

## REPORT TO CITY COUNCIL

**DATE:** MAY 13, 2009

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** GREG RAMIREZ, CITY MANAGER

**BY:** RAMIRO ADEVA, CITY ENGINEER

**SUBJECT:** DISCUSSION OF BID RESULTS AND POTENTIAL CONTRACT AWARD FOR THE BUS SHELTERS PROJECT; NIB 08-03

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Per the direction of the City Council, staff completed design and sought bids for new bus shelters along Kanan Road, Thousand Oaks Boulevard, Roadside Drive and Lewis Road. Design of the project was completed by L. Newman Design Group, based out of Westlake Village.

Due to concerns about the potential costs of the shelter at the City's annual budget workshop, staff prepared an alternative design (different roof support system) requiring less labor and material, and included it as an alternative bid item in the bid package. The base bid scope of work includes: installation of seven (7) bus shelters, removal and replacement of existing sidewalk, removal and replacement of existing curb and gutter, and electrical wiring.

Concrete bus pads were not included in this contract since the Council directed staff at the budget workshop to proceed with construction, regardless of whether they approve or disapprove of the bus shelters themselves. The estimated cost of each bus pad is \$20,000, with a total of five bus pads to be constructed. The concrete bus pad work will be funded solely by Proposition C money, with no use of General funds, and is scheduled to go to bid in July 2009.

On April 17, 2009, the City Clerk opened sealed bids from three (3) contractors. The bid results were as follows:

<b>Name</b>	<b>Base Bid</b>	<b>Alternate Bid Item</b>
<b>Malibu Tennis Courts, Inc.</b>	<b>\$288,860.00</b>	<b>\$270,660.00</b>
Seacon Construction	\$303,900.00	\$285,639.00
Union Engineering Company, Inc.	\$307,114.36	\$331,483.36

Staff reviewed the bid submittal of the apparent low bidder, Malibu Tennis Courts, Inc., and deemed their bid responsive and acceptable. In addition, Malibu Pacific has successfully constructed several improvements in the City over the years. Like any bid, there are unit costs for covering material and labor needed to construct the bus shelters. Should the Council decide to revise the original number of bus shelters to be constructed, staff has been informed by the City Attorney that it is an acceptable practice to discuss the new quantity with Malibu Pacific Tennis Courts, Inc., to see if they would honor their unit prices for the revised quantity. If not, the only remaining option would be to reject all bids and re-bid the project with the revised quantity.

This project will be solely funded with Proposition A monies and no General funds. Moreover, funds were budgeted in our current fiscal year in the amount of \$280,000 for both design and construction. To date, approximately \$12,000 has been spent from this fund. Should the Council decide to proceed with installing all or some of the bus shelters, construction can begin immediately this May or June, and will take approximately ten (10) weeks to complete, with no work to be done on holidays.

## **RECOMMENDATION**

Staff respectfully recommends the City Council:

1. Provide staff direction with one of the following options:
  - (a) Proceed with construction with either the base bid or alternative bid, or;
  - (b) Revise the number of bus shelters to construct, and direct staff to proceed with the base bid or alternative bid, or;
  - (c) Reject all bids
2. If Council chooses to proceed with construction, award a contract for the Bus Shelters Project; NIB 08-03, to Malibu Pacific Tennis Court, Inc.,
3. Approve either the Base Bid in the amount of \$288,860; or the Alternate Bid in the amount of \$270,660; and
4. Authorize the Mayor to sign the contract agreement.