

TO: James L. App, City Manager
FROM: Doug Monn, Public Works Director
SUBJECT: Install Sidewalks and Ornamental Lights Along Riverside Avenue
Across from the Event Center
DATE: July 20, 2010

NEEDS: For City Council to consider awarding a contract to install sidewalks, ornamental light fixtures and other improvements along Riverside Avenue across from the Paso Robles Event Center.

FACTS:

1. In 2007, City Council allocated funds from the Workforce Housing Reward (WFHR) Grant and Community Development Block Grant (CDBG) funds to improve the area around the Paso Robles Event Center.
2. In order to facilitate how the grants were expended, the construction of improvements were phased. The first phase was installed in 2008 (improving the crosswalk between the main entrance and the parking lot).
3. The next phase is to install sidewalks, ornamental light fixtures, trees, and decorative fencing along the parking lot side of Riverside Avenue. Bid documents were prepared and issued for this phase.
4. At the bid opening on June 24, 2010, nine bids were received as follows:

P.E. Pacific Engineering	\$ 247,657.47
C3 Construction & Development	276,900.00
MGE Underground	317,369.50
Viborg Sand & Gravel	325,485.00
Souza Construction	342,880.00
Brinar Construction	362,396.00
R Burke Corporation	368,718.50
Newton Construction	372,732.50
Rockwood General Contractors	379,508.00

ANALYSIS &

CONCLUSION: Staff reviewed the bid from the apparent low bidder, PE Pacific Engineering. The bid bond submitted with their bid was written for the benefit of the City of San Luis Obispo. Because the bond does not protect the City of Paso Robles, it does not meet the requirements for bid security. PE Pacific Engineering's bid was therefore not responsive. This error is not one that can be corrected after the bids are opened, per determination of the City Attorney. It is therefore recommended that this bid be rejected.

The next low bid was submitted by C3 Construction in the amount of \$276,900. Staff reviewed the bid and found it to be a responsive and responsible bid.

POLICY

REFERENCE: State regulations governing WFHR funds
Federal regulations governing CDBG funds
Public Works Contract Code

FISCAL

IMPACT: No impact to the General Fund. Costs will be covered entirely from WFHR and CDBG funds. There is a balance of \$434,000 available for this phase of work.

OPTIONS:

- a. Adopt Resolution No. 10-xx approving the following:
 - 1) rejection of the bid from PE Pacific Engineering with the finding that it is a non-responsive bid, and
 - 2) award and authorization to enter into a contract with C3 Construction & Development in the amount of \$276,900 to install sidewalks, ornamental light fixtures and other improvements along Riverside Avenue.
- b. Amend, modify, or reject the above option.

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

Attachments: Resolution

RESOLUTION NO. 10-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
AWARDING A CONTRACT TO INSTALL SIDEWALKS, ORNAMENTAL LIGHT FIXTURES
AND OTHER IMPROVEMENTS ALONG RIVERSIDE AVENUE

WHEREAS, in 2007 City Council allocated funds from the Workforce Housing Reward (WFHR) Grant and Community Development Block Grant (CDBG) funds to improve the area around the Paso Robles Event Center; and

WHEREAS, the first phase (improving the crosswalk between the main entrance and the parking lot) was installed in 2008; and

WHEREAS, the next phase is to install sidewalks, ornamental light fixtures, trees, and decorative fencing along the parking lot side of Riverside Avenue; and

WHEREAS, bid documents were prepared and advertised, and at the bid opening on June 24, 2010, nine bids were received ranging in price from \$247,657.47 to \$379,508.00; and

WHEREAS, staff reviewed the low bid, submitted by P.E. Pacific Engineering, and found it to be non-responsive, as the bid bond submitted with their bid was written for the benefit of the City of San Luis Obispo and therefore does not protect the City of Paso Robles and does not meet the requirements for bid security; and

WHEREAS, the City Attorney determined that the bid bond error of P.E. Pacific Engineering is an error that cannot be corrected after bids have been opened; and

WHEREAS, staff reviewed the second low bid, submitted by C3 Construction and Development, and found it to be a responsive and responsible bid; and

WHEREAS, costs for this project will be covered entirely from WFHR and CDBG funds which have a balance of \$434,000 available for this phase of work.

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 P.E. Pacific Engineering to be a non-responsive bid.

SECTION 2. The City Council does hereby find the next low bid, submitted by C3 Construction and Development, to be a responsive and responsible bid.

SECTION 3. The City Council does hereby authorize the City Manager to execute a contract to install sidewalks, ornamental light fixtures, trees, and decorative fencing along the parking lot side of Riverside Avenue, to C3 Construction and Development in the bid amount of \$276,900.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 20th day of July 2010 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Duane Picanco, Mayor

Caryn Jackson, Deputy City Clerk