



# CITY COUNCIL AGENDA REPORT

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MEETING DATE: April 4, 2006

ITEM NUMBER:

**SUBJECT:** EXTERIOR PAINTING OF COSTA MESA SENIOR CENTER, 695 W. 19<sup>TH</sup> STREET - CITY PROJECT NO. 05-16

**DATE:** MARCH 14, 2006

**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

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## **RECOMMENDED ACTION:**

1. Reject the non-responsive bid from A.J. Fistes Corporation.
2. Reject the non-responsive bid from Three Star Construction and Painting.
3. Award a construction contract to Southwest Coatings, Inc., 503 Harker Street, San Pedro, CA 90731, in the amount of \$33,500.
4. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

## **BACKGROUND:**

The Costa Mesa Senior Center was constructed approximately 14 years ago, and still has the original stucco coating. The original stucco coating has exceeded its life expectancy and is in poor condition. In order to preserve the surfaces from environmental damage, the building must be painted, which will seal the stucco coating.

The scope of work for this project includes the furnishing of materials, equipment, and labor to complete the painting and finishes on all exposed surfaces including stucco, doors, beams, trash bin enclosures, handrails, flashing, and stairs, per the specifications.

## **ANALYSIS:**

On December 19, 2005, the City Clerk received and opened ten (10) bids for this project. A.J. Fistes Corporation was the apparent low bidder with a total bid proposal of \$28,120. The Engineer's estimate was \$60,000; and the average of the ten bids received amounted to \$46,718.70 (Attachment 1). A.J. Fistes Corporation was notified that they were the apparent low bidder, but they failed to provide the necessary insurance and endorsements required by the project specifications and proposed contract within the designated time period. Therefore, their bid should be deemed non-responsive to the specifications and staff recommends that the bid be rejected.

Three Star Construction and Painting was the second low bidder with a total bid proposal of \$32,000. However, because the bidder did not sign the non-collusion affidavit or the designation of subcontractors, this deems their bid as non-responsive. Therefore, staff recommends that the bid be rejected.

Southwest Coatings, Inc. was the third low bidder with a total bid proposal of \$33,500. An analysis of their bid indicates that they submitted a proposal that is 44 percent lower than the Engineer's estimate. Their proposal has been determined to be responsive to the project specifications.

The license and references of Southwest Coatings, Inc. 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 are 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:**

The City Council approved funding in the Fiscal Year 2005-06 Budget for Building Modifications and Maintenance, including the amount of \$25,000 for the exterior repainting of the Costa Mesa Senior Center. The additional \$8,500 necessary to complete the project is available in the Maintenance Services Division Budget.

The purchase requisition for this expenditure, included as "Attachment 2," has been approved by the Finance Department acknowledging the availability of the funds.

**LEGAL REVIEW:**

Southwest Coatings, Inc. has furnished the necessary bonds and insurance, which were 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 A.J. Fistes Corporation; reject the non-responsive bid submitted by Three Star Construction and Painting; award the contract to Southwest Coatings, Inc. in the amount of \$33,500; and authorize the Mayor and the City Clerk to execute the Public Works Agreement.

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ERNESTO MUNOZ  
City Engineer

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WILLIAM J. MORRIS  
Director of Public Services

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MARC R. PUCKETT  
Director of Finance

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

DISTRIBUTION: City Manager  
City Attorney  
Maintenance Services Manager  
City Clerk  
Staff  
File

File Name Award Exterior Painting CMSC Rpt Date 03-14-06

Time 2:30 p.m.