



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: September 9, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Contract For Construction Of The Fiscal Year 2014 Sidewalk Access Ramps Project

RECOMMENDATION:

That Council waive minor bid irregularities, reject the bid protest of Lash Construction, and award a contract with DPM Construction Company, in their low bid amount of \$118,200 for construction of the Fiscal Year 2014 Sidewalk Access Ramp Project, Bid No. 3708; and authorize the Public Works Director to execute the contract and approve expenditures up to \$17,730 to cover any cost increases that may result from contract change orders for extra work and differences between estimated bid quantities and actual quantities measured for payment.

DISCUSSION:

PROJECT DESCRIPTION

The work consists of constructing twelve new sidewalk access ramps at four intersections throughout the City. These intersections include the following: Calle Rosales at Calle Laureles, Salida Del Sol at Via Carisma, Gillespie Street at Alberta Avenue, and Cota Street at Laguna Street (see Attachment).

The locations chosen for the Fiscal Year 2014 Sidewalk Access Ramp Project (Project) were identified on the City's Access Ramp Prioritization List and supported by the Access Advisory Committee. The City has applied for and received Measure A funds that will contribute to the completion of these important pedestrian sidewalk features.

CONTRACT BIDS

A total of eight (8) bids were received for the subject work, ranging as follows:

	BIDDER	BID AMOUNT
1.	DPM Construction Company Camarillo, CA	\$118,200.00*
2.	Draper Construction Somis, CA	\$128,785.00
3.	Lash Construction, Inc. Santa Barbara, CA	\$129,395.00
4.	Moras Equipment & Construction Pico Rivera, CA	\$139,275.00*
5.	V. Lopez Jr. & Sons Santa Maria, CA	\$147,221.00
6.	Tierra Contracting Goleta, CA	\$181,300.00
7.	Toro Enterprises, Inc. Oxnard, CA	\$185,109.00
8.	Berry General Engineering Contractors, Inc. Ventura, CA	\$195,960.00

*corrected bid total

The low bid of \$118,200, submitted by DPM Construction Company, is an acceptable bid that is responsive to and meets the requirements of the bid specifications.

The change order funding recommendation of \$17,730, or 15 percent, is typical for this type of work and size of project.

BID PROTEST

The bid opening for the Fiscal Year 2014 Sidewalk Access Ramps Project was on July 10, 2014, and DPM Construction Company (DPM) was the apparent low bidder. On July 14, 2014, City staff contacted DPM Construction to verify self-performance of all of the work since no subcontractors were listed. David Gonzalez, DPM's owner, confirmed that DPM would be self-performing all portions of the job; including all work exceeding one-half of one percent of the total amount of the bid that must be performed by DPM.

On July 22, 2014, a bid protest was filed by the third apparent low bidder, Lash Construction, Inc. (Lash). Lash protests that neither DPM nor Draper Construction

(Draper), the second lowest bidder, listed a subcontractor to perform the survey portion of the work. Additionally, DPM did not list a striping subcontractor to perform Bid Item No. 11 – Pavement Delineation and Signage.

The City's review of the bid protest found that a surveyor, as a licensed professional who does not fabricate or install a portion of the work or improvement per Public Contract Code Section 4100 et seq., is not required to be named as a subcontractor. Additionally, the specifications did not call for a striping license to complete the project work, which is limited to simply restriping conforms. Based on the limited nature of the striping work, DPM and Draper can self-perform this portion of the work. Therefore, City staff recommends that the bid protest be rejected and that the Project be awarded to the lowest bidder, DPM.

COMMUNITY OUTREACH

In August 2014, staff mailed notifications to the property owners and residents that are located near the Project. Prior to construction, the contractor will be responsible for the final notice, given via door hangers, 72 hours prior to construction.

FUNDING

This Project is funded by Streets and Measure A funds. There are sufficient funds in the Streets Fund to cover the City's cost of this Project.

The following summarizes the expenditures recommended in this report:

CONSTRUCTION CONTRACT FUNDING SUMMARY

	Basic Contract	Change Funds	Total
DPM Construction Company	\$118,200	\$17,730	\$135,930
TOTAL RECOMMENDED AUTHORIZATION			\$135,930

The following summarizes all Project design costs, construction contract funding, and other Project costs:

ESTIMATED TOTAL PROJECT COST

**Cents have been rounded to the nearest dollar in this table.*

	Measure A Share	City Share	Total
City Staff Costs (Design)	\$0	\$15,915	\$15,915
Subtotal	\$0	\$15,915	\$15,915
Construction Contract	\$22,354	\$95,846	\$118,200
Construction Change Order Allowance	\$0	\$17,730	\$17,730
Subtotal	\$22,354	\$113,576	\$135,930
Other Construction Costs (Survey)	\$0	\$1,500	\$1,500
Construction Management/Inspection (by City Staff)	\$0	\$33,000	\$33,000
Subtotal	\$0	\$34,500	\$34,500
TOTAL PROJECT COST	\$22,354	\$163,991	\$186,345

SUSTAINABILITY IMPACT:

The Project will improve safety and accessibility for pedestrians and will, therefore; contribute to the City's sustainability goals by encouraging more people to walk, reducing energy consumption and air pollution.

Copies of correspondence related to the bid protest are available for review by the public at the City Clerk's Office and available to Councilmembers in the City Council's reading file.

ATTACHMENT(S): Fiscal Year 2014 Sidewalk Access Ramp Project Locations Map

PREPARED BY: John Ewasiuk, Principal Civil Engineer/BD/sk

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office



FY 2014 SIDEWALK ACCESS RAMPS PROJECT
COUNCIL AGENDA REPORT
 PROJECT LOCATIONS

DATE	<u>8/5/14</u>
DRAWN	<u>LY</u>
BID NO.	<u>3708</u>
SCALE	<u>NTS</u>
SHEET	<u>1</u> OF <u>1</u>