



CITY OF POMONA COUNCIL REPORT

January 6, 2020

To: Honorable Mayor and Members of the City Council

From: Mark Gluba, Acting City Manager

Submitted by: Rene Guerrero, Public Works Director

Subject: **AMENDMENT FOR DISTRICTS 3, 5, AND 6 TO THE FY 19-20 CAPITAL IMPROVEMENT PROGRAM (CIP) BUDGET AND CONTRACT AWARDED TO ALL AMERICAN ASPHALT FOR STREET AND ALLEY REHABILITATION IMPROVEMENTS IN DISTRICTS 3, 4, 5, AND 6**

RECOMMENDATION:

It is recommended that the City Council take the following actions:

- 1) Adopt the following Resolution (Attachment 1):

RESOLUTION NO. 2020-09 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA, CALIFORNIA, AMENDING THE FY 2019-20 CIP BUDGET BY AMENDING THE “STREET AND ALLEY REHABILITATION IMPROVEMENTS – DISTRICT 3,” PROJECT NO. 428-2590-XXXXX-71051, FY 19-20 CIP PROJECT DESCRIPTION AND THE CONTRACT AWARDED TO ALL AMERICAN ASPHALT FOR STREET AND ALLEY REHABILITATION IMPROVEMENTS IN DISTRICTS 3, 4, 5 & 6 TO ADD WASHINGTON PARK PARKING LOT AND SIDEWALK REHABILITATION AND ADD PHILADELPHIA STREET REHABILITATION (FROM GAREY AVENUE TO THE EAST – NOT TO EXCEED \$1,078,295 AS FUNDS ALLOW) AND INCREASE GENERAL FUND REVENUE ESTIMATES AND APPROPRIATIONS IN THE AMOUNT OF \$244,972 THAT WILL BE REIMBURSED BY AVAILABLE LOS ANGELES COUNTY PROP A (Parks) FUNDS; AND, REAPPROPRIATE \$80,000 OF MEASURE R FUNDS FROM “MAJOR STREET REHABILITATION – CITYWIDE (FY 13-14 TO FY 15-16),” PROJECT NO. 428-2590-XXXXX-68548 IN THE AMOUNTS OF \$40,000 EACH TO “STREET IMPROVEMENTS – DISTRICT 5,” PROJECT NO. 428-2590XXXXX-71045, AND “STREET REHABILITATION – DISTRICT 6,” PROJECT NO. 428-2590-XXXXX-67921

- 2) Authorize change order capability for the construction agreement between the City of Pomona and All American Asphalt for “Street and Alley Rehabilitation Improvements – District 3,” Project No. 428-2590-XXXXXX-71051; “Street Improvements – District 5,” Project No. 428-2590XXXXXX-71045; “Street Rehabilitation – District 6,” Project No. 428-2590-XXXXX-67921; and, “Holt Avenue (East) Reconstruction,” Project No. 428-2590-XXXX-71050 (The Project) in the amount not to exceed \$244,972 for Washington Park Parking Lot and Sidewalk Rehabilitation as part of “Street and Alley Rehabilitation Improvements – District 3,” Project No. 4282590-XXXXXX-71051.
- 3) Authorize change order capability for The Project construction agreement between the City of Pomona and All American Asphalt for “Street and Alley Rehabilitation – District 3,” Project No. 428-2590-XXXXXX-71051 in the amount not-to-exceed \$1,078,295 or to the maximum amount the funds in this project will allow for the extension of Philadelphia Street rehabilitation improvements from Garey Avenue to the East (potentially through Towne Avenue), which exceeds the \$100,000 allowed by City Code Section 2-1001(b)(14) and is commensurate with the size and scope of this project;
- 4) Amend change order capability for The Project between City of Pomona and All American Asphalt for “Street Rehabilitation – District 6,” Project No. 428-2590-XXXXXX-67921 from \$485,772.83 to \$645,685 or to the maximum amount the funds in this project will allow for the extension of Towne Avenue rehabilitation improvements from Bonita Avenue to the South (potentially through Arrow Highway), which exceeds the \$100,000 allowed by City Code Section 2-1001(b)(14) and is commensurate with the size and scope of this project;
- 5) Authorize total construction contract change order capacity not to exceed \$2,575,181 or the total budgeted and available combined funds in all The Project individual CIP project budgets.
- 6) Authorize weekend and/or night work for Towne Avenue from Foothill Boulevard toward Arrow Highway, Philadelphia Street from Garey Avenue to the East, and Rio Rancho Road from Phillips Ranch Road to SR-71.
- 7) Find that the additional work to The Project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (c), in that the projects consist of the operation, repair and maintenance of existing streets; and
- 8) Authorize the City Manager to execute the amendment to the construction contract and any subsequent change orders on behalf of the City.

EXECUTIVE SUMMARY: This action will result in amending The Project construction contract with All American Asphalt to add:

- Washington Park Parking Lot and Sidewalk Rehabilitation (north side of Grand Avenue between Towne and San Antonio Avenues),
- Philadelphia Street Rehabilitation (from Garey Avenue to the East as funds allow), and
- Towne Avenue from Bonita Avenue to the South (potentially through Arrow Highway).

In addition, this action will allow additional contingency funding in The Project to perform needed slurry sealing of:

- Rio Rancho Road from Phillips Ranch Road to SR-71 (which is already included in the existing FY 2019-20 CIP project description for “Street Improvements – District 5,” Project No. 428-2590-XXXXX-71045, and as described and included with the original bids for The Project.

Please see attached location maps (Attachment 2) for the above locations. In addition, this action will provide and allow for the use of additional contingency funds and contractor working hour’s flexibility for Towne Avenue, Philadelphia Street, and Rio Rancho Road. If approved, the above additional work is expected to start in the winter of 2019-20 and be completed by the summer of 2020.

FISCAL IMPACT: While estimated to complete the fiscal year below budget, an increase to the General Fund revenue estimates and appropriations in the amount of \$244,972 that will be reimbursed from Los Angeles County Prop A (Parks) to cover the cost of the recommended improvements to Washington Park. Approval of this action will amend a construction contract in the amount not-to-exceed \$1,523,179 (in addition to prior authorized change order capability of \$1,052,002, combined Total: \$2,575,181) to All American Asphalt for the projects as shown in the following table:

Project Name	Project No.	Amount
“Street and Alley Rehabilitation Improvements – District 3” Project	428-2590-XXXXX-71051	\$1,323,267
“Street Improvements – District 5” Project	428-2590-XXXXX-71045	\$40,000
“Street Rehabilitation – District 6” Project	428-2590-XXXXX-67921	\$159,912
TOTAL (additional with this action):		\$1,523,179

The following table* details the fiscal impacts associated with the recommended actions:

Amendment for Districts 3, 5, and 6 to the FY 19-20 Capital Improvement Program (CIP) and Contract Awarded to All American Asphalt for Streets and Alley Rehabilitation Improvements in Districts 3, 4, 5, and 6

Page 4 of 5

Category √ Project >	“Street and Alley Rehab. – District 3,” Project No. 428-2590-XXXXX-71051	“Street Improvements – District 5,” Project No. 428-2590XXXXX-71045	“Street Rehabilitation – District 6,” Project No. 428-2590-XXXXX-67921	“Holt Avenue (East) Reconst.,” Project No. 428-2590-XXXX-71050	All Projects Totals:
Beginning Budget	\$2,240,285	\$1,724,060	\$2,862,090	\$2,240,285	\$9,066,720
Appropriation of funds	\$244,972 Prop A (Parks)	\$40,000, Measure R	\$40,000, Measure R	\$0	\$324,972
Revised Budget	\$2,485,257	\$1,764,060	\$2,902,090	No change	\$9,391,692
Expenditures/ Encumbrances (as of December 23, 2019)	(\$1,163,996)	(\$1,663,894)	(\$2,257,867)	(\$381,570)	(\$5,467,327)
Balance for Contingencies, Inspection, etc.	\$1,321,261	\$100,166	\$644,223	\$1,858,715	\$3,924,365

* The recommended actions will also amend the Fiscal Year 2019-20 CIP Budget by unappropriating \$80,000 of Measure R funds from “Major Street Rehabilitation – Citywide (FY 13-14 to FY 15-16),” Project No. 428-2590-XXXXX-68548 with revised project budget of \$17,556,067.

PUBLIC NOTICING REQUIREMENTS: City Staff posted Notice Inviting Sealed Bids on Planet Bids on March 13, 2019, and in the Inland Valley Daily Bulletin on March 15 and 23, 2019. In addition, notice was posted in City Hall and the Library.

PREVIOUS RELATED ACTION: On May 6, 2019, City Council awarded a construction contract to All American Asphalt and adopted Resolution 2019-48.

ENVIRONMENTAL IMPACT: “Street and Alley Rehabilitation Improvements – District 3,” Project No. 428-2590-XXXXX-71051; “Street Improvements – District 5,” Project No. 4282590-XXXXX-71045; “Street Rehabilitation – District 6,” Project No. 428-2590-XXXXX67921; and “Holt Avenue (East) Reconstruction,” Project No. 428-2590-XXXXX-71050 are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (c), in that the projects consist of the operation, repair, and

maintenance of existing streets. Similarly, the additional work at Washington Park and Towne Ave. between Bonita Ave. and Arrow Highway are also categorically exempt from the California Environmental Quality Act (CEQA).

DISCUSSION: On May 6, 2019, City Council awarded a Construction Contract in the amount of \$4,259,117 to All American Asphalt, Inc. for The Project, and authorized change order capability totaling \$1,052,002 (approximately 24.7% of the contract).

The recommended action will allow an increase in the change order capability of \$1,523,179 (new total \$2,575,181), which will be used for the work mentioned in the Executive Summary.

In addition, the recommended action will also authorize night and/or weekend work for Towne Avenue from Foothill Boulevard toward Arrow Highway, Philadelphia Street from Garey Avenue to the East, and Rio Rancho Road from Phillips Ranch Road to SR-71. This working time flexibility is needed due to the high traffic volumes and/or schools in the vicinity of these streets.

ALTERNATIVE(S): Staff does not recommend cancelling the amendment, making other substantial modifications to the project, or rebidding the planned work. If the project were rebid, significant delay, potential funding losses and related impacts would be incurred, and rebid prices would likely be higher due to scarcity that has occurred as current competition in the construction marketplace has increased.

Prepared by:

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Acting City Engineer

ATTACHMENT(S):

Attachment No. 1 – Proposed Resolution No. 2020-09
Attachment No. 2 – Location Maps