. The Engineer's base bid estimate was \$114,230; and the average of the properly submitted base bids received amounted to \$167,589.72. The bid abstract is included as "Attachment 1."

The license and references of S. Parker Engineering were checked and staff has found them to be in good standing.

ALTERNATIVES CONSIDERED:

The alternative to this Council action would be to reject all the bids. If all the bids were to be rejected, the City would have to readvertise or cancel the project. Staff believes that readvertising the project will not result in lower bids.

FISCAL REVIEW:

Funding up to the amount of \$127,160 is available from Measure "M" funds and ADA Grant funds from the Orange County Transportation Authority (OCTA).

The purchase requisition for this expenditure (Attachment 2) has been approved by the Finance Department acknowledging the availability of the funds.

LEGAL REVIEW:

The recommended actions have been reviewed and determined by the City Attorney's office to be in compliance with the current laws and regulations.

S. Parker Engineering has furnished the necessary bonds and insurance, which have been approved as to form by the City Attorney's office. After the award and subsequent execution of the contract, a "Notice to Proceed" will be issued.

CONCLUSION:

It is recommended that the City Council reject the non-responsive bid submitted by Southland Construction; award the contract to S. Parker Engineering, Inc. in the amount of \$127,160; and authorize the Mayor and the Deputy City Clerk to execute the Public Works Agreement.

ERNESTO MUNOZ
City Engineer

WILLIAM J. MORRIS
Director of Public Services

MARC R. PUCKETT
Director of Finance

DISTRIBUTION: City Manager
Acting City Attorney
Deputy City Clerk
Staff
File

ATTACHMENTS: "1" [Bid Abstract](#)
"2" [Purchase Requisition](#)

File Name Award Parkway
Concrete Repair Report

Date 08-03-04

Time 4:20 p.m.