

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

Meeting Date: 11/14/2011		Item Number: <u>JC-2</u>	
JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: (1) Waiver of a Minor Error in the Bid Submitted by Damon Inc., (2) Award of a Construction Contract to Damon Inc. for the Veterans Memorial Building Renovations and (3) Award of Contract to American Seating Company to Install Fixed Seats in the Lower Level of the Veterans Memorial Building Auditorium for the Veterans Memorial Building Renovation Project P-876.			
Contact Person/Dept.: Bellur Devaraj/Public Works Department		Phone Number: 310-253-5621	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☐ Attachments: ☐	
Commission Action Required: Yes ☐ No ☒		Dates:	
Public Notification: (E-Mail) Agenda and Meetings – City Council (11/11/11); Meetings and Agendas – Agency Board (11/11/11)			
Department Approval: Charles D. Herbertson (11/01/11)		Agency General Counsel: Murray O. Kane () City Attorney Approval: Carol A. Schwab (by H. Baker) (11/09/11)	
Chief Financial Officer Approval: Jeff Muir (by K. Marsden) (11/10/11)		City Manager/Executive Director Approval: John M. Nachbar (11/10/11)	
<u>RECOMMENDATION:</u> Staff recommends that the City Council and Agency Board (1) waive a minor error in the bid submitted by Damon Inc; (2) award of a construction contract to Damon Inc., for the Veterans Memorial Building Renovations in the amount of \$146,454.00 and (3) award a contract to American Seating Company of Grand Rapids, Michigan to provide and install 451 fixed seats in the lower level of the Veterans Memorial Building Auditorium in the amount of \$180,188.03. <u>BACKGROUND:</u> <u>Veterans Memorial Building Renovations:</u> In Fiscal Year 2010/2011, the City Council provided funding for a project to refurbish the Veterans Memorial Building. In January 2011 the City executed a contract with the architectural firm of DLR/WWCOT to develop plans for the refurbishment. The architect and the City developed a scope of improvements that included reconstruction of women's and men's restrooms, cosmetic improvements to the meeting and class rooms, and painting the auditorium.			

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On September 6, 2011 the City Council approved the plans and specifications and authorized staff to advertise the project for receipt of bids.

Auditorium Seating:

The lower level of the Veterans Memorial Building Auditorium currently has 451 fixed seats that were installed approximately 30 years ago. The seats, manufactured by Hussey Company, have significant maintenance issues including some of the seats breaking off. Replacement parts are not readily available.

DISCUSSION:

Veterans Memorial Building Renovations:

On October 27, 2011 the City Clerk's Office opened 7 bids as follows:

Damon Inc.	\$146,454
Korston Construction Inc.	\$196,293
C.J. Pro, Inc.	\$218,000
Gimel Construction Inc.	\$220,000
Ventura Construction Inc.	\$229,500
Monet Construction	\$257,050
G Coast Construction	\$295,000

The bid amounts reported above include the total of the base bid and four alternate bid items that could be awarded at the discretion of the City Council/Agency Board if funding is available. Staff's analysis indicates availability of sufficient funds to award both the base bid and all four alternate bid items.

The low bid amount by Damon Inc., included an error in completing the bid schedule by including the cost of one of the alternate bid amounts in the base bid schedule. Damon has given an explanation in writing for this error which does not impact the total bid amount. Staff recommends the City Council, in accordance with its authority under Culver City Municipal Code § 3.07.075 .E.2, waive this minor error as an informality as provided by the contract documents.

Staff is recommending awarding a contract to Damon Inc., in the amount of \$146,454 with an additional \$25,000 contingency amount that can be administratively authorized by staff to fund unforeseen construction contingencies or additional enhancements if funding is available.

Auditorium Seating:

The upper balcony of the auditorium has seats made by American Seating. Staff recommends replacing all the seats in the lower level with seats manufactured by

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American Seating. Replacement parts are readily available and staff is of the opinion that having all seats (lower level and balcony) made by the same manufacturer will be beneficial for future maintenance.

American Seating has been certified by the State of California Department of General Services under the Department's California Multiple Award Schedule (CMAS) contract No: 4-11-71-0056B. Suppliers and businesses apply and compete for this certification. CMAS contracts are approved based on prices for products and services assessed to be fair and competitive. State and local governmental agencies can take advantage of this cost effective process by placing direct orders with CMAS certified suppliers. Under these circumstances, pursuant to Culver City Municipal Code § 3.07.045.G, the City's competitive bid process does not apply.

American Seating has installed seating in several local agency auditoriums and sports stadiums. Staff has visited some of these installations and found the installed seats satisfactory.

Staff is recommending the City Council award a contract in the amount of \$180,188.03 to American Seating to replace the 451 fixed seats in the lower level of the auditorium. The contract price includes removal of existing seats, preparation of a seating plan, seat numbering and donor plates that can be inscribed with future donor names.

FISCAL ANALYSIS:

The total project cost, as recommended, is:

Damon Inc. contract amount:	\$146,454.00
Construction contingencies:	\$ 25,000.00
American Seating contract amount:	<u>\$180,188.03</u>
Total:	\$351,642.03

Funds available to award the contracts are as follows:

1999 Redevelopment Agency Tax Exempt Bond Funds:
Account Number: 48693650: \$321,877.00 *

Park Facilities Fund Carry Over Funds:
Account Number: 41900876: \$29,766.00

Total Available Funds: \$351,643.00

This Project is eligible for former Agency funds as it was included in the Cooperation Agreements between the City and the Agency.

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* A budget transfer between 1999 Redevelopment Agency Tax Exempt Bond Funds is necessary to provide adequate funding for this project. Due to savings on the Agency contribution to the EXPO Aerial Station, a transfer of \$136,877 will be made from account 48692720 to account 48693650.

MOTIONS:

That the City Council and the Redevelopment Agency Board:

1. Waive a minor error in the bid submitted by Damon Inc.; and,
2. Award of a construction contract to Damon Inc., for the Veterans Memorial Building Renovations in an amount of \$146,454.00
3. Authorize the Public Works Director and the Parks, Recreation, and Community Services Director to expend an additional \$25,000 for unforeseen contingencies or additional project enhancements if funding is available; and
4. Award a contract to American Seating Company of Grand Rapids, Michigan to provide and install 451 fixed seats in the lower level of the Veterans Memorial Building Auditorium in an amount of \$180,188.03; and,.
5. Authorize the City Attorney and Agency General Counsel to review/prepare the necessary documents; and
6. Authorize the City Manager/Executive Director to execute such documents on behalf of the City and Agency.