

TO: James L. App, City Manager
FROM: Doug Monn, Public Works Director
SUBJECT: Repair of Light Conduits on Veterans Memorial Bridge (aka Niblick Bridge)
DATE: May 3, 2011

NEEDS: For City Council to consider awarding a contract to repair the streetlight conduits on the south side of the Veterans Memorial Bridge.

FACTS:

1. Expansion of the Veterans Memorial Bridge to four lanes was completed in 2001 by MCM Construction.
2. In July 2007, the southern most bridge lights and three street lights adjacent to Kohl's went dark. In attempting to restore the lights, City staff discovered that the clamps holding the conduit on the south side of the bridge had come loose from the bridge and pinched the wiring resulting in a short circuit of the electrical lines.
3. An investigation of the condition determined that the conduit had not been secured to the bridge per the engineer's design or an approved alternate.
4. The City Attorney contacted MCM to request that they initiate repair. To date MCM has been non-responsive, in part because the cost of repair was not quantified.
5. On March 17, 2009, City Council authorized staff to engage Moffatt & Nichol (original bridge designers) to prepare bid documents to repair the broken light conduits.
6. Bid documents were prepared and advertised, and at the bid opening on March 24, 2011, three bids were received as follows:

| | |
|------------------------------------|-----------|
| Native Electric Construction | \$ 75,625 |
| Republic ITS | 90,500 |
| JPL Electric..... | 120,944 |

ANALYSIS &

CONCLUSION: The City Attorney has reached an impasse with MCM Contractors regarding repair of the conduits for electrical wires. Staff is proposing that the City proceed with the repairs and pursue reimbursement from MCM through legal action.

Staff reviewed the low bid received March 24, 2011 from Native Electric Construction in the amount of \$75,625 and found it to be a responsive and responsible bid.

POLICY

REFERENCE: Public Contract Code

**FISCAL
IMPACT:**

A total of \$82,185 is needed for this project as follows:

| | |
|-----------------------|-----------|
| Contract amount | \$ 75,623 |
| 10% contingency..... | 7,562 |
| Total..... | \$ 82,185 |

There is a cash balance of \$68,000 in Fund 215 – Bridge Development Fund, and there is a cash balance of \$116,300 in Fund 119 – Facilities Repair. It is proposed that City Council allocate \$68,000 from Fund 215 and \$14,185 from Fund 119 to Budget No. 215.910.5452.738. As noted above, the City will tabulate total costs incurred to repair these light conduits and will pursue reimbursement from MCM through legal action.

OPTIONS:

- a. Adopt Resolution No. 11-xx authorizing the following:
 - 1) transfer of \$14,185 from Fund 119 to Fund 215;
 - 2) allocation of \$82,185 to Budget No. 215.910.5452.738;
 - 3) award of contract to repair light conduits at Veterans Memorial Bridge to Native Electric Construction in the amount of \$75,623.
- b. Amend, modify, or reject the above option.

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

Attachment: Resolution