

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

Meeting Date: <u>05/02/11</u>		Item Number: <u>C-2</u>	
CITY COUNCIL AGENDA ITEM: Award of a Contract to Creative Nile Builders, as the Lowest Responsive and Responsible Bidder, for the Construction of the El Marino Park Playground Rehabilitation Project, P-899.			
Contact Person/Dept.: Patrick Reynolds, Parks Manager		Phone Number: 310-253-6470	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (E-Mail) Meetings and Agendas – City Council (04/27/11); (E-Mail) Parks, Recreation and Community Services Commission (04/27/11); (E-Mail/Telephone) All bidders (04/27/11).			
Department Approval: Dan Hernandez (04/20/11)		City Attorney Approval: Carol Schwab (by H. Baker) (04/26/11)	
Chief Financial Officer Approval: Jeff Muir (by K. Marsden) (04/27/11)		City Manager Approval: John M. Nachbar (04/27/11)	
<u>RECOMMENDATION:</u> Staff recommends the City Council award a contract to Creative Nile Builders, as the lowest responsive and responsible bidder, for the construction of the El Marino Park Playground Rehabilitation Project, P-899. <u>BACKGROUND:</u> A playground audit performed by the Parks Division of the Parks, Recreation and Community Services (PRCS) Department identified several elements of the El Marino Park Playground as being in need of replacement, including the playground equipment for children ages 5 – 12, all of the swings, and the rubberized surfacing. Funds from the Park Facilities Fund (419) and the Capital Improvements & Acquisitions Fund (420) were allocated for this Project (P-899). The playground equipment was purchased from Landscape Structures, Inc. in June 2010 and has been warehoused since its delivery. On May 3, 2010, the City Council adopted the Youth Employment Plan for the Culver City Skate Park Fence Project, P-850, identifying El Marino Park Playground as an alternate youth employment site and thereby fulfilling the necessary Los Angeles County Proposition A grant requirement related to the employment of youth for the Skate Park Fence Project. On February 14, 2011, the City Council approved the plans and specifications and authorized staff to advertise the El Marino Park Playground Rehabilitation Project for construction bids. The Project includes the demolition of the existing rubberized surfacing and playground structure for children ages 5 – 12 and installation of a new ADA ramp, sump and playground equipment.			

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Pursuant to the Youth Employment Plan for P-850, the engineered wood fibar will be installed by California Conservation Corps (CCC).

DISCUSSION:

On March 31, 2011, the City Clerk's Office staff publicly opened the bids. Nine contractors responded with the following bid amounts:

	CONTRACTOR	BID AMOUNT	NOTES
1	E.C.E. Construction Services	\$ 31,079.00	Non-responsive
2	Creative Nile Builders, Inc.	\$ 41,150.00	
3	R.E. Schultz Construction	\$ 42,300.00	
4	Micon Construction, Inc.*	\$ 48,653.00	\$49,153.00 - corrected
5	Fleming Environmental, Inc.	\$ 54,350.00	
6	Malibu Pacific Tennis Courts	\$ 58,500.00	
7	Addscape, Inc.	\$ 65,250.00	
8	Caltec Corp.	\$ 65,700.00	
9	Steven Olshan*	\$ 159,911.00	\$150,911.00 - corrected

** These bids contained calculation errors that were corrected by staff.*

Staff reviewed the nine sets of contractor bid documents and determined that E.C.E. Construction Services, the apparent low bidder, was non-responsive due to the omission of several critical and required documents from its bid package. This decision was reviewed by the City Attorney's Office before being determined.

Since E.C.E. Construction Services has been deemed non-responsive, Creative Nile Builders submitted the lowest total base bid. Staff reviewed the bid proposal from Creative Nile Builders and found its bid responsive and complete. Its bid bond, contractor's license, and worker's compensation insurance were reviewed and determined to meet City requirements. Therefore, staff recommends that the City Council award a contract to Creative Nile Builders as the lowest responsive and responsible bidder for construction of the El Marino Park Playground Rehabilitation Project, P-899. Construction management and inspection of the project will be conducted by City staff.

FISCAL ANALYSIS:

There is currently \$45,265 available in 41900899.730100 (Park Facilities Fund / Improvements Other Than Buildings) for Creative Nile Builders' base bid of \$41,150 and a 10% change order amount totaling \$4,115, if necessary. The Parks Facilities Fund (419) is funded by development (Quimby) fees.

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MOTIONS:

That the City Council:

- 1) Award a contract to Creative Nile Builders, as the lowest responsive and responsible bidder, for the El Marino Park Playground Rehabilitation Project, P-899, in the amount of \$41,150, based on its base bid; and,
- 2) Authorize the Parks Division Manager to approve change orders in an amount not-to-exceed \$4,115, 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.