



# CITY COUNCIL AGENDA REPORT

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MEETING DATE: APRIL 07, 2009

ITEM NUMBER:

**SUBJECT:** 2258 ORANGE AVENUE - NUISANCE ABATEMENT - CITY PROJECT NO. 09-08

**DATE:** MARCH 26, 2009

**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

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## **RECOMMENDATION:**

1. Authorize City staff to negotiate a contract for nuisance abatement work at 2258 Orange Avenue, in an amount not to exceed \$50,000.

## **BACKGROUND:**

On January 6, 2009, City Council held a public hearing regarding the non-compliant property conditions at 2258 Orange Avenue and declared the property a public nuisance (Attachment No. 1, Resolution No. 09-5,). On January 20, 2009, City Council approved Resolution No. 09-7 (Attachment No. 2) ordering the City Building Official to proceed with abatement of the public nuisance conditions at 2258 Orange Avenue.

In order to procure the necessary services to perform this work, staff from Public Services Department prepared a detailed scope of work to advertise for bids to perform the nuisance abatement work. The project was formally advertised on February 23, 2009 in the Daily Pilot newspaper, and also in six common building trade journals. A mandatory pre-bid meeting was held on March 17, 2009 at the subject site with potential bidders to discuss the scope of work in detail, explain the working conditions, and answer any questions. Six contractors attended this meeting with City staff.

## **ANALYSIS:**

The scheduled bid opening date for this project was March 26, 2009 at 10:00 a.m. Up to that time and date, the City Clerk received no bids for the project. The Engineer's estimate for this project was \$25,000.00. (Attachment No. 3 - Bid Abstract).

Public Contract Code Section 20166 states that if no bids are received within the allocated schedule, the legislative body may have the project completed without further complying with this chapter. Based on this, staff may now informally seek and negotiate directly with properly licensed, qualified contractors to perform the scope of work at the most economical price, which is consistent with the City's purchasing procedures. All other contracting procedures and requirements remain the same, including insurance, prevailing wage requirements, and other statutory public project regulations.

**ALTERNATIVES CONSIDERED:**

The alternative to this Council action would be to defer or cancel the nuisance abatement project. However, this would be inconsistent with Council’s previous direction on January 20, 2009 and Resolution No. 09-7.

**FISCAL REVIEW:**

Funding in the amount of \$25,000 has been identified in the General Fund to perform this work.

**LEGAL REVIEW:**

City staff complied with all Public Contract Code and City procurement requirements for the advertisement of this project. No legal review was performed during the advertisement process for this project.

**CONCLUSION:**

The formal advertisement and bid opening for the 2258 Orange Avenue Nuisance Abatement Project has been completed. Since no bids were received, it is recommended that the City Council authorize City staff to proceed with the negotiation of this work with qualified contractors, in an amount not to exceed \$50,000.

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ERNESTO MUÑOZ  
City Engineer

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PETER NAGHAVI, Director  
Department of Public Services

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MARC R. PUCKETT  
Director of Finance

- ATTACHMENTS:   “1”   [Resolution No. 09-5](#)  
                          “2”   [Resolution No. 09-7](#)  
                          “3”   [Bid Abstract](#)

- DISTRIBUTION:   City Manager  
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