TO: HONORABLE CITY COUNCIL
FROM: CITY MANAGER DEPARTMENT: PUBLIC WORKS
DATE: FEBRUARY 14, 2005 CMR:151:05

SUBJECT: APPROVAL OF A CONTRACT WITH SPENCON CONSTRUCTION, INC. IN THE AMOUNT OF $614,612 FOR FY 2004-2005 SIDEWALK REPLACEMENT PHASE 2 PROJECT

RECOMMENDATION
Staff recommends that Council:

1. Approve and authorize the City Manager to execute the attached contract with Spencon Construction, Inc. in the amount of $614,612 for FY 2004-2005 Sidewalk Replacement Phase 2 Project.

2. Authorize the City Manager or his designee to negotiate and execute one or more change orders to the contract with Spencon Construction, Inc. for related, additional but unforeseen work which may develop during the project, the total value of which shall not exceed $61,500.

DISCUSSION
Project Description
The work to be performed under this contract is for sidewalk, curb, gutter, asphalt pavement, and catch basin replacements and Portland cement concrete recycling. The sidewalk replacement location is shown on Location Map 2 (Attachment B). The project also includes the intensive-use sidewalk replacement and the tree well grate installations on downtown University Avenue as shown on Location Map 1 (Attachment B); and the construction of twenty three curb ramps in compliance with the American with Disabilities Act (ADA). To minimize the inconvenience to the merchants and public at downtown University Avenue, work will be stopped during lunch hours.

Bid Process
A notice inviting formal bids for the FY 2004-2005 Sidewalk Replacement Phase 2 Project was posted for solicitation on January 7, 2005. The formal bids were sent to seven builder’s exchanges and five contractors. The bidding period was twenty-two days. Bids were received from five qualified contractors on February 1, 2005, as listed on the attached bid summary (Attachment C). Bids ranged from a high of $781,992 to a low bid of $614,612.
Summary of Bid Process

<table>
<thead>
<tr>
<th>Bid Name/Number</th>
<th>2004-05 Sidewalk Replacement Phase 2/ IFB #110004</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Length of Project</td>
<td>210 calendar days</td>
</tr>
<tr>
<td>Number of Bids Mailed to Contractors</td>
<td>5</td>
</tr>
<tr>
<td>Number of Bids Mailed to Builder’s Exchanges</td>
<td>7</td>
</tr>
<tr>
<td>Total Days to Respond to Bid</td>
<td>22</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 $614,612 to a high of $781,992</td>
</tr>
</tbody>
</table>

*Bid summary provided in Attachment C.

Staff has reviewed all bids submitted and recommends that the bid of $614,612 submitted by Spencon Construction, Inc. be accepted and that Spencon Construction, Inc. be declared the lowest responsible bidder. The bid is eight percent below the staff/engineer's estimate of $669,290. The change order amount of $61,500, which equals ten percent of the total contract, is requested because of additional, related but unforeseen work which 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.

**RESOURCE IMPACT**
Funds for this project are included in the FY 2004-2005 Capital Improvement Program Sidewalk Replacement Project, CIP #PO-89003.

**ENVIRONMENTAL REVIEW**
This project is categorically exempt from the California Environmental Quality Act (CEQA) as repair, maintenance or minor alteration of the existing facilities and replacement or reconstruction of existing facilities under Sections 15301 (C) and 15302 CEQA Guidelines 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 Nondiscrimination

PREPARED BY:

MICHAELE JACKSON
Deputy Director, Public Works/Operations