

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 03/12/07		Item Number: <u>A-2</u>							
AGENDA ITEM: Consideration to Reject All Bids Received for Construction of the Skateboard Park Project P-830.									
Contact Persons/Dept.: Daniel Garcia/PW and Bill LaPointe/PR&CS		Phone Number: (310) 253-5622 and (310) 253-6682 respectively							
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒							
Public Hearing: ☐		Action Item: ☒ Attachments: ☐							
Public Notification: Master Notification List, Skateboard Park Stakeholders, Community Organizations and SITE Design Group, Inc. (e-mail on 03/01/07). All affected businesses and residents within a 500-foot radius of Culver City Park and Skateboard Park Stakeholder (postcard mailing on 03/01/07). Culver City Homeowners' Association, East Culver City Neighborhood Alliance and those who rented areas in Culver City Park during 2006 (postcard mailing on 03/01/07). Park Users at Culver City Park (flyer distribution during the week of 03/01/07). Park Users at Veteran's Memorial Park (flyer distribution on March 01, 2007). Display advertisement in the Culver City News (published 3/01/07). CA Skateparks & 4-Con Engineering, Inc. (3/01/07)									
Department Approval: Charles D. Herbertson (3/02/07)		City Attorney Approval: Carol Schwab (by H. Iker) (03/06/07)							
City Controller Approval: Marlee Chang (03/07/07)		City Manager Approval: Jerry B. Fulwood (03/07/07)							
<u>RECOMMENDATION:</u> Staff recommends the City Council reject all bids received for the construction of the Culver City Skateboard Park located at Culver City Park, 9910 Jefferson Boulevard and authorize staff to negotiate with the lowest bidder 4-Con Engineering, Inc.. <u>BACKGROUND/DISCUSSION:</u> On August 8, 2006, the City Council approved the final plans and specifications and authorized staff to advertise for bids for the construction of the Skateboard Park Project (P-830). The project was delayed due to a reorganization that occurred at the design consultant's office that resulted in delays to the final completion of plans and specifications. On January 11, 2007 the project was advertised for construction bids. On February 15, 2007, the bids were publicly opened by the City Clerk, yielding the following bids: <table border="1" style="margin: 10px auto; border-collapse: collapse; width: 60%;"><thead><tr><th style="text-align: center;">CONTRACTOR</th><th style="text-align: center;">BID AMOUNT</th></tr></thead><tbody><tr><td>4-Con Engineering, Inc.</td><td style="text-align: right;">\$ 598,133.00</td></tr><tr><td>CA Landscape & Design dba CA Skateparks</td><td style="text-align: right;">\$ 643,342.00</td></tr></tbody></table>				CONTRACTOR	BID AMOUNT	4-Con Engineering, Inc.	\$ 598,133.00	CA Landscape & Design dba CA Skateparks	\$ 643,342.00
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4 Con Engineering, Inc. was found to be the lowest responsive and responsible bidder for the project with a proposed price for the project not to exceed \$598,133.00. Staff contacted the contractor's references and determined the contractor performed satisfactory work for other agencies and has successfully completed other skateboard parks. Also the bonding and insurance policies were reviewed and found to meet City requirements.

City staff and its consultant, Site Design Group, Inc., believe that through negotiations with the lowest bidder, an affordable cost can be achieved for the City. Staff believes these negotiations would be in the best interests of the City and recommends that the City enter into negotiations with 4 Con Engineering. In order for these negotiations to proceed, all bids received on February 15, 2007 must first be rejected.

The City's Charter provisions regarding public works contracts¹ give the Council the authority to reject any and all bids presented. In addition, the Council, by a four-fifths vote, may award a contract without complying with the bidding procedures, provided a public hearing is held on the award of the contract. As such, it would be legally permissible for the City to negotiate with the lowest bidder, once all prior bids are rejected.

Staff anticipates reaching agreement with 4 Con Engineering, Inc. for construction of the skateboard park; however, if no agreement is achieved, staff will make further recommendations to the City Council regarding re-bidding the project.

Should the negotiations be successful, the proposed agreement would be presented to the City Council for consideration and potential award. If awarded, construction of the project would be managed by Site Design, under their previously approved agreement.

FISCAL ANALYSIS:

The item presented to the City Council this evening does not create a fiscal impact. However, if the negotiations are successful, the City Council would be asked to allocate funding for any proposed contract at the time of the Council's consideration of the award of contract.

ATTACHMENTS:

¹ Charter Section 2007 provides that the procedures for awarding public works contracts as set forth in the "old" Charter will remain in effect until such time as the City Council establishes, by ordinance, different procedures. Therefore, the current procedures are set forth in "old" Charter Section 1304.

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None.

MOTIONS:

That the Council:

1. Reject all bids for a construction contract for the construction of the Skateboard Park Project (P-830); and
2. Authorize staff to negotiate with the lowest bidder on behalf of the City.