

**City of Culver City, California
Agenda Item Report**

Meeting Date: 06/24/13		Item Number: C-7	
CITY COUNCIL AGENDA ITEM: Award of a Construction Contract in the Amount of \$290,685 (with Additional Change Order Authority of up to \$58,137.00) to Carvajal Trucking & Tractor, Inc. for the Citywide Sidewalk Repair Project, P-428.			
Contact Person/Dept.: J. Christopher Evans/PW		Phone Number: (310) 253-5621	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒ Date: _____			
Public Notification: (E-Mail) Agenda and Meetings – City Council (06/18/13).			
Department Approval: Charles D. Herbertson (06/12/13)		City Attorney Approval: Carol Schwab (by H. Baker) (06/17/13)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (06/18/13)		City Manager Approval: John M. Nachbar (06/18/13)	
<u>RECOMMENDATION:</u> Staff recommends the City Council award a construction contract in the amount of \$290,685 (with additional Change Order authority of up to \$58,137.00) to Carvajal Trucking & Tractor, Inc. ("CT&T"), as the lowest responsive and responsible bidder, for the construction of the Citywide Sidewalk Repair Project, P-428 (Project). <u>BACKGROUND:</u> On February 25, 2013, the City Council approved the final plans and specifications and authorized advertising for bids for the Project. The goal of the Project is to <u>temporarily</u> repair approximately 20,000 uplifted sidewalk segments until permanent repairs can be performed either by City forces or through the capital improvement program. There are two types of temporary repairs: 1) grinding, and; 2) asphalt concrete ("AC") ramping. Grinding the uplift at the sidewalk edge with a special machine will create an even surface on both sides. Also asphalt concrete installed at the uplift will create a ramp and eliminate any potential tripping hazard.. <u>DISCUSSION:</u> On April 18, 2013, the City Clerk's Office staff publicly opened the bids. Six contractors responded with the following bid amounts:			

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BID RESULTS		
Bidder		BID Amount
1	Carvajal Trucking & Tractor	\$290,685.00
2	Y & M Construction	\$417,500.00
3	Accucon Corp	\$429,777.00
4	Malabu Pacific Tennis Courts, Inc.	\$443,225.00
5	Kalban, Inc.	\$657,575.00
6	South Coast Piering dba Saber	\$1,837,125.00

Staff reviewed the bid proposal of the apparent lowest bidder, CT&T, and found the bid documents responsive and complete. Its bid bond, contractor's license, and worker's compensation insurance were reviewed and met all City requirements. Although CT & T's bid amount is much lower than the other bidders, the owner has assured staff that they can perform the work as required in the specifications.

Staff contacted CT&T's references and found that the contractor has completed concrete sidewalk repair projects in other cities with satisfactory results.

On May 6, 2013 the 5th lowest bidder, Kalban, Inc., filed a protest letter with the City claiming that the top four lowest bidders were non-responsive due to a lack of concrete grinding specific references. Culver City Municipal Code Section 3.07.075.B states that the criteria for determining whether a bid is responsive and responsible must be included in the Project bid specifications. The bid specifications list the factors that may be considered when making the determination if a bidder is responsive, including concrete work experience. However, specific grinding experience is not identified as a mandatory requirement for being selected for the Project; rather, it is listed as only one of many factors the City may consider when evaluating the lowest bidder. By providing concrete work references, CT&T has met the criteria to be considered responsive. The protest filed by Kalban, Inc., while taken under consideration, did not change staff's recommendation on awarding the contract to CT & T.

Due to an exceptionally low bid amount, staff recommends that the City Council authorize the Public Works Director/City Engineer to approve change orders in an amount not-to-exceed \$58,137.00 (20%), for additional work.

Should the City Council award the contract, the construction project will begin in July 2013 and is expected to be completed by the end of December 2013.

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The Public Works Department/Engineering Division staff will perform construction management and inspection on the project.

FISCAL ANALYSIS:

Funds are available to construct the project in the following accounts:

Project Budget	
Funding Source	Amount
Special Gas Tax fund (41800428)	\$150,000
Capital Improvement fund (42000428)	\$415,000
Total	\$555,000

Remaining Capital Improvement and Special Gas Tax funds will be available for future projects.

MOTIONS:

That the City Council:

- 1) Award a construction contract to Carvajal Trucking & Tractor, Inc. for the Citywide Sidewalk Repair Project, P-428, in the amount of \$290,685; and,
- 2) Authorize the Public Works Director/City Engineer to approve change orders in an amount not-to-exceed \$58,137, if necessary; and,
- 3) Authorize the City Attorney to review/prepare the necessary documents; and,
- 4) Authorize the City Manager to execute such documents on behalf of the City.