



CITY COUNCIL AGENDA REPORT

MEETING DATE: June 19, 2007

ITEM NUMBER:

SUBJECT: INSTALLATION OF LIGHTING SYSTEM AT BARK PARK AND ARLINGTON DRIVE PARKING LOT, 900 ARLINGTON DRIVE, COSTA MESA - CITY PROJECT NO. 07-18

DATE: June 4, 2007

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. Adopt plans, specifications, and working details for the Installation of a Lighting System at Bark Park and Arlington Drive parking lot, Costa Mesa - City Project No. 07-18.
2. Award a construction contract to D & J Foothill Electrical Contractors, Inc., 2451 First Street, La Verne, CA 91750, in the amount of \$180,370.00.
3. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.
4. Release the cash deposit for 10 percent bid bond in the amount of \$23,750.00 to Noor Electrical, 1618 Ohms Way, Costa Mesa, CA 92627.

BACKGROUND:

The City of Costa Mesa's Bark Park, located in TeWinkle Park, was originally opened in October 1994 and then renovated to its current configuration in September 2000.

After the successful completion of the Volcom Skate Park and the subsequent authorization to install lights in the parking lot that serves both facilities, Bark Park users requested funding to provide lights for evening use of the park, especially during the winter months.

The electrical service for the Volcom Skate Park was designed and constructed to accommodate future demands, including the lighting needed for the parking lot and Bark Park, and for future incorporation of lighting upgrades to the Costa Mesa Tennis Center.

The work to be performed with this project consists of installing a new lighting system at Bark Park and the adjacent Arlington Drive parking lot, located at 900 Arlington Drive, Costa Mesa. The new lighting system includes new poles, foundations, luminaries, control panels and an extension of the Musco control system currently in use for the Volcom Skate

Park to program the use of the lights for maximum efficiency. The contractor shall furnish all materials, tools, equipment and incidentals necessary to perform and complete the work per the construction contract documents, and to the satisfaction of the Engineer.

ANALYSIS:

The City Clerk received and opened five (5) bids for this project on May 21, 2007. D & J Foothill Electrical Contractors, Inc. was the apparent low bidder with a proposal of \$180,370.00. The Engineer's estimate was \$299,000.00, and the average of the five bids received amounted to \$291,374.00. An analysis of the bids indicates that the apparent low bidder submitted a proposal that was 40 percent lower than the Engineer's estimate and 38 percent lower than the average bid. The Bid Abstract is included as "Attachment 1."

Although the bid from the apparent low bidder is substantially lower than the Engineer's estimate (40%) and average of the bids received (38%), staff finds that D & J Foothill Electrical Contractors, Inc. has met all the required bidding obligations.

The licenses and references of D & J Foothill Electrical Contractors, Inc. were checked and have been found to be in good standing.

The third lowest bidder, Noor Electrical, submitted a bid proposal in the amount of \$237,500.00. The project specifications include a contractual requirement that all bids be submitted with a bid bond in the form of cash, money order, cashier's check, or by a surety bond in an amount equal to at least 10 percent of the bid. Said bond is forfeited in case the bidder depositing the bond does not, within ten (10) days after written notice, execute the contract. Noor Electrical submitted a cashier's check in lieu of a bid bond in the amount of \$23,750.00 in accordance with the project specifications. Since D & J Foothill Electrical Contractors, Inc. was determined to be the apparent low bidder and has met all the contractual obligations of the project, staff does not anticipate a need to resort to the second or third lowest bidder. Therefore, staff recommends that the cash bid bond submitted by Noor Electrical be released. The refund request form is included as "Attachment 2."

ALTERNATIVES CONSIDERED:

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

In terms of the cash bid bond, the alternative to this Council action would be to retain the bid bond. However, the project specifications state that when the low bidder enters into and executes a contract and faithful performance bond upon notification from the City, then the obligation of the bid bonds shall become null and void. These conditions have been met; therefore, retention of the bid bond would be in violation of the project specifications.

FISCAL REVIEW:

Funding for this project is available from the Capital Outlay Fund and Park Development Fund.

LEGAL REVIEW:

D & J Foothill Electrical Contractors, 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 adopt the plans, specifications, and working details for the Installation of a Lighting System at Bark Park and Arlington Drive parking lot, City Project No. 07-18; award the contract to D & J Foothill Electrical Contractors, Inc. in the amount of \$180,370.00; authorize the Mayor and the City Clerk to execute the Public Works Agreement; and release the cash deposit for 10 percent bid bond in the amount of \$23,750.00 to Noor Electrical.

ERNESTO MUNOZ
City Engineer

WILLIAM J. MORRIS
Director of Public Services

MARC R. PUCKETT
Director of Finance

DISTRIBUTION: City Manager
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 File

ATTACHMENTS: "1" [Bid Abstract](#)
 "2" [Refund Request Form](#)