TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER

DEPARTMENT: PUBLIC WORKS

DATE: MARCH 1, 2004

CMR:171:04

SUBJECT: APPROVAL OF A CONTRACT WITH KUEHNE CONSTRUCTION IN THE AMOUNT OF $262,475 TO REMODEL CITY PARKS RESTROOMS AS PART OF THE AMERICANS WITH DISABILITIES ACT COMPLIANCE PROJECT – CAPITAL IMPROVEMENT PROGRAM PROJECT PF-93009

RECOMMENDATION

Staff recommends that Council:

1. Approve and authorize the Mayor to execute the attached contract with Kuehne Construction in the amount of $262,475 to remodel City parks restrooms as part of the Americans with Disabilities Act Compliance Project – Capital Improvement Program Project PF 93009.

2. Authorize the City Manager or his designee to negotiate and execute one or more change orders to the contract with Kuehne Construction for related, additional but unforeseen work which may develop during the project, the total value of which shall not exceed $40,000.

DISCUSSION

Project Description

This project will renovate restrooms at the Foothill Park Interpretive Center, Foothill Park lakeside restroom, Baylands Athletic Center, Peers Park, and Rinconada Park as part of the ongoing effort to make City facilities fully accessible. The work to be performed under the contract will upgrade the restrooms to meet accessibility standards, replace all existing fixtures, upgrade plumbing and electrical, and replace tile.

Bid Process

A notice inviting formal bids for the Baylands, Foothills, Peers, and Rinconada City Restroom Parks Remodeling Project was posted at City Hall and sent on December 22, 2003 to four builder’s exchanges and thirteen contractors. The bidding period was 29 days. Bids were received from five qualified contractors on January 20, 2004, as listed on the attached bid summary (Attachment B). Bids ranged from a high of $437,644 to a
low bid of $262,475. Contractors not responding indicated that they did not submit a bid because they are busy with their current projects, do not supply these services or products, or could not get bonding.

**Summary of Bid Process**

<table>
<thead>
<tr>
<th>Bid Name/Number</th>
<th>Baylands, Foothills, Peers, Rinconada City Restroom Parks Remodeling, IFB 103453</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Length of Project</td>
<td>60 calendar days</td>
</tr>
<tr>
<td>Number of Bids Mailed to Contractors</td>
<td>13</td>
</tr>
<tr>
<td>Number of Bids Mailed to Builder’s Exchanges</td>
<td>4</td>
</tr>
<tr>
<td>Total Days to Respond to Bid</td>
<td>29</td>
</tr>
<tr>
<td>Pre-Bid Meeting?</td>
<td>Yes</td>
</tr>
<tr>
<td>Number of Company Attendees at Pre-Bid Meeting</td>
<td>3</td>
</tr>
<tr>
<td>Number of Bids Received:</td>
<td>5*</td>
</tr>
<tr>
<td>Bid Price Range</td>
<td>From a low of $262,474.50 to a high of $437,644.00</td>
</tr>
</tbody>
</table>

*Bid summary provided in Attachment B.

Staff has reviewed all bids submitted and recommends that the bid of $262,475 submitted by Kuehne Construction be accepted and that Kuehne Construction be declared the lowest responsible bidder. The bid is 25 percent below the engineer's estimate of $350,000. The change order amount of $40,000, which equals 15 percent of the total contract, is requested for unforeseen conditions.

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

**RESOURCE IMPACT**
Funds for this project are available in Capital Improvement Program Project PF-93009 - ADA Compliance.

**POLICY IMPLICATIONS**
This recommendation does not represent any change to existing City policies.

**ENVIRONMENTAL REVIEW**
This project is categorically exempt from California Environmental Quality Act under Section 15301 and no further environmental review is necessary.
ATTACHMENTS
Attachment A: Contract
Attachment B: Bid Summary
Attachment C: Certification of Non Discrimination

PREPARED BY: ____________________________  KAREN SMITH
Manager, Facilities Maintenance and Projects

DEPARTMENT HEAD: ________________________  GLENN ROBERTS
Director of Public Works

CITY MANAGER APPROVAL: ________________  EMILY HARRISON
Assistant City Manager