



Legislation Details (With Text)

File #: 20-0001 **Version:** 1 **Name:**
Type: Plan & Specification **Status:** Passed
File created: 12/16/2019 **In control:** City Council
On agenda: 1/15/2020 **Final action:** 1/15/2020
Title: City Council consideration of rejection of all bids received for the Remove Debris from Bedford Wash Under Temescal Canyon Road, Project No. 2019-03, Notice of Inviting Bids (NIB) 20-032CA.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A - Location Map, 3. Exhibit B - Right of Entry Agreement, 4. Exhibit C - Construction Contract with Jeremy Harris Construction, Inc.

Date	Ver.	Action By	Action	Result
1/15/2020	1	City Council	approved	Pass

**AGENDA REPORT
REQUEST FOR CITY COUNCIL ACTION**

DATE: 01/15/2020

TO: Honorable Mayor and City Council Members

FROM: Public Works Department

SUBJECT:

City Council consideration of rejection of all bids received for the Remove Debris from Bedford Wash Under Temescal Canyon Road, Project No. 2019-03, Notice of Inviting Bids (NIB) 20-032CA.

RECOMMENDED ACTION:

That the City Council:

1. Reject all bids received for the Remove Debris from Bedford Wash Under Temescal Canyon Road, Project No. 2019-03, NIB 20-032CA.
2. Adopt the Plans and Specifications for the REBID - Remove Debris from Bedford Wash Under Temescal Canyon Road, Project No. 2019-03, NIB 20-037CA.
3. Award the bid to Jeremy Harris Construction, Inc., the lowest responsive, responsible bidder, for the total bid amount of \$163,425, and waive any and all minor irregularities in the bidding documents as submitted by said bidder.

4. Authorize the City Manager, or Acting Public Works Director, to execute the Construction Contract with Jeremy Harris Construction, Inc., in the amount of \$163,425, and approve necessary change orders up to twenty five percent of the contract amount.
5. Authorize the Purchasing Agent to issue a Purchase Order to Jeremy Harris Construction, Inc., in the amount of \$163,425 for the construction services.
6. Authorize the creation of a new Capital Improvement Project titled "Remove Debris from Bedford Wash Under Temescal Canyon Road Project."
7. Authorize a budgetary transfer of \$234,325 from the "Bridge Evaluation Project," CIP 71790, to the newly created "Remove Debris from Bedford Wash Under Temescal Canyon Road Project," in the Measure A Fund 227.

ANALYSIS:

It has been determined that as a result of the heavy rains in February 2019, a significant amount of debris and sediment has accumulated within the Bedford Wash concrete channel under Temescal Canyon Road and within the concrete channel upstream and downstream of the Temescal Canyon Road crossing. The depth of sediment on the upstream side of the concrete channel has reached a height that threatens to block storm water runoff flow through Bedford Wash, which could result in flooding of Temescal Canyon Road and damage to the channel, roadway, and utilities in the upcoming storm season. In order to avoid flooding or damage to public improvements on Temescal Canyon Road, there is an immediate need to remove the accumulated sediment and debris within Bedford Wash in the vicinity of Temescal Canyon Road, including the first 200 linear feet of the rip-rap area downstream of the concrete channel before the rainy season begins, as shown on Exhibit "A." The debris removal downstream into the rip-rap area will be necessary to allow water into Bedford Wash to continue flowing unimpeded downstream of Temescal Canyon Road.

Since a portion of the Bedford Wash Concrete Channel is within the Riverside County Transportation Commission (RCTC) jurisdiction, City Staff worked with RCTC Staff and reached an agreement to place the debris to be removed from the Bedford Wash on RCTC property, located directly adjacent to and upstream of the concrete channel (see Exhibit "A"), as per the Right of Entry Agreement between the City and RCTC (see Exhibit "B").

The Plans and Specifications for this project were completed and reviewed by City staff and are ready for adoption and award.

The work is anticipated to be funded in whole or in part with federal Public Assistance Grant funds by the Federal Emergency Management Agency (FEMA) and is subject to certain federal bidding requirements. This project was initially advertised pursuant to Public Contract Code requirements and Chapter 3.08 of the Corona Municipal Code ("CMC"), and on December 3, 2019, six (6) bids were received through the PlanetBids bidding service for NIB 20-032CA. City staff reviewed the bids and determined it would be in the City's best interest to reject all bids and rebid the project. The contract documents required bidders and their subcontractors to submit and include all necessary forms to meet federal funding requirements with their bid package. The apparent lowest bidder failed to provide all required forms for their subcontractors and incorrectly submitted two of their own, and the second apparent lowest bidder failed to provide required forms for themselves and their subcontractor. The third apparent lowest bidder did not complete the required forms correctly. Therefore, the three apparent lowest bids were rejected as non-responsive. The fourth, fifth, and

sixth apparent low bids far exceeded the Engineer’s Estimate and were all rejected.

The project was advertised a second time pursuant to Public Contract Code requirements and CMC Chapter 3.08 on December 18, 2019, and on January 3, 2020, five (5) bids were received through the PlanetBids bidding service for NIB 20-037CA.

The following is a summary of the bid results and the Engineer’s Estimate:

Contractor		Location	Bid Schedule
Engineer’s Estimate			\$250,000
1	Jeremy Harris Construction, Inc.	Riverside	\$163,425
2	James McMinn, Inc.	Grand Terrace	\$219,700
3	Beador Construction Company, Inc.	Corona	\$248,700
4	Riverside Construction Company, Inc.	Riverside	\$339,000
5	MVC Enterprises, Inc.	Temecula	\$340,965

Staff reviewed all bids received and recommends awarding the contract based on the Bid Schedule for a total contract amount of \$163,425 to Jeremy Harris Construction, Inc., as the lowest responsive, responsible bidder. The City received a bid protest from the second low bidder, James McMinn, Inc., alleging the low bidder did not list a subcontractor for the construction survey work. The contract required the survey work to be performed under the direction of a registered Civil Engineer or Licensed Land Surveyor. The low bidder has confirmed to the City that his firm has a Licensed Land Surveyor on staff and therefore, does not need to hire a subcontractor, but will self-perform the work. Therefore, the bid protest is rejected. All licenses and references for Jeremy Harris Construction, Inc., have been reviewed and verified by City staff, and all other documentation is in order. The proposed construction contract with Jeremy Harris Construction, Inc., is attached as Exhibit “C.”

City staff will perform the construction management and inspection services. Construction is tentatively scheduled to commence in February 2020, with completion anticipated by March 2020.

COMMITTEE ACTION:

Not applicable.

STRATEGIC PLAN:

This item supports the City’s Strategic Plan Goal 1: Promote Public Safety; Objective C: Ensure adequate funding for investments and improvements in infrastructure that support public safety. Completion of the proposed project will repair, replace, and install infrastructure improvements that contribute to the safety and mobility of Corona residents.

FISCAL IMPACT:

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

Construction	\$163,425
Construction Support Services	\$30,000
Contingency	\$40,900
Total Construction Costs	\$234,325

Staff recommends twenty five percent for contingency to complete extra work when unforeseen changes are encountered.

With approval of the recommended actions, funds will be transferred from the Bridge Evaluation Project to the Remove Debris from Bedford Wash Channel Under Temescal Canyon Road Project. The project budget will be available in the following funding source:

Funding Source	Amount
Measure A Fund 227	\$234,325

ENVIRONMENTAL ANALYSIS:

This action is categorically exempt pursuant to Section 15301(c) of the Guidelines for the California Environmental Quality Action (CEQA), which states that a project which consists of minor repairs and maintenance to existing facilities does not have a significant impact on the environment and is therefore exempt from CEQA. This action involves minor repairs, maintenance and alteration of existing highways, streets, sidewalks, or similar features involving negligible or no expansion of use beyond that currently existing from the requirements of CEQA. Therefore, no environmental analysis is required.

PREPARED BY: BARRY GHAEMI, SENIOR ENGINEER

REVIEWED BY: VERNON R. WEISMAN, P.E., DISTRICT ENGINEER

REVIEWED BY: TOM KOPER, P.E., ACTING PUBLIC WORKS DIRECTOR

REVIEWED BY: SCOTT BRIGGS, PURCHASING SPECIALIST V

REVIEWED BY: KIM SITTON, ACTING ADMINISTRATIVE SERVICES DIRECTOR

SUBMITTED BY: JACOB ELLIS, CITY MANAGER

Attachments:

1. Exhibit A - Location Map
2. Exhibit B - Right of Entry Agreement
3. Exhibit C - Construction Contract with Jeremy Harris Construction, Inc.