

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

Meeting Date: 04/02/12		Item Number: <u>C-4</u>	
CITY COUNCIL AGENDA ITEM: (1) Rejection of the Bid Submitted by Mode Engineering as Non-Responsive; and (2) Award of a Construction Contract to J.D.C. Inc. for the Ballona Creek Rain Garden Project, P-497.			
Contact Person/Dept.: Lee Torres/PW		Phone Number: (310) 253-5623	
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 (03/30/12), County of Los Angeles Public Library, Culver City Unified School District, Santa Monica Bay Restoration Commission and Ballona Creek Renaissance, J.D.C. Inc., and all bidders (03/19/12).			
Department Approval: Charles D. Herbertson (03/15/12)		City Attorney Approval: Carol Schwab (by H. Baker) (03/28/12)	
Chief Financial Officer Approval: Jeff Muir (by K. Marsden) (03/29/12)		City Manager Approval: John M. Nachbar (03/29/12)	
<u>RECOMMENDATION:</u> Staff recommends the City Council: 1) Reject the bid submitted by Mode Engineering as non-responsive; and, 2) Award a construction contract to J.D.C., Inc. (JDC) as the lowest responsive and responsible bidder to complete the necessary work for the Ballona Creek Rain Garden Project, P-497. <u>BACKGROUND:</u> In March 2011, the City’s Public Works Department Environmental Programs and Operations Division saw an opportunity to incorporate “rain gardens” within the new landscaped slope of the Ballona Creek Bikeway and Landscaping Project. This area is immediately behind the Culver City Unified School District (CCUSD) Administration Building’s parking area and playgrounds. “Rain gardens” are designed to intercept the initial storm water run-off and allow it to percolate through the soil. At the time of this proposed idea, the Ballona Creek Bikeway and Landscaping Improvement Project was nearly complete so there was not enough time to design the additional work so that it could be added to that project. Currently some of the storm water run-off will flow into the new landscaped slope and new concrete swales which is then conveyed to the Ballona Creek via storm drains.			

City of Culver City, California
Agenda Item Report

On August 22, 2011, the City Council authorized publication of a notice inviting bids for construction of Phase II of the Ballona Creek Rain Garden Project. Since August, staff has been working with the CCUSD and the granting agency, the Santa Monica Bay Restoration Commission (SMBRC), to obtain necessary approvals. As a result, some minor revisions to the project plans were required. The SMBRC approved the plans in October 2011, and the project was advertised for construction bids in January 2012.

The Ballona Creek Rain Garden Project is designed to incorporate the following improvements;

- Installation of new curb and gutter along the fence line behind the CCUSD parking area and playground to divert some of the storm water run-off from approximately 2.75 acres of CCUSD property into four (4) catch basins. The storm water will flow into catch basins that will be connected to engineered dispersal chamber systems. The systems are designed to uniformly spread the storm runoff at a reduced velocity onto the existing landscaped slope allowing the water to infiltrate the soil and also minimize the risk of soil erosion. The proposed catch basins will include filtration devices which, along with the soil infiltration, will filter any runoff water before it finds its way into the Ballona Creek.
- Construction of two (2) rain gardens that are approximately 800 square feet and 650 square feet in area, respectively. The construction will involve removing the existing landscaped slope and lowering the existing grade in order to accommodate the proposed rain gardens. The rain gardens will then be re-landscaped with native plants complementing the existing landscaping.

DISCUSSION:

Bid Process

On February 23, 2012, the City Clerk's Office staff publicly opened the bids. Five (5) contractors responded with the following bid amounts:

<u>CONTRACTOR</u>		<u>BID AMOUNTS</u>
1	Mode Engineering, Laguna Niguel, CA	\$226,280.00
2	J.D.C. Inc., Rancho Cucamonga, CA	\$280,646.50
3	Lee Construction Co., Simi Valley, CA	\$286,232.00
4	G Coast Construction, Encino, CA	\$299,836.00
5	Excel Paving Co., Long Beach, CA	\$313,493.25

City of Culver City, California
Agenda Item Report

Bid Review

As the apparent low bidder, the bid proposal from Mode Engineering was reviewed. It did not contain any construction experience information as required by the bid documents. Staff informed Mode Engineering, in writing, that they have two days to submit their construction experience.

Mode Engineering replied within two days with documentation that staff then reviewed and determined did not demonstrate the required experience with the construction of reinforced concrete drainage structures, retaining block wall, and irrigation and landscape work. Mode Engineering was notified, in writing, that staff will be recommending to the City Council to reject their bid proposal as it does not meet minimum construction experience requirements.

With the potential disqualification of the Mode Engineering bid as non-responsive, staff reviewed the new apparent low bidder, J.D.C. Inc.'s bid proposal. It was determined that J.D.C.'s bid proposal was complete and accurate. Also, staff contacted each reference provided by J.D.C. Inc. and received positive feedback regarding their performance, and they were highly recommended. J.D.C. Inc. has the experience and qualifications to perform this project. Staff recommends that J.D.C. Inc. be awarded a construction contract to complete this project as the lowest responsive and responsible bidder.

In addition, staff recommends that the City Council authorize the Public Works Director/City Engineer to approve change orders in an amount not-to-exceed \$42,000 (15%), if necessary, for unforeseen conditions that may become apparent during construction or for project enhancements.

The construction project is expected to begin in May 2012 and is slated to be completed by July, 2012.

Construction Inspection and Material Testing

Both construction inspection services and material testing services will be procured through a competitive Request for Proposal (RFP) process. A consultant will be selected from a list of firms pre-approved by the City Council for construction management/inspection services and material testing services on capital improvement projects. These consultants will be managed by Staff.

Public Notification

Approximately one week prior to construction activity adjacent to residences, Culver City High and Middle School, Farragut Elementary School, and Julian Dixon Public Library will be provided with written information on the project scope and contact information. The Construction Notice will be posted on the City website as well.

City of Culver City, California
Agenda Item Report

In addition, prior to and during construction, construction signs will be posted at critical junctions advising cyclist and pedestrians of the construction along the multi-use path with general information regarding the project, contact information, and the detour route. The multiuse path will be closed during the duration of the construction project from Overland Avenue to the pedestrian bridge.

All pedestrians and cyclists traveling eastbound on the bikepath will be re-routed across the pedestrian bridge to Westwood Boulevard. Detour signs will then direct them to travel south on Westwood Boulevard to the Virginia Avenue and Overland Avenue traffic signaled intersection. From there, the detour signs will direct them to travel north on the east side of Overland Avenue to the bike path entrance. All pedestrians and cyclists traveling westbound will be directed to use the same detour route in reverse order using the west side of Overland Avenue when traveling south on Overland Avenue. This same detour route was used successfully during Phase I of the project.

The estimated construction duration is 45 working days. Should the City Council take the recommended actions this evening, the anticipated start of construction will be April 16, 2012, and project completion is estimated to occur in mid-June.

Approval from Other Affected Agencies

The Culver City Unified School District Board of Education is supportive of the proposed stormwater and rain garden improvement project and amended the existing "Construction Access, Property Use, and Restoration License Agreement" with the City. The Agreement will allow the City to construct and maintain the improvements located on CCUSD property.

The Los Angeles County Department of Public Works has issued an Access Permit to allow the construction of this project within their jurisdiction.

FISCAL ANALYSIS:

Proposed Project Budget	
P-497 Prop 50 Funds (42300497)	\$380,000.00
Available Fund	\$380,000.00

Estimated Project Expenses	
Construction Contract	\$280,646.50
15% contingency	\$42,000.00
Subtotal	\$322,646.50
Construction Inspection Services	\$36,000.00
Geotechnical Construction Services (Observation & Testing)	\$15,000.00
Total Estimated Project Expenses	\$373,646.50

City of Culver City, California
Agenda Item Report

MOTIONS:

That the City Council:

- 1) Reject the bid submitted by Mode Engineering as non-responsive; and,
- 2) Award a contract to J.D.C. Inc. for the Ballona Creek Rain Garden Project, P-497, in the amount of \$ 280,646.50, based on its base bid; and,
- 3) Authorize the Public Works Director/City Engineer to approve change orders in an amount not-to-exceed \$ 42,000, if necessary; and,
- 4) Authorize the City Attorney to review/prepare the necessary documents; and,
- 5) Authorize the City Manager to execute such documents on behalf of the City.