



CITY COUNCIL AGENDA REPORT

MEETING DATE: DECEMBER 2, 2008

ITEM NUMBER:

SUBJECT: PARKWAY CONCRETE REPAIR AND NEW SIDEWALK CONSTRUCTION PROJECT - CITY PROJECT NO. 08-15

DATE: NOVEMBER 20, 2008

FROM: PUBLIC SERVICES DEPARTMENT/ENGINEERING DIVISION

PRESENTATION BY: PETER NAGHAVI, DIRECTOR, DEPARTMENT OF PUBLIC SERVICES

FOR FURTHER INFORMATION CONTACT: ERNESTO MUÑOZ, CITY ENGINEER, (714) 754-5335

RECOMMENDATION:

1. Adopt plans, specifications, and working details for the Parkway Concrete Repair and New Sidewalk Construction Project, City Project No. 08-15.
2. Reject the bid submitted by ACT Construction & Engineering, 48 Almond Tree Lane, Irvine, California, 92612.
3. Award a construction contract to C.J. Concrete Construction, Inc., 10142 Shoemaker Avenue, Santa Fe Springs, California, 90670, in the amount of \$541,155.00.
4. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

BACKGROUND:

The City's parkways (sidewalks, driveway approaches, curb and gutter, cross gutters, and wheelchair ramps) are in need of repair due to age, maturing trees, soil conditions, water intrusion, and traffic loads. The City's Annual Parkway Concrete Repair Program is funded to repair as many of these damaged areas as possible, and eliminate the potential liability associated with aging parkways. The locations identified for repair are prioritized based on pedestrian and handicap traffic, and the severity of damage. The list of parkway improvement locations within the scope of work of this contract is included as Attachment "1".

The City's Missing Link/New Sidewalk Program addresses installation of concrete sidewalks on City streets, which support a high volume of pedestrian traffic, yet do not have a continuous sidewalk on at least one side of the street. Due to missing sidewalk segments on these streets, pedestrians typically use the traffic pavement area for their path of travel. This problem is particularly evident during periods of rain when the ground becomes saturated from rain runoff. With this year's program a new sidewalk is proposed for construction along National Avenue between Victoria Street and Congress Street.

Both, the Parkway Maintenance and the Missing Link/New Sidewalk Programs were combined this year as a single project to take advantage of economy of scale savings associated with a larger project. The scope of work under this contract consists of reconstruction of curb and gutter, spandrel, and cross gutter; roadway reconstruction; traffic control; construction of new sidewalk; driveway/driveway approach; tree removal, and planting new parkway trees.

ANALYSIS:

The City Clerk received and opened eight (8) bids for this project on October 20, 2008. The apparent low-bidder, ACT Construction & Engineering, submitted a bid that was found to be nonresponsive to City Request For Proposal (RFP). This bid proposal was incomplete due to omitted information; failure to sign and notarize the non-collusion affidavit; failure to include sufficient project references; and failure to submit a properly executed bid bond. Based on the foregoing, it is staff's recommendation that the bid be considered nonresponsive and be rejected by the City.

Rejecting the bid from ACT Construction & Engineering, would establish C.J. Concrete Construction, Inc. as the apparent low-bidder with a bid proposal of \$541,155.00. The Engineer's base bid estimate was \$689,000.00; and the average of the eight (8) bids received amounted to \$687,599.63. An analysis of the bids indicates that this apparent low bidder submitted a proposal that is 21 percent (21%) lower than the Engineer's estimate. The Bid Abstract is included as Attachment "2".

The license and references of C.J. Concrete Construction, 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 need to readvertise or cancel the project. Staff believes that readvertising the project will not result in lower bids.

FISCAL REVIEW:

Funding for this project is available from Gas Tax funds.

LEGAL REVIEW:

C.J. Concrete Construction, Inc. has furnished the necessary bonds and insurance, which were approved as to form by the City Attorney. 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 Parkway Concrete Repair and New Sidewalk Construction Project, City Project No. 08-15; reject the bid submitted by ACT Construction & Engineering due to nonresponsiveness; award the contract to C.J. Concrete Construction, Inc. in the amount of \$541,155.00; and authorize the Mayor and the City Clerk to execute the Public Works Agreement.

ERNESTO MUÑOZ
City Engineer

PETER NAGHAVI, Director
Department of Public Services

MARC R. PUCKETT
Director of Finance

ATTACHMENTS: "1" [Parkway Locations](#)
"2" [Bid Abstract](#)

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