TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER

DEPARTMENT: PUBLIC WORKS

DATE: JULY 24, 2006

CMR:306:06

SUBJECT: APPROVAL OF A CONTRACT WITH ACCO ENGINEERED SYSTEMS, INC. IN THE AMOUNT OF $957,306 FOR CUBBERLEY MECHANICAL AND ELECTRICAL UPGRADES - CAPITAL IMPROVEMENT PROGRAM PROJECT PF-04010

RECOMMENDATION

Staff recommends that Council:

1. Approve and authorize the Mayor to execute the attached contract with ACCO Engineered Systems, Inc. in the amount of $957,306 for Cubberley Mechanical and Electrical Upgrades - Capital Improvement Program Project PF-04010.

2. Authorize the City Manager or his designee to negotiate and execute one or more change orders to the contract with ACCO Engineered Systems, Inc. for related, additional but unforeseen work which may develop during the project, the total value of which shall not exceed $95,731.

DISCUSSION

Project Description

The work to be completed under this contract will provide mechanical and electrical system upgrades in the Cubberley Theater and Pavilion. This facility, leased by the City from the school district, was built during the 1950s and 1960s. Many components of the mechanical and electrical systems are original equipment. A field survey was performed to determine the condition of the existing mechanical and electrical systems. The survey recommends replacement of boilers, electrical panels, lighting systems and heating and ventilation systems. These systems have exceeded their useful lives and some systems may not be compliant with current codes.

Bid Process

A notice inviting formal bids for the Cubberley Mechanical and Electrical Upgrades project was posted at City Hall and sent to 6 contractors and 9 builder's exchanges on June 23, 2006. The bidding period was 19 days. Bids were received from 5 qualified contractors on July 11, 2006, as listed on the attached bid summary (Attachment B). Bids ranged from a high of $1,572,000 to a low bid of $957,306. Contractors not responding indicated that they have other work previously scheduled.
Summary of Bid Process

<table>
<thead>
<tr>
<th>Bid Name/Number</th>
<th>Cubberley Mechanical &amp; Electrical Upgrade, Invitation for Bid (IFB) N. 116230A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed Length of Project</td>
<td>160 calendar days</td>
</tr>
<tr>
<td>Number of Bids Mailed to Contractors</td>
<td>6</td>
</tr>
<tr>
<td>Number of Bids Mailed to Builder’s Exchanges</td>
<td>9</td>
</tr>
<tr>
<td>Total Days to Respond to Bid</td>
<td>19</td>
</tr>
<tr>
<td>Pre-Bid Meeting</td>
<td>Upon request by contractor – 0 requested</td>
</tr>
<tr>
<td>Number of Company Attendees at Pre-Bid Meeting</td>
<td>N/A – this was re-bid</td>
</tr>
<tr>
<td>Number of Bids Received:</td>
<td>5</td>
</tr>
<tr>
<td>Bid Price Range</td>
<td>$957,306 to $1,572,000</td>
</tr>
</tbody>
</table>

*Bid summary provided in Attachment B.

Staff has reviewed all bids submitted and recommends that the bid of $957,306 submitted by ACCO Engineered Systems, Inc. be accepted and that ACCO Engineered Systems, Inc. be declared the lowest responsible bidder. The bid is 5.8 percent above the engineer's estimate of $905,000. The change order amount of $95,731 which equals 10 percent of the total contract is requested for unforeseen conditions which may be discovered during construction.

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-04010 - Cubberley Mechanical and Electrical Upgrades.

**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 as an alteration to an existing facility and no further environmental review is necessary.

**ATTACHMENTS**
Attachment A: Contract
Attachment B: Bid Summary
Attachment C: Certification of Nondiscrimination

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