TO:       HONORABLE CITY COUNCIL
FROM:     CITY MANAGER  DEPARTMENT: PUBLIC WORKS
DATE:     MARCH 1, 2004  CMR:147:04

SUBJECT:  APPROVAL OF A CONTRACT WITH SPOSETO ENGINEERING,
           INC. IN THE AMOUNT OF $756,791 FOR FY 2003-2004 PHASE 2
           SIDEWALK REPLACEMENT PROJECT

RECOMMENDATION
Staff recommends that Council:

1. Approve and authorize the Mayor to execute the attached contract with Sposeto
   Engineering, Inc. (Attachment A) in the amount of $756,791 for FY 2003-2004
   Phase 2 Sidewalk Replacement Project.

2. Authorize the City Manager or his designee to negotiate and execute one or more
   change orders to the contract with Sposeto Engineering, Inc. for related, additional
   but unforeseen work which may develop during the project, the total value of
   which shall not exceed $ 76,000.

DISCUSSION
Project Description
The sidewalk replacement project involves contract construction of safety and
accessibility upgrades. The work to be performed under this contract is for sidewalk,
curb, gutter, asphalt pavement, and catch basin replacements. The sidewalk replacement
location is shown on Location Map 1 (Attachment B). Included in this location is the
intensive-use sidewalk replacement on downtown California Avenue which is bounded
by Park Boulevard, Sherman Avenue, El Camino Real and Cambridge Avenue. To
minimize the inconvenience to the merchants and public, work will be stopped during
lunch hours.

The project also includes the intensive-use sidewalk replacements on downtown
University Avenue and tree well grates installations as shown on Location Map 2
(Attachment B); and the construction of thirty curb ramps in compliance with
accessibility requirements.
Bid Process
A notice inviting formal bids for the FY 2003-2004 Phase 2 Sidewalk Replacement Project was posted at City Hall and sent on December 17, 2003 to eight builder’s exchanges and nine contractors. The bidding period was forty-one days. Bids were received from five qualified contractors on January 27, 2004, as listed on the attached bid summary (Attachment C). Bids ranged from a high of $832,735 to a low bid of $756,791. Contractors not responding indicated that they did not submit a bid because they are busy with their current projects, want to concentrate with their line of job, or were unavailable due to travel.

Summary of Bid Process

<table>
<thead>
<tr>
<th>Bid Name/Number</th>
<th>2003-04 Phase 2 Sidewalk Replacement/IFB #103342</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Length of Project</td>
<td>260 calendar days</td>
</tr>
<tr>
<td>Number of Bids Mailed to Contractors</td>
<td>9</td>
</tr>
<tr>
<td>Number of Bids Mailed to Builder’s Exchanges</td>
<td>8</td>
</tr>
<tr>
<td>Total Days to Respond to Bid</td>
<td>41</td>
</tr>
<tr>
<td>Pre-Bid Meeting?</td>
<td>No</td>
</tr>
<tr>
<td>Number of Company Attendees at Pre-Bid Meeting</td>
<td>NA</td>
</tr>
<tr>
<td>Number of Bids Received:</td>
<td>5*</td>
</tr>
<tr>
<td>Bid Price Range</td>
<td>From a low of $756,791 to a high of $832,735</td>
</tr>
</tbody>
</table>

*Bid summary provided in Attachment C.

Staff has reviewed all bids submitted and recommends that the bid of $756,791 submitted by Sposeto Engineering, Inc. be accepted and that Sposeto Engineering, Inc. be declared the lowest responsible bidder. The bid is 16 percent below the engineer's estimate of $901,690. The change order amount of $76,000, which equals ten percent of the total contract, is requested because of additional, related but unforeseen work that may develop during the construction.

Staff checked references supplied by the contractor for previous work performed and found no significant complaints. Staff also checked with the Contractor's State License Board and found that the contractor has an active license on file. The Certification of Non-Discrimination is Attachment D.

**RESOURCE IMPACT**
Funds for this project are included in the FY 2003-2004 Capital Improvement Program Sidewalk Replacement Project #PO-89003.
ENVIRONMENTAL REVIEW
This project is categorically exempt from the California Environmental Quality Act under Section 15301C and no further environmental review is necessary.

ATTACHMENTS
Attachment A: Contract
Attachment B: Location Maps 1 & 2
Attachment C: Bid Summary
Attachment D: Certification of Non-Discrimination

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