



# CITY OF POMONA COUNCIL REPORT

February 5, 2018

To: Honorable Mayor and Members of the City Council

From: Linda Lowry, City Manager

Submitted by: Meg McWade, Public Works Director

Subject: **Award a Construction Contract for Bus Shelter Concrete Pads in the Amount of \$69,920 to EBS General Engineering, Inc. for “Transit Improvement Program - Citywide (Phase III),” Project No. 216-2590-XXXXX-68545**

## OVERVIEW

### **Recommendation -** That the City Council:

1. Approve the award of a construction contract for bus shelter concrete pads in the amount of \$69,920 to EBS General Engineering, Inc. for “Transit Improvement Program - Citywide (Phase III),” Project No. 216-2590-xxxxx-68545;
2. Authorize change order capability totaling \$15,000, which is 21.45% of the contract amount for the “Transit Improvement Program - Citywide (Phase III),” Project No. 216-2590-xxxxx-68545, that exceeds the 15% allowed by City Code Section 2-1001(b)(14) and is commensurate with the size and scope of the project; and
3. Authorize the City Manager to execute the construction contract and any subsequent change orders on behalf of the City.

**Fiscal Impact** – This project has a current budget of \$949,280 with Prop A funding and Foothill Transit Bus Stop Enhancement Program (BSEP) grant funding. This action is expected to fund the construction of bus shelter concrete pads at seven locations as part of the “Transit Improvement Program - Citywide (Phase III),” Project No. 216-2590-xxxxx-68545. The following table summarizes the impact of the recommended actions:

Category	“Transit Improvement Program - Citywide (Phase III),” Project No. 216-2590-xxxxx-68545
Beginning Budget	\$949,280
Expenditures/Encumbrances as of January 18, 2018	(\$682,972)
Recommended Construction Contract Award	(\$69,920)
Balance Remaining for Contingencies, Staff, and Related costs	\$196,388

**MBE/WBE** – EBS General Engineering, Inc. is not a MBE/WBE Contractor.

**Public Noticing Requirements** – The Notice Inviting Bids was posted on the City’s website and on the City Notice Boards on November 8, 2017. Three bids were received by the December 14, 2017 bid deadline.

**Previous Related Action** – On August 6, 2012, the City Council authorized receiving and appropriating \$35,000 of BSEP funds from Foothill Transit to the “Transit Improvement Program – Citywide,” Project No. 216-68545; rejected apparent low bidder, Sadie Construction, Inc, as non-responsive; and approved the award of a construction contract in the amount of \$409,680 to Humphrey Constructors, Inc., for 30 bus shelters and related improvements with the option for two renewals, for a total of 25 additional bush shelters and related improvements, with future fiscal year work paid for at the price bid, plus Producer Price Index (PPI), for the next two fiscal years based on available Prop A funds, not-to-exceed \$200,000 annually (including 5% contingency and 5% staff time with carry-forward of budget/contract balances until project completion).

On March 17, 2014, the City Council approved award of a construction contract for bus shelter improvements in the amount of \$109,197 to Seating Component Manufacturing (SCM) for “Transit Improvement Program – Citywide, Phase II,” Project No. 216-68545.

A complete listing of all related actions can be found in Attachment 3.

**Environmental Impact** – This project is categorically exempt per CEQA Guidelines, as noted in the February 6, 2012 City Council staff report.

## **EXECUTIVE SUMMARY**

In 2011, the Council Transportation Sub-Committee requested that Staff develop a Bus Shelter Improvement Project for City Council consideration. A project was presented to Council and approved on February 6, 2012. The first and second phase of the Bus Shelter Project, which included shelters and related improvements (amenities such as trash cans and benches) at forty bus stop locations, has been completed. The third phase of the Bus Shelter Project includes the installation of 14 bus shelters, as well as installation of recommended concrete pads and related improvements. However, seven of the 14 proposed bus stop locations require new concrete pads *prior* to the new bus shelters being installed. Once this required concrete work is awarded (in the amount of \$69,920 to EBS General Engineering, Inc.) and completed, we can move forward with procuring a contractor and completing the installation of the 14 remaining bus shelters and related improvements (including amenities such as trash cans and benches) in Phase III of the project.

## **DISCUSSION**

There are a total of 351 bus stops within the City of Pomona, not including the Pomona Transit Center. Forty of the 351 bus stops have bus shelters, which were installed as part of Phase I and II of the Transit

Improvement Program. The goal of the third phase of this project is to install an additional 14 matching bus shelters at locations along heavily used transit corridors. On March 19, 2012, the City Council approved applying for Foothill Transit's Bus Stop Enhancement (BSEP) grant funds. The BSEP provides cities within Foothill Transit's service area with funding to upgrade bus stops and transit amenities. The City was notified on November 14, 2015, that Pomona was successful in its third grant application. The funds will be used for the construction of bus shelters and furniture at 14 locations shown on Attachments 1 and 2.

### **Bidding Process**

Per the requirements of Pomona City Code Section 2-1001(b) (2), a notice was posted on the City's website and Notice Boards on November 8, 2017. Notification letters were also mailed to eligible contractors on City-maintained contractors lists. On December 14, 2017, three (3) bids were received and opened by the City Clerk. However, one of the bids, the bid from CT&T, did not include prices and was therefore considered not responsive. Award is made to the lowest responsive, responsible bidder with the bids compared based upon lowest combined sum total of the base bid. The results of the bid opening are listed in the following table:

<b>Contractor</b>	<b>Total Bid</b>
<b>EBS General Engineering, Inc.</b>	<b>\$69,920</b>
Hardy & Harper, Inc.	\$95,000
CT&T Concrete Paving, Inc.	Not Responsive

The lowest responsible and responsive bid for the base bid, in the amount of \$69,920, was submitted by EBS General Engineering, Inc. A qualifications and reference check was conducted on EBS General Engineering, Inc. which included contacting listed reference and verifying the contractor's license and insurance. EBS General Engineering, Inc. is registered with the Department of Industrial Relations. EBS General Engineering, Inc. was found to be a responsible bidder and is appropriately licensed, insured, qualified, and competent to perform this project. This action will also authorize change order capability totaling \$15,000, which is 21.45% of the contract amount is commensurate with the size and scope of the project. This amount requires City Council approval as it exceeds the 15% allowed by City Code Section 2-1001(b)(14).

Attachments:   1. Bus Stop Improvements - List of Locations  
                      2. Locations of Concrete Bus Shelter pads  
                      3. Previous Related Action

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