



CITY COUNCIL AGENDA REPORT

MEETING DATE: OCTOBER 20, 2009

ITEM NUMBER:

SUBJECT: CONSTRUCTION ON I-405 FREEWAY AND FAIRVIEW ROAD AT THE I-405/FAIRVIEW ROAD INTERCHANGE, FEDERAL PROJECT NO. ESPL-5312 (071) – CITY PROJECT NO. 09-18

DATE: OCTOBER 8, 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

RECOMMENDATION:

1. Adopt plans, specifications, and working details for construction on I-405 Freeway and Fairview Road at the I-405/Fairview Road Interchange, Federal Project No. ESPL – 5312 (071), City Project No. 09-18.
2. Accept the withdrawal of the bid submitted by Tal Cal Engineering, Inc., 22641 Valerio Street, West Hills, California, 91307.
3. Award a construction contract to Sierra Landscape Company, Inc., 73771 Dinah Shore Drive, Suite 200, Palm Desert, California, 92211 in the amount of \$420,130.00.
4. Authorize the Mayor and the City Clerk to execute the Public Works Agreement.

BACKGROUND:

The construction of the I-405/Fairview Road Interchange Widening Project was recently completed and accepted by the City. This intersection widening project consisted of widening the Fairview Road bridge over I-405 and the southbound I-405 Freeway onramp to provide a third southbound left-turn lane to the I-405 and SR-73 Freeways. Subsequent to completing the widening improvements, the City secured funding from the Federal Transportation Enhancement Activities (TEA) grant program for landscape improvements at this interchange.

The landscape improvements that have been approved by the grant include the median areas of Fairview Road just to the north and south of the I-405 Freeway; the Fairview Road embankment area on the south side of the Freeway adjacent to the newly constructed sound wall; and along the southbound I-405 Freeway between the onramp and the main freeway. The landscape improvements will include irrigation modifications and planting of trees, shrubs and ground cover.

ANALYSIS:

On August 31, 2009, the City Clerk received and opened three (3) bids for the construction of this project. The apparent low bidder, Tal Cal Engineering, Inc. submitted a bid in the amount of \$328,978.00. However, the first low bidder, Tal Cal Engineering, Inc. has requested to withdraw their bid from consideration on this project due to a clerical error made in the bidding documents. California Public Contract Code Section 5101(b) provides for criteria under which a contractor may request to have their bid withdrawn. A written error by the contractor on the bidding documents falls within this criteria.

The second apparent low bidder, Sierra Landscape Company, Inc., submitted a bid in the amount of \$420,130.00, which was sixteen percent (16%) lower than the Engineer's estimate of \$500,000.00. The average of the two (2) bids received amounted to \$507,290.00. The Bid Abstract is included as Attachment "1".

The license and references of Sierra Landscape Company, 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 were rejected, the City would need to readvertise or cancel the project. The current available funding is sufficient to fully fund the project, and staff believes that readvertising the project may not result in lower bids.

FISCAL REVIEW:

The City received a Transportation Enhancement Activities (TEA) grant in the amount of \$500,000 to provide the necessary funding for this project. This amount was obligated as part of the federal stimulus funds for infrastructure improvements.

LEGAL REVIEW:

Sierra Landscape Company, 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:

The advertisement and bid opening for the construction on I-405 Freeway and Fairview Road at the I-405/Fairview Road Interchange, Federal Project No. ESPL - 5312 (071), City Project No. 09-18, has been completed. It is recommended that the City Council adopt the plans, specifications, and working details for said project; accept the withdrawal of the bid submitted by Tal Cal Engineering, Inc.; award a construction contract to the second apparent low bidder, Sierra Landscape Company, Inc., in the amount of \$420,130.00; and authorize the Mayor and City Clerk to execute the Public Works Agreement.

ERNESTO MUÑOZ
City Engineer

PETER NAGHAVI, DIRECTOR
Department of Public Services

COLLEEN O'DONOGHUE
Assistant Finance Director

ATTACHMENT: "1" [Bid Abstract](#)

DISTRIBUTION: City Manager
Assistant City Manager
City Attorney
City Clerk
Transportation Services Manager
Staff