

# Lompoc City Council Agenda Item



**City Council Meeting Date:** July 2, 2013

**TO:** Laurel M. Barcelona, City Administrator

**FROM:** Craig Dierling, P.E., Senior Civil Engineer  
[c\\_dierling@ci.lompoc.ca.us](mailto:c_dierling@ci.lompoc.ca.us)

**SUBJECT:** Award of Project No. FY-13-LB-2, Lompoc Public Library Reroofing Project

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## **Recommendation:**

Staff recommends the City Council take the following actions:

- 1) Adopt the Plans and Specifications for Project No. FY-13-LB-2, as required by Section 22039 of the Public Contract Code. Copies of plans and specifications are on file in the City Engineer's Office;
- 2) Relieve the first low bidder Best Contracting Services, Inc., of their bid in accordance with their written request dated June 5, 2013, and in accordance with Public Contract Code Sections 5100-5110;
- 3) Award the Construction Contract in the amount of \$449,200 to Brazos Urethane, Inc., authorize the Mayor to execute the necessary agreements for that Contract, and authorize the City Engineer to approve additional construction costs and construction contract change orders in an amount not to exceed \$45,000;
- 4) Award the Asbestos Abatement Monitoring Consulting Contract in the amount of \$25,623 to URS Corporation, authorize the City Administrator to execute the necessary agreements for that Contract, and authorize the City Engineer to approve Contract Change Orders in an amount not to exceed \$4,377; and
- 5) Award the Inspection and Supplemental Construction Management Consulting Contract in the amount of \$25,960, to Bachini-Deferville Management, Inc., authorize the City Administrator to execute the necessary agreements for that Contract, and authorize the City Engineer to approve Contract Change Orders in an amount not to exceed \$4,040.

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## **Background/Discussion:**

### Overview

City Project No. FY-13-LB-2 will remove and replace the roof of the Lompoc Public Library. Replacement of all layers of existing roof coverings down to the roof deck is necessary because the existing roof is at the end of its useful life, has experienced severe leaking at many locations, and already has two roofing system installations (1969 original and 1989), which is the maximum allowed by the Building Code. The City Council approved project funding in July 2012. Staff publicly advertised and hired a design consulting team who joined staff in presenting the selected reroofing system to the Council on January 8, 2013. The consulting team then completed preparation of plans and specifications for construction.

As was accomplished during the 2011-2012 Library Heating & Ventilation Retrofit Project, the contract documents for the current Library Reroofing Project provide for the Library to remain open to the public during construction, with only limited potential closures. In order to facilitate that level of public service while ensuring public safety and convenience during construction, the Contractor is required to perform all demolition, removal, and any other activities which may endanger or excessively impact public users only during hours prior to the Library opening to the public.

If awarded now, the project should begin construction in August 2013, and should be completed in October 2013.

### Environmental

The project has been determined to be Categorically Excluded under NEPA and Categorically Exempt under CEQA.

### Construction Advertisement

The Project was noticed, advertised and bid in accordance with the procedures of the Uniform Public Construction Cost Accounting Act (Public Contract Code Sections 22000-22045). The Uniform Public Construction Cost Accounting Act has been incorporated as a part of the City of Lompoc Purchasing and Public Project Procedures (Chapter 3.36 of the Lompoc Municipal Code).

The Office of the City Clerk was available to receive bids for this project until 2:00 p.m., Tuesday, June 4, 2013, at which time four (4) bids were publicly opened and read. The bids received ranged from \$340,666 to \$545,767 (see attached Bidders List). The design consultant's construction cost estimate for the base bid was in the range of \$350,000 to \$420,000.

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The first lowest bidder, Best Contracting Services, Inc., found an error in their bid, and submitted a written request to City staff on June 5, 2013, to be relieved of their bid. Public Contract Code Sections 5100-5110 allow the awarding authority to relieve a bidder because of mistakes in their bid, and in such a case, allow the awarding authority to award the contract to the second lowest bidder. Best Contracting Services, Inc. claims to have made a significant clerical error in the preparation of their bid documents. Staff believes Best Contracting Services, Inc.'s claim of a significant error in their bid to be true and was not provided simply as an attempt to renege on the submitted bid. Brazos Urethane, Inc. was the second lowest bidder for this project.

#### Asbestos Abatement Monitoring

During the construction bid advertisement, staff also publicly advertised a request for proposals from professional firms to provide asbestos abatement monitoring for the project. That work is prudent in order to provide experienced oversight to ensure continuous safe construction practices and safe air quality levels throughout the term for removal of existing roof covering materials. Staff has reviewed and ranked the four proposals received using qualifications-based selection procedures, and has selected URS Corporation, of Santa Maria, CA, as the first-ranked proposing consultant. URS will provide an experienced Certified Asbestos Consultant to be present on-site throughout all asbestos abatement work, which will review the contractor's work to ensure that it is being performed safely and in accordance with the bid documents, test air quality at appropriate locations, and interface between the City's project manager and the Contractor during asbestos abatement. The URS representative will also review documents from the Contractor, maintain records, and verify the Contractor's compliance with various laws regarding asbestos abatement work, transportation and disposal, on behalf of the City. The estimated (time and materials) fee for URS Corporation's proposed asbestos abatement monitoring services for this project is \$25,623, and \$4,377 is proposed as a contingency for Contract Change Orders.

#### Inspection and Supplemental Construction Management

During the construction bid advertisement, staff also publicly advertised a request for proposals from professional firms to provide inspection and supplemental construction management services for the installation of new roofing and appurtenant improvements of the project. Staff has reviewed and ranked the three proposals received using qualifications-based selection procedures, and has selected Bachini-Deferville Management, Inc., of Orcutt, CA, as the first-ranked proposing consultant. The inspection and supplemental construction management firm will provide an experienced inspector to be present on-site during much of the installation of proposed roofing and appurtenant improvements, who will review the contractor's work to ensure that it is being performed in accordance with the bid documents, and will interface between the City's project manager and the contractor. That firm will also provide supplemental construction management services, including recommendations regarding acceptance

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of the work and payments to the Contractor. The estimated (time and materials) fee for Bachini-Deferville Management, Inc.'s proposed inspection and supplemental construction management services for this project is \$25,960, and \$4,040 is proposed as a contingency for Contract Change Orders.

**Fiscal Impact:**

Engineering staff worked with the City's Community Development Block Grant (CDBG) staff and the City's Finance staff to prepare the following budget for this project:

**Project Budget for Lompoc Public Library Reroofing Project**

Design Consultant	\$55,000
City Staff Costs Design & Construction	30,955
Asbestos Abatement Monitoring Consultant	30,000
Inspection & Supplemental CM Consultant	30,000
Construction Contract	449,200
Construction Contract Contingency	45,000
Miscellaneous – Asbestos Testing, Permits, etc.	<u>11,845</u>

**Total Project Budget** **\$652,000**

The project is proposed to be funded with \$652,000 of CDBG program income funding, approved by the Council on July 17, 2012. The budget above provides a construction contract contingency of approximately 10 percent, which is less than the 15 percent staff typically recommends for projects with risk of unforeseen conditions. No additional CDBG program income funds are available for the project and entitlement funding cannot be comingled with program income funded projects. Staff recommends the project be awarded understanding that only 10 percent construction contract contingency is available within the approved project budget, and if during construction unforeseen conditions or circumstances necessitate more funding, such additional funding would need to be provided by sources such as Library reserves, Library impact fees or General Fund reserves.

**Conclusion:**

The Lompoc Public Library's roof was last renovated in 1989, 24 years ago, and the building now needs a new roof. City Project No. FY-13-LB-2 will accomplish providing a new roof that addresses the many design constraints of the building. The City has available funding equal to the proposed construction budget for the project.

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Respectfully submitted,

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Craig Dierling, P.E., Senior Civil Engineer

**APPROVED FOR SUBMITTAL TO THE CITY ADMINISTRATOR:**

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Ashlee Chavez, Library Director

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Kevin P. McCune, P.E., Public Works Director

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Teresa Gallavan, Economic Development Director/Assistant City Administrator

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Brad Wilkie, Management Services Director

**APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:**

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Laurel M. Barcelona, City Administrator

Attachment: Bidders List

# BIDDERS LIST

## LOMPOC PUBLIC LIBRARY REROOFING PROJECT PROJECT NO. FY-13-LB-2

BID OPENING: 2:00 p.m., Tuesday, June 4, 2013

CONTRACTOR	BASE BID AMOUNT
<b>Best Contracting Services, Inc. (Requested Relief from Bid)</b> 19027 S. Hamilton Avenue Gardena, CA 90248	<b>\$340,666.00</b>
<b>Brazos Urethane, Inc.</b> 4331 W. Santa Ana Avenue Fresno, CA 93722	<b>\$449,200.00</b>
<b>Cool Roofing Systems, Inc.</b> 1286 Dupont Court Manteca, CA 95336	<b>\$449,898.00</b>
<b>Midstate Sheetmetal, Inc.</b> 2604B Q Street Bakersfield, CA 93301	<b>\$545,767.00</b>

**Consultant's Construction Cost Estimate for the Base Bid as Advertised:  
\$350,000.00 to \$420,000.00**