

TO: James L. App, City Manager
FROM: Doug Monn, Public Works Director
SUBJECT: Contract Award – Landscape Improvements at Flamson Middle School
DATE: March 16, 2010

NEEDS: For City Council to consider awarding a contract to install landscape improvements at Flamson Middle School.

- FACTS:**
1. In December 2003, as a result of the San Simeon Earthquake, Flamson Middle School auditorium and classrooms were damaged beyond repair and were subsequently demolished.
 2. Replacement of the structure will be funded by FEMA; however FEMA's financial assistance is limited to replacement of the building only. It did not extend to repair/replacement of landscaping or public improvements.
 3. During the review process associated with demolition of the Flamson building and the concept/architectural approval of its replacement, City Council pledged its support for the building's reconstruction.
 4. The City's participation with Flamson reconstruction is being conducted in two phases. Phase 1 is surface improvements – curbs, gutter and sidewalk reconstruction. Phase 2 is frontage landscaping along Spring and 24th Streets.
 5. The first phase of the City's contribution is complete. The landscape portion is the subject of this staff report.
 6. At the bid opening on January 7, 2010, nine bids were received as follows:

| | |
|--------------------------|--------------|
| Toyon Landscapes | \$ 96,405.00 |
| Elite Landscaping | 100,176.00 |
| Pioneer Landscape | 106,745.00 |
| CGI | 111,694.75 |
| SunWorld | 117,851.00 |
| Martinelli Landscape | 126,250.31 |
| Nish-ko, Inc. | 145,826.31 |
| Bolles Nursery Landscape | 148,705.06 |
| K D Janni Landscaping | 157,260.00 |

ANALYSIS &

CONCLUSION: Staff reviewed the low bid submitted by Toyon Landscapes and found an error in the bid. As a result, it was determined the bid was a non-responsive and non-responsible bid, and in accordance with the Public Contract Code the City cannot award the contract to Toyon Landscapes.

The next low bid, submitted Elite Landscaping in the amount of \$100,176, was examined by staff and found to be a responsive and responsible bid.

POLICY

REFERENCE: City Council adopted a budget for the Redevelopment Agency that included a project to assist the School District with reconstruction of Flamson Middle School.

FISCAL

IMPACT: Construction costs for the surface and landscape improvements at Flamson School are being funded with Redevelopment Agency bonds in the amount of \$410,000. Surface improvement costs were \$266,000, leaving \$144,000 for the landscaping portion of the project.

OPTIONS:

- a. Adopt Resolution No. 10-xx approving the following:
 - 1) a finding that the low bid submitted by Toyon Landscapes was a non-responsive and non-responsible bid;
 - 2) a finding that the next low bid, submitted by Elite Landscaping, is a responsive and responsible bid;
 - 3) authorization for the City Manager to execute a contract with Elite Landscaping in the amount of \$100,176 to install landscape improvements at Flamson Middle School.

- b. Amend, modify, or reject the above option.

Prepared by: Ditas Esperanza, P.E., Capital Projects Engineer

Attachments: Resolution

RESOLUTION NO. 10-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AWARDING THE CONTRACT FOR LANDSCAPE IMPROVEMENTS
AT FLAMSON MIDDLE SCHOOL

WHEREAS, in December 2003, as a result of the San Simeon Earthquake, Flamson Middle School auditorium and classrooms were damaged beyond repair and were subsequently demolished; and

WHEREAS, replacement of the structure will be funded by FEMA, but FEMA's financial assistance is limited to building replacement only and will not extend to landscaping or public improvement; and

WHEREAS, during the review process associated with demolition of the Flamson building and the concept/architectural approval of its replacement, City Council pledged its support for the building's reconstruction; and

WHEREAS, the City's participation is being conducted in two phases: (1) surface improvements – curbs, gutter and sidewalk reconstruction; and (2) frontage landscaping along Spring and 24th Streets; and

WHEREAS, construction costs for the surface and landscape improvements at Flamson School are being funded with Redevelopment Agency bonds in the amount of \$410,000; and

WHEREAS, surface improvements have been completed, at a cost of \$266,000, leaving \$144,000 for the landscaping portion of the project; and

WHEREAS, bid documents were prepared and advertised for Flamson School landscaping, and at the bid opening on January 7, 2010, nine bids were received ranging in price from \$96,405 to \$157,260; and

WHEREAS, staff reviewed the low bid submitted by Toyon Landscapes and found it to be a non-responsive and non-responsible bid; and

WHEREAS, staff reviewed the next low bid, submitted by Elite Landscaping, and found it to be a responsive and responsible bid.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of El Paso de Robles does hereby find the low bid submitted by Toyon Landscapes to be a non-responsive and non-responsible bid.

SECTION 2. The City Council does hereby find the next low bid, submitted by Elite Landscaping, to be a responsive and responsible bid.

SECTION 3. The City Council does hereby authorize the City Manager to execute a contract for landscape improvements at Flamson Middle School to Elite Landscaping, in the bid amount of \$100,176.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 16th day of March 2010 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Duane Picanco, Mayor

Lonnie Dolan, Deputy City Clerk