



April 3, 2024

**ITEM TITLE: RESOLUTION NO. 2024-016 AWARDING A PUBLIC WORKS CONTRACT TO ACE EXCAVATING & ENVIRONMENTAL SERVICES, INC. TO CONSTRUCT THE SPORTS PARK RESTROOM PROJECT AND ALLOCATE ADDITIONAL FUNDS TO THE PROJECT (P23101) (0330-35 & 0920-40).**

**ORIGINATING DEPARTMENT:**

Public Works

**EXECUTIVE SUMMARY:** Resolution No. 2024-016 awards a construction contract to Ace Excavating & Environmental Services, Inc. to complete the Sports Park Restroom (Project) for a not-to-exceed price of \$368,000. On February 15, 2023 Resolution No. 2023-10 appropriated \$800,000 to fund the design and construction of a new restroom to service the Sports Park.

A new prefabricated restroom has been ordered as part of this Project and has an estimated delivery date for May 8th of this year. A contractor is needed to demolish most of the existing restroom building and prepare a foundation pad in the demolished footprint for the delivery and installation of the new restroom. An electrical room located on the south side of the existing restroom building houses ballpark lighting controllers and the electrical for the existing restroom. It would be protected in place during demolition of the rest of the building, would be structurally reinforced, and the exterior would be upgraded to look like the new prefabricated restroom building. Other contractor work includes ADA improvements around the new restroom footprint, utility connections, and drainage improvements.

During the design stage it was found that there needed to be additional work due to electrical constraints. Additionally overall construction costs have also notably increased across the industry from a year ago. This has created a need to seek additional funding for the Project.

**RECOMMENDATION:**

Adopt Resolution No. 2024-016 to award the construction contract to Ace Excavating & Environmental Services, Inc. for a not-to-exceed amount of \$368,000.00 for the Sports Park Restroom Project (P23101).

**OPTIONS:**

- Approve resolution and recommendation from staff
- Reject bids and provide direct staff to staff on how to proceed
- Request additional information and an additional report

**BACKGROUND/ANALYSIS:**

Preparation for replacement of both the Sports Park and Veterans Park restrooms began in FY16 as both facilities were in need of replacement. Unfortunately, budget realities resulted in only the Veterans Park restroom being replaced in 2018.

On February 15, 2023, Resolution No. 2023-10 appropriated \$800,000 from the General Fund Fund Balance to design and construct a new restroom for the Sports Park location. Temporary restrooms would be provided during construction for use by the public as part of the Project.

The Project was advertised for construction bids on January 18, 2024. A non-mandatory job walk was held on January 29<sup>th</sup> and a public bid opening was held on February 8, 2024. The City received two (2) bids. However, one contractor did not hold the correct contractor’s license and the other bid had a higher percentage of the work being performed by subcontractors than is allowed. All bids were rejected for the February 8, 2024 bid opening.

Staff worked with the City Engineer and made minor changes to the bid documents and plans and re-bid the project. The Project was advertised for construction bids on February 15, 2024. A non-mandatory job walk was held on February 20<sup>th</sup> and a public bid opening was held on February 29, 2024. The City received one (1) bid however the bid was significantly over the engineers estimate and the project budget. This bid was rejected as well.

The Project was advertised for a third time for construction bids on March 7, 2024. A non-mandatory job walk was held on March 12<sup>th</sup> and a public bid opening was held on March 20, 2024.

The following are the bids received on this 3<sup>rd</sup> bid opening for the Sports Park Restroom:

	<b>Base Bid</b>
1. California Constructors	\$ 276,653.25
2. Ace Excavating & Environmental Services, Inc.	\$ 352,254.05
3. Fordyce Construction	\$ 421,880.00
4. Southwest Construction Services	\$ 634,005.10

The Engineer’s Estimate for the bid was \$280,000.

Upon review of the bids, the lowest responsive, responsible bidder was Ace Excavating & Environmental Services, Inc. California Constructor’s bid was non-responsive due to its failure to follow requirements contained in the bid documents. Thus, the lowest responsive, responsible bidder was Ace Excavating & Environmental Services, Inc., with a bid amount of \$352,254.05. Staff recommends awarding the contract for a not-to-exceed amount of \$368,000.00 which includes \$15,745 in contingency to Ace Excavating & Environmental Services, Inc.

**ENVIRONMENTAL DETERMINATION:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

Budget:

Appropriation from General Fund Balance (Reso 2023-10)	\$800,000
Appropriation from 103-1920-419.9001	<u>\$180,000</u>
<b>TOTAL REVENUE</b>	<b>\$980,000</b>

Expenditure:

Plans, Specifications and Estimate	\$102,000
Prefabricated Restrooms	\$406,000
Electrical	\$ 36,000
Public Works Contract – Construction	\$352,255
Design Support & Inspection	\$ 15,000
Construction Support and Specialized Services	\$ 36,000
City Purchase – Siding and Roofing Material	\$ 12,000
Temporary Restrooms	\$ 5,000
Contingency	<u>\$ 15,745</u>
<b>TOTAL EXPENDITURES</b>	<b>\$ 980,000</b>

**FISCAL YEAR:** 2024

**BUDGETED:** No

**BUDGET AMENDMENT** Yes

**ACCOUNT NO(S):** 103-1920-419.9001 “Transfer Out” - \$180,000  
420-0000-391.9001 “Transfer In” - \$180,000  
420-6020-552.2006 “Professional Services” -  
\$180,000 (P23101-C)

**PROJECT NO(S):** P23101

**FISCAL ANALYSIS:** Increase budgeted expenditures by \$180,000 to be funded by Community Benefit revenues.

**CURRENT BUDGET:** \$800,000

**ANTICIPATED EXPENDITURE:** \$980,000

**ATTACHMENTS:**

1. Resolution No. 2024-016