



Legislation Details (With Text)

File #: 17-600 **Version:** 1 **Name:**
Type: Bid & Purchase **Status:** Passed
File created: 3/23/2017 **In control:** City Council
On agenda: 4/5/2017 **Final action:** 4/5/2017
Title: City Council consideration to adopt the Plans and Specifications for the Splash Pad at Ridgeline Park Project, No. 2016-12; authorize the City Manager to execute said agreement; authorize the Purchasing Agent to issue a purchase order to California Waters Development Inc., dba California Waters, in the amount of \$798,515.00; and award the bid.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Location Map, 2. Contract, 3. Exhibit B - Bid Protest, 4. Exhibit C - Response to Bid Protest, 5. Contract - Executed - 4.5.2017

Date	Ver.	Action By	Action	Result
4/5/2017	1	City Council	adopted	Pass

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 4/5/2017
TO: Honorable Mayor and City Council Members
FROM: Public Works Department

SUBJECT:
City Council consideration to adopt the Plans and Specifications for the Splash Pad at Ridgeline Park Project, No. 2016-12; authorize the City Manager to execute said agreement; authorize the Purchasing Agent to issue a purchase order to California Waters Development Inc., dba California Waters, in the amount of \$798,515.00; and award the bid.

RECOMMENDED ACTION:

That the City Council:

1. Adopt the Plans and Specifications for the Splash Pad at Ridgeline Park Project, No. 2016-12.
2. Award the bid to California Waters Development Inc., dba California Waters, the lowest responsive, responsible bidder, for the total bid amount of \$798,515.00, and waive any and all minor irregularities in the bidding document as submitted by said bidder.

3. Authorize the City Manager or his designees to execute the Contract with California Waters Development Inc., dba California Waters in the amount of \$798,515.00 and approve necessary change orders up to the amount provided by Corona Municipal Code Section 3.08.050(h).
4. Authorize the Purchasing Agent to issue a purchase order to California Waters Development Inc., dba California Waters in the amount of \$798,515.00.

ANALYSIS:

Completion of the Splash Pad at Ridgeline Park Project will include construction of a new splash pad water feature, restroom facility, and picnic shelter area at Ridgeline Park. During construction of the project, the parking lot and a portion of Ridgeline Park will be closed to the public in order to facilitate the construction staging area, and ensure public safety. The project location and limits are shown on Exhibit "A."

In order to complete this project prior to July 4, 2017, the City has purchased several pieces of equipment that have a long lead or fulfillment time. The contractor will provide all other ancillary features.

The Plans and Specifications for this project were completed by Baxter Miller Landscape Architect. The civil design was completed by Armstrong & Brooks Consulting Engineers, and reviewed by City staff.

Construction management will be performed by a contract consultant, and City staff will provide inspection oversight. Construction is tentatively scheduled to commence in April 2017, with completion anticipated by the end of June 2017.

The project was advertised per Public Contract Code requirements and City Ordinance, and is ready for adoption and award. The Plans and Specifications include two bid schedules; Base Bid Schedule A, and Alternative Bid Schedule B. Base Bid Schedule A pertains to the construction of the splash pad and ancillary improvements. Alternative Bid Schedule B pertains only to the conversion of the existing park lights to light emitting diode (LED) lights.

As specified in the bid package, the City shall award the contract based on Base Bid Schedule A only. The City may elect not to include Alternate Bid Schedule B items in the award of the contract.

On March 20, 2017, four (4) valid bids were received by the bid due date and time, and opened by City staff. The following is a summary of the bid results and Engineer's Estimate:

	Contractor	Location	Bid Schedule
	Engineer's Estimate		\$600,000 to \$700,000
1	California Waters Development Inc., dba California Waters	Yorba Linda	\$798,515.00
2	Micon	Placentia	\$812,456.00
3	C.S. Legacy Construction, Inc.	Pomona	\$950,877.00

4	Newman Midland Corporation	Cypress	\$1,423,800.00
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Staff received a letter of protest from the second lowest bidder, Micon Construction, Inc. (Micon), in accordance with the Bid and Contract Documents Instructions to Bidders. Micon alleges that the bid submitted by California Waters is non-responsive. Most of Micon’s allegations pertain to omissions or deviations in California Waters’ identification of certain subcontractor information. California case law permits the City to waive minor deviations from the bid specifications, if the deviation does not affect the bid amount and does not give one bidder an unfair advantage in the bidding process. City staff, in consultation with the City Attorney, has reviewed each of Micon’s allegations, and has determined that they are without merit. Staff believes that, to the extent California Waters’ bid included any deviations, they do not affect the amount of the bid, and do not give California Waters an unfair advantage.

Micon’s bid protest letter, as well as City staff’s response to Micon’s bid protest, are attached to this report as Exhibits “B” and “C.” Accordingly, City staff is recommending that Micon’s bid protest be rejected and the contract for the Splash Pad at Ridgeline Park Project be awarded to California Waters.

At this time, staff recommends awarding the contract based on Base Bid Schedule A only for a total contract amount of \$798,515.00.

All licenses and references for California Waters Development Inc., dba California Waters have been reviewed and verified by staff, and all other documentation is in order.

COMMITTEE ACTION:

The Ridgeline Park Splash Pad Project was presented and discussed at the December 7, 2016 Infrastructure Committee, where the Committee Members expressed support for the project.

STRATEGIC PLAN:

Not applicable.

FISCAL IMPACT:

The estimated construction cost for this project is outlined as follows:

Construction	\$798,515.00
Construction Support	\$75,000.00
Contingency	\$40,000.00
Total Construction Cost	\$913,515.00

Funding for the project is available in the Fiscal Year 2016-17 Capital Improvement Project Budget as follows:

Account Name	Fund	Account	Amount
Parkland Acquisition and Development Fee Fund	217	71760	\$913,515.00

ENVIRONMENTAL ANALYSIS:

The project is categorically exempt from environmental analysis since the project meets the criteria set forth in the California Environmental Quality Act (CEQA) Section 15301 (b) and Section 15303 (e).

PREPARED BY: TOM KOPER, P.E., ASSISTANT PUBLIC WORKS DIRECTOR

REVIEWED BY: NELSON D. NELSON, P.E., PUBLIC WORKS DIRECTOR

REVIEWED BY: TOM MOODY, ASSISTANT GENERAL MANAGER

REVIEWED BY: KIM SITTON, FINANCE MANAGER

REVIEWED BY: CITA LONGSWORTH, PURCHASING MANAGER

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

SUBMITTED BY: DARRELL TALBERT, CITY MANAGER