



CITY OF POMONA COUNCIL REPORT

June 5, 2017

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted by: Meg McWade, Public Works Director

Subject: **Adopt a Resolution Amending the Fiscal Year 2016-17 Capital Improvement Program (CIP) Budget and Award a Construction Contract in the Amount of \$246,778 to Metrocell Construction, Inc. for "Pedestrian Access Ramp Removal and Wall Replacement – Norval Street," Project No. 428-2590-XXXXX-67917 and "Plaza Park Improvements," Project No. 418-2590-XXXXX-70895**

OVERVIEW

Recommendation – That the City Council:

1. Adopt a Resolution amending the FY 2016-17 CIP Budget by:
 - a. Unappropriating \$96,000 of Measure R Funds from "Major Street Rehabilitation – Citywide (FY 13-14 to FY 15-16)," Project No. 428-2590-xxxxx-68548 and reducing the budget/total project cost by the same amount;
 - b. Appropriating \$47,000 of available Measure R Funds to "Pedestrian Access Ramp Removal and Wall Replacement – Norval Street," Project No. 428-2590-xxxxx-67917; and
 - c. Appropriating \$49,000 of available Measure R Funds to "Plaza Park Improvements," Project No. 418-2590-xxxxx-70895.
2. Waive an irregularity in the bid from Metrocell Construction, Inc. to accept certification of receipt and acknowledgement of Addendum No. 1 after the bid due date (May 11, 2017), as allowed in the Notice Inviting Bids based on a determination that this is necessary for the public good;
3. Award a construction contract in the amount of \$246,778 to Metrocell Construction, Inc. for "Pedestrian Access Ramp Removal and Wall Replacement – Norval Street," Project No. 428-2590-xxxxx-67917 and "Plaza Park Improvements," Project No. 418-2590-xxxxx-70895;
4. Approve exceptions from building code needed to preserve roots of existing trees in Plaza Park planters;

5. Authorize change order capability totaling \$61,695, which is 25% of the \$246,778 contract amount for “Pedestrian Access Ramp Removal and Wall Replacement – Norval Street,” Project No. 428-2590-xxxxx-67917 and “Plaza Park Improvements,” Project No. 418-2590-xxxxx-70895. Authorization is required due to the change order exceeding the 15%, up to \$100,000, allowed by City Code Section 2-1001(b)(14). This request is commensurate with the small size and complicated scope of this work;
6. Find that “Pedestrian Access Ramp Removal and Wall Replacement – Norval Street,” Project No. 428-2590-xxxxx-67917 and “Plaza Park Improvements,” Project No. 418-2590-xxxxx-70895 are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1, (d), since both of these locations are existing and deteriorated/damaged structures; and
7. Authorize the City Manager to execute the construction contract and all necessary documents and change orders on behalf of the City.

Fiscal Impact – The “Pedestrian Access Ramp Removal and Wall Replacement – Norval Street,” Project No. 428-2590-xxxxx-67917 currently has a budget of \$94,000 funded from Series “AV” Bond Proceeds. The “Plaza Park Improvements,” Project No. 418-2590-xxxxx-70895 has a current budget of \$163,844 comprised of \$61,800 of Park Dwelling Tax, \$2,044 of from Series “AD” Bond Proceeds, and \$100,000 funded from Series “AV” Bond Proceeds. The “Major Street Rehabilitation – Citywide (FY 13-14 – FY 15-16),” Project No. 428-2590-xxxxx-68548 (Major Streets Project) currently has a budget of \$15,581,535 funded from Prop A Funds, Prop C Funds, RDA Excess Bond Proceeds, and Measure R Funds. In order to provide the necessary funding to complete the Norval and Plaza projects, it is proposed that \$96,000 of available Measure R funds from the Major Streets Project be utilized. The money is available since the City has been awarded a \$2,010,000 ATP Cycle 1 Grant for the remaining ATP/bulbouts portion of this project. The approval from Caltrans for this grant funding has recently been secured, and the current street paving (Murchison and North Garey Ave.) construction contract is expected to be completed under budget.

The following table summarizes the impact of the recommended actions:

Category	Major Street Rehabilitation – Citywide (FY 13-14 to FY 15-16), Project No. 428-2590-xxxxx-68548	Pedestrian Access Ramp Removal and Wall Replacement – Norval Street, Project No. 428-2590-xxxxx-67917	Plaza Park Improvements, Project No. 418-2590-xxxxx-70895
Beginning Budget	\$15,581,535	\$94,000	\$163,844
Reappropriation of Measure R Funds	(\$ 96,000)	\$ 47,000	\$49,000
Revised Budget	\$15,485,535	\$ 141,000	\$ 212,844
Expenditures/ Encumbrances (as of April 26, 2017)	(\$13,964,196)	(\$ 13,395)	(\$ 31,504)

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Construction Contract Award	N/A	(\$ 102,075)	(\$ 144,703)
Balance for management, contingencies, and inspection	\$1,521,339	\$ 25,530	\$ 36,637

MBE/WBE – Metrocell Construction, Inc. is a MBE contractor.

Public Noticing Requirements – None required for this award.

Previous Related Action – On April 4, 2016, City Council approved a resolution funding a FY 2015-16 CIP Project “Pedestrian Access Ramp Removal and Wall Replacement – Norval Street,” Project No. 428-2590-xxxxx-67917 in the FY 2015-16 CIP Budget, and authorized the City Manager to execute any necessary documents for the procurement of services. On May 16, 2016, City Council approved a Resolution appropriating \$100,000 of Series “AV” Bond Funds to “Plaza Park Improvements,” Project No. 418-2590-xxxxx-70895, and authorized the City Manager to execute all necessary documents for the procurement of services to replace six planters.

EXECUTIVE SUMMARY

Approval of the recommended action will result in reappropriation of the necessary funds and award of a construction contract to Metrocell Construction, Inc. in the amount of \$246,778. This construction contract will:

- Remove and replace the six planters along the north side of the walkway between City Hall and Garey Avenue;
- Remove the ramp at the north end of Norval Street; and
- Remove and replace the wall at the north end of Norval Street.

With this award, the work is expected to be completed by fall 2017.

DISCUSSION

The existing retaining and screening wall at the north end of Norval Street (cul-de-sac) was found to have deterioration related to weathering and other forces. Portions of the concrete block wall, adjacent to two walkways, are leaning and are architecturally unsound. Additionally, the ramp at this location currently does not connect to the north (to Patterson Avenue). With this in mind, City Council funded a ramp removal and wall replacement project at the April 4, 2016 City Council meeting.

Similarly, City Council funded a project to replace six planters at Plaza Park because the existing

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planter retaining walls are deteriorated and may result in loss of support for the benches and landscaping that is currently part of this feature. As part of the recommended actions, City Council is asked to approve construction exceptions from building code requirements in order to preserve the roots of the existing trees in the six Plaza Park planters. The foundations for the proposed wall are planned to be post hole footings (6 feet tall cylindrical columns in the ground), separated a maximum of 5 feet horizontally, in order to allow the maximum flexibility to work around the existing tree roots. Due to the age and size of the existing trees, it may not be possible to preserve all the roots needed to ensure the health of the existing trees and construct standard replacement walls. In this case, either the existing trees need to be removed (which Staff understands is not acceptable) or the wall foundations need to be modified (shortened/ widened/etc.) in a way that will not meet building code; although, it should be noted that the replacement walls would still be improvements with substantial structural capabilities beyond the existing walls.

Per the requirements of Pomona City Code, Section 2-1001(b) (2), a Notice Inviting Bids was posted on the City Notice Boards and the City of Pomona's website on April 3, 2017. Advertisement letters were also mailed to Bid America, Reed Construction Data, McGraw - Hill Construction, Construction Bidboard, Inc., and California iSqFt Plan Room. The bids that were released included a base bid, as well as an additive alternate (for a small quantity of replacement plaza tiles) that had the potential to be included, subject to funding availability. On May 11, 2017, six bids were received and opened by the City Clerk's office. Award is made to the lowest responsive, responsible bidder with the bids compared based upon the lowest combined sum total of: project base bids (for both projects) and the additive alternate. The results of the bid opening are listed in the following table:

Bidder's Name	Base Bid	Additive Alternate	Base Bid Plus Additive Alternate
<i>Metrocell Construction, Inc.</i>	\$245,978	\$800	\$246,778
Aramexx Group, Inc.	\$281,988	\$986	\$282,974
SJD&B, Inc.	\$295,590	\$3,000	\$298,590
EC Construction	\$349,913	\$1,500	\$351,413
Yakar General Contractors	\$426,310	\$7,500	\$433,810
Leonida Builders, Inc.	\$440,860	\$4,500	\$445,360

The following is the summation of the Base Bid and Recommended Additive Alternates for each project as it applies to the construction contract award:

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Project	Base Bid	Additive-Alternate	Base Bid Plus Additive-Alternate
“Pedestrian Access Ramp Removal and Wall Replacement – Norval Street,” Project No. 428-2590-xxxxx-67917	\$102,075	N/A	\$102,075
“Plaza Park Improvements,” Project No. 418-2590-xxxxx-70895	\$143,903	\$800	\$144,703
TOTAL	\$245,978	\$800	\$246,778

The lowest responsive* and responsible total bid, including the additive alternate, in the amount of \$246,778, was submitted by Metrocell Construction, Inc. A qualifications and reference check was conducted on May 15, 2017, which included contacting listed references and the verification of the contractor’s license and insurance. Metrocell Construction, Inc. was found to be a responsible bidder and is appropriately licensed, bonded, insured, qualified and competent to perform this Project. This action is requesting the award of a contract to Metrocell Construction, Inc. in the amount of \$246,778 to include the base bid plus the additive alternate. Aerial and vicinity maps of the locations of the two projects are attached (#2 and #3).

*Metrocell Construction, Inc. may only be considered a responsive bidder if the City Council waives an irregularity in the bid from Metrocell Construction, Inc. to accept certification of receipt and acknowledgement of Addendum No. 1 after the bid due date (May 11, 2017), as allowed in the Notice Inviting Bids based on a determination that this is necessary for the public good. This certification of receipt and acknowledgement is considered confirmation that the work identified in Addendum No. 1 (saw cutting, “P” tiles, fencing, etc.) is included with Metrocell’s bid price.

Attachments: 1. Resolution
2. Vicinity Maps
3. Aerial Maps

Prepared by: Matt Pilarz, Sr. Civil Engineer
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