

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL

FROM: STEPHEN DITTMER, SUPERVISING ENGINEER
TRANSPORTATION AND PUBLIC WORKS DEPARTMENT
KIM NADEAU, PARKING MANAGER
FINANCE DEPARTMENT

SUBJECT: CITY OF SANTA ROSA PARKING GARAGE #9 – 2017 REPAIRS

AGENDA ACTION: MOTION/RESOLUTION

RECOMMENDATION

It is recommended by the Transportation and Public Works Department and Finance Department that the Council, either:

1) by Motion, reject all bids for the City of Santa Rosa Parking Garage #9 – 2017 Repairs project and reaffirm Council's direction on September 4, 2018 to bring back a smaller scale repair project for contract award and wait a year to bring back a project for full repairs, or;

2) by Motion, award Contract No. C01823, City of Santa Rosa Parking Garage #9 - 2017 Repairs, in the amount of \$2,180,095.00 to the lowest responsible bidder, Ashron Construction & Restoration, Inc. of Santa Clara, California, approve a 10% contract contingency, and authorize a total contract amount of \$2,398,104.50; and by Resolution, approve a FY 2018/19 budget allocation of \$706,569.00 to Key 45029-Garage 9 Repairs, from the Parking Fund-1641.

EXECUTIVE SUMMARY

This item was considered by the City Council on September 4, 2018. At that meeting, a motion to award this contract failed on a 3 to 3 vote. Following this vote, Council, on a 5 to 1 vote, directed staff to bring back a smaller scale repair project for contract award and wait a year to bring back a project for full repairs. The Council did not act to reject all bids for this project.

A rejection of all bids is necessary where the construction contract is not awarded. If taken, the first action will reject all bids for the City of Santa Rosa Parking Garage #9 – 2017 Repairs project and reaffirm the Council's direction to staff given on September 4, 2018 to reduce the size of the project and wait a year to award a contract for full repairs on the garage.

The second and alternative action will award Contract No. C01823 to Ashron Construction & Restoration, Inc., of Santa Clara, California, approve a 10% contract contingency and authorize a total contract amount of \$2,398,104.50 to remove and replace the top layer of concrete (the "wear slab") on the top level of the garage, and make other repairs needed on Garage 9 at 97 "D" Street and approve additional funding to complete the project due to increased construction costs.

This action is presented again for Council consideration in view of additional information received and gathered by staff following the original vote, including correspondence from Ashron Construction, and estimates of additional costs which will be incurred by the City resulting from a revision to the scope of the project and the splitting of the project into two separate projects. It is also presented in view of the original 3 to 3 vote.

BACKGROUND

The Parking Garage 9 – 2017 Repair Project arises from a recommendation received by the City in a condition appraisal report prepared by Walker Restoration Consultants, dated March 2007. The most significant deficiency to be addressed by the proposed project involves replacement of the top layer of concrete (the "wear slab") on the top level of Garage 9. Other work includes selective concrete repair, crack sealing and waterproofing. The repairs will protect structural components and extend the service life of the parking garage. (see, Attachment 1, Location Map.)

The City Council approved an appropriation of \$1,723,644.00 in the Fiscal Year 2016/17 budget for the recommended Garage 9 repair work.

On September 4, 2018, an award of Contract No. C01823 to Ashron Construction and Restoration, Inc., of Santa Clara, California was presented to the City Council for consideration. The motion to award the contract resulted in a tie vote (3 ayes, 3 noes). The Council thereafter directed staff to bring back a smaller scale repair project and wait a year to bring back a project for full repairs.

Following the September 4th meeting, City staff received a letter from Mr. Ezra Cohen, the President of Ashron Construction, in which he responded to the failure to award the contract. (see, Attachment 3.)

PRIOR CITY COUNCIL REVIEW

On September 4, 2018, the Council considered the award of Contract No. C01823 to Ashron Construction and Restoration, Inc. The motion to award the contract failed on a 3 to 3 vote.

ANALYSIS

1. Section 44 of the Santa Rosa City Charter states that public works projects shall be let to the lowest responsible bidder after notice by publication in the official newspaper. It also states that the Council may reject any and all bids presented. Because of the tie vote, neither action occurred, and no final action occurred with respect to the award of this contract.
2. The Garage 9 repairs project was advertised on July 3, 2018, and bids were received on July 31, 2018. A total of two (2) bids were received, ranging from \$2,180,095.00 to \$3,012,727.40. The low bid was 16% over the Engineer's estimate. (see, Attachment 2, Summary of Bids.)
3. The low bidder was Ashron Construction & Restoration, Inc., of Santa Clara, California.
4. Funding in the amount of \$1,723,644.00 was appropriated in the FY 2016-17 Capital Improvement Program budget for this project from the Parking Fund. An additional appropriation of \$706,569 from the Parking Fund is requested by staff to construct the project improvements.
5. If awarded, construction is anticipated to begin in January 2018. The length of the contract is 170 working days.
6. The construction work will be phased to minimize impacts to garage patrons.
7. The Public Participation Plan has been approved by the Transportation and Public Works Marketing and Outreach Coordinator.
8. If awarded, additional funds are required to complete the project due to increased construction costs.
9. If the Council rejects all bids for this project, staff will follow Council's direction on September 4th to reduce the size of the project and wait a year to award a contract for full repairs on the garage.

FISCAL IMPACT

Funding in the amount of \$1,723,644.00 was appropriated in the FY 2016-17 Capital Improvement Program budget for this project from the Parking Fund. The Parking Fund has an available balance for the requested budget appropriation of \$706,569. There is no impact to the General Fund.

With respect to reducing the scope of the project and splitting the work into two projects, the cost to draft the construction documents and bidding services for the current scope of the project was \$91,694 which was charged to the Parking Fund. Staff estimate that an additional \$40,000 in costs to revise the construction documents, re-bid the project, and update the Garage 9 ten year asset management plan will be incurred and charged to the Parking Fund if the scope of the project is changed. Additional unknown costs will also be incurred in the future to complete the full repairs to extend the useful life of the garage should the City determine it wishes to retain the asset.

ENVIRONMENTAL IMPACT

The rejection of all bids is exempt from the California Environmental Quality Act (CEQA) because it is not a project which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guideline section 15378.

The award of the construction contract is Categorically Exempt pursuant to CEQA Guideline Section 15301 because it consists of the repair and minor alteration of an existing public facility involving no expansion of an existing use.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 – Location Map
- Attachment 2 – Summary of Bids
- Attachment 3 – Letter from Ashron Construction and Restoration
- Resolution

CONTACT

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