

AGENDA ITEM NO.

COUNCIL MEETING

APPROVED BY



DEPARTMENT DIRECTOR

CITY MANAGER

May 14, 2009

FROM: PATRICK N. WIEMILLER, Director 
Public Works Department

BY: EFREN BAÑUELOS, Assistant Director 
Public Works Department, Capital Management Division

SUBJECT: 1. ADOPT FINDING OF A CATEGORICAL EXEMPTION, PURSUANT TO CEQA GUIDELINES SECTION 15301(f)

2. AWARD A CONTRACT IN THE AMOUNT OF \$726,995.54 TO DAVE CHRISTIAN CONSTRUCTION CO., INC. FOR CONSTRUCTION OF INTERSECTION IMPROVEMENTS AT CHESTNUT AVENUE AND KINGS CANYON ROAD, BID FILE 2897-10420 (COUNCIL DISTRICT 5)

KEY RESULT AREA

One Fresno

RECOMMENDATIONS

Staff recommends that the City Council:

1. Adopt findings of a Categorical Exemption, pursuant to CEQA Guidelines, Section 15301(f).
2. Award a contract in the amount of \$726,995.54 to Dave Christian Construction Co., Inc., as the lowest responsive and responsible bidder to construct the intersection improvements at Chestnut Avenue and Kings Canyon Road and authorize the Public Works Director, or his designee to execute the Agreements on behalf of the City of Fresno.

EXECUTIVE SUMMARY

The Public Works Department is prepared to construct the intersection improvements at Chestnut Avenue and Kings Canyon Road. The project proposes to install dual left turn lanes on all four legs of the intersection, bus bays and dedicated right turn lanes at this busy intersection. Street improvements include new curb and gutter, street paving, median island reconstruction, street landscaping as well as traffic signal and street lighting modifications and upgrades. The proposed improvements will help reduce traffic congestion, improve traffic safety and the operating service level of the intersection. Staff recommends that the construction contract in the amount of \$726,995.54 be awarded to Dave Christian Construction Co., Inc. to construct the intersection improvements. This project is located within the boundaries of City Council District 5.

KEY OBJECTIVE BALANCE

This project balances the three Key Objectives of Customer Satisfaction, Employee Satisfaction and prudent Financial Management. The design goal of this project is to improve safety and the traffic operating service level of the intersection at Chestnut Avenue and Kings Canyon Road. The result will be reduced traffic congestion, ensuring Customer Satisfaction. Employee Satisfaction is derived from construction of this very vital project. Financial Management objectives are achieved from award of contract to the lowest responsive and responsible bidder and by utilizing grants funds to financially support this project, resulting in minimal impact to the City's General Fund.

BACKGROUND

The Public Works Department is prepared to construct the intersection improvements at Chestnut Avenue and Kings Canyon Road. The project proposes to install dual left turn lanes in all four directions, bus bays and dedicated right turn lanes at this busy intersection. Street improvements include new curb and gutter, street paving, median island reconstruction, street landscaping as well as traffic signal and street lighting modifications and upgrades. The proposed improvements will help reduce traffic congestion, improve traffic safety and the operating service level of the intersection. All the necessary rights of way needed to accommodate the proposed street improvements are in City's possession.

Notice Inviting bids was published in the Business Journal on April 3, 2009, posted on the City's website and faxed to five (5) building exchanges. The plans and specifications were distributed to ten (10) prospective bidders. Seven (7) sealed bid proposals were received and opened in the public bid opening on April 30, 2009, which ranged from \$726,995.54 being the lowest, to \$911,252.00 being the highest.

Dave Christian Construction Co., Inc. of Fresno, CA submitted the lowest bid in the amount of \$726,995.54, and is considered the lowest responsive and responsible bidder. The contract price is 15.9% below the Engineer's Estimate. The staff determination was posted on the City's website on May 6, 2009. The contract requires the project be completed within 85 working days from the date of the Notice to Proceed.

All Federal guidelines have been followed for this Federally funded project. The Federal government will reimburse the City for the construction and potential incidental construction costs through Congestion Mitigation and Air Quality (CMAQ) grant, with matching funds from 2004 Bond Proceeds and Traffic Signal Impact Fees.

Staff has determined that this project fits within the definition of the Class 1 Categorical Exemption as set forth in CEQA Guidelines, Section 15301(f). Under this section, the addition of safety or health protection devices for use during construction of or in conjunction with existing structures, facilities, or mechanical equipment, or topographical features including navigational devices are exempt from CEQA review. For this project, the improvements will help reduce traffic congestion, improve traffic safety and the operating service level of the intersection. Therefore, staff has concluded that this project falls within this Categorical Exemption. A Notice of Exemption was filed with the Fresno County Clerk's Office on May 8, 2003.

This project is located within the boundaries of City Council District 5.

The City Council may:

A. Adopt staff's recommendation, which would

1. Adopt findings of a Categorical Exemption, pursuant to CEQA Guidelines, Section 15301(f).
2. Award a contract in the amount of \$726,995.54 to Dave Christian Construction Co., Inc., as the lowest responsive and responsible bidder to construct the intersection improvements at Chestnut Avenue and Kings Canyon Road and authorize the Public Works Director, or his designee to execute the Agreements on behalf of the City of Fresno.

The project will be completed within eighty-five (85) working days from the date of the Notice to Proceed, or

B. The Council may reject all bids. If all bids are rejected, the project will be rebid resulting in a delay of approximately sixty (60) days.

FISCAL IMPACT

Construction costs, including incidentals and contingency is estimated to be about \$936,996. The City will be reimbursed approximately \$829,000 of these costs through Congestion Mitigation and Air Quality (CMAQ) grant. The balance will come from 2004 Bond Proceeds and Traffic Signal Impact fees.

PNW/EB/SS/LS/eam
Adopt Finding Cate Exempt & Awd Contract Intesec Imprv Chestnut-KC 5-14-09

Attachments: Bid Evaluation Proposals
Fiscal Impact Statement

EVALUATION OF BID PROPOSALS

FOR: CHESTNUT AVE AND KINGS CANYON RD INTERSECTION IMPROVEMENTS

Bid File No. 2897
Bid Opening: April 30, 2009

BIDDERS'S	TOTAL NET BID AMOUNT
1. Dave Christian Const. Co., Inc. 2233 S. Minnewawa Fresno CA 93727	\$726,995.54
2. Granite Construction Company 585 W. Beach Street Watsonville, CA 95076	\$728,215.00
3. American Paving Co. P.O. Box 4348 Fresno CA 93744	\$755,683.80
4. Dawson-Mauldin Const. Inc. P.O. Box 8397 Huntington Beach CA 92615	\$798,007.50
5. Garcia Paving Company Inc. 2951 S. Elm Fresno CA 93706	\$873,402.75
6. Menefee Const. 7802 E. Manning Ave Fowler CA 93625	\$893,167.29
7. Witbro Inc. 959 Clovis Avenue Clovis CA 93612	\$911,252.00

Each bidder has agreed to allow the City sixty-two (62) days from date bids are opened to accept or reject their bid proposal. Purchasing requests that you complete the following sections and return this bid evaluation to the Purchasing Division at the latest by Wednesday, May 27, 2009, 5:00 P.M.

The Engineer's Estimate for this expenditure is \$ 864,720. The contract price is 15.9 % below the Engineer's Estimate. If the overage is greater than 10% or only one bid was received, give explanation:

BACKGROUND OF PROJECT (To be completed by Evaluating Department/
Division. Explain need for project/equipment):

The proposed improvements will help reduce traffic congestion, improve traffic safety and the operating service level of the intersection of Chestnut and Kings Canyon Road by installing dual left turn lanes in all four directions, bus bays and dedicated right turn lanes. Street improvements include new curb and gutter, street paving, median island reconstruction, street landscaping as well as traffic signal and street lighting modifications and upgrades.

EVALUATION OF BID PROPOSALS

FOR: CHESTNUT AVE AND KINGS CANYON RD INTERSECTION IMPROVEMENTS

Bid File No. 2897
Bid Opening: April 30, 2009

DEPARTMENT CONCLUSIONS AND RECOMMENDATION:

Award a contract in the amount of \$ 726,995.54
to Dave Christian Construction Co., Inc
as the lowest responsive and responsible bidder.

Remarks:

Reject all bids. Reason:

Department Head Approval

Elen Somator
Title Asst. Dir. of Public Works
Date 5/1/09

- | | |
|--|--|
| <input checked="" type="checkbox"/> Approve Dept. Recommendation | <input type="checkbox"/> Approve GSD/Purchasing Recommendation |
| <input type="checkbox"/> Disapprove | <input type="checkbox"/> Disapprove |
| <input type="checkbox"/> See Attachment | |

GENERAL SERVICES DEPARTMENT

CITY MANAGER

Jason B. MacDonald 5/1/2009
Purchasing Manager Date

K. Herland 5/1/09
Director Date

[Signature] 5/5/09
City Manager or Designee Date

FISCAL IMPACT STATEMENT

PROGRAM: PW00206 CHESTNUT AND KINGS CANYON ROAD

<u>RECOMMENDATION</u>	<u>TOTAL OR CURRENT</u>	<u>ANNUALIZED COST</u>
Direct Cost	<u>\$ 726,996</u>	<u> </u>
Indirect Cost	<u>\$ 210,000</u>	<u> </u>
TOTAL COST	<u> </u>	<u> </u>
Additional Revenue or Savings Generated	<u> </u>	<u> </u>
Net City Cost	<u> </u>	<u> </u>
Amount Budgeted (If none budgeted, identify source)	<u>\$ 936,996</u>	<u> </u>

Indirect costs are comprised of the following:

Construction Contingency:	\$ 85,000
Construction Engineering:	\$ 85,000
Soils Lab/Testing:	\$ 15,000
Project Management/Admin:	\$ 20,000
Project Closeout:	<u>\$ 5,000</u>
Total Indirect Costs:	\$ 210,000