

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS AWARDING A CONSTRUCTION CONTRACT TO AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH MARINA LANDSCAPE, INC., IN THE AMOUNT OF \$586,120 AND AUTHORIZING THE DIRECTOR OF ENGINEERING/CITY ENGINEER TO NEGOTIATE AND EXECUTE CHANGE ORDER(S) IN AN AGGREGATE AMOUNT NOT TO EXCEED \$117,000 FOR THE RECYCLED WATER CONVERSION SITES PHASE 1 PROJECT, PROJECT NO. 7126 AND NO. 3417

WHEREAS, on August 16, 2016, the City Council approved the project plans and specifications and authorized the advertisement for construction bid proposals for the Recycled Water Conversions Site Phase 1 Project, Project No. 7126 and No. 3417 (“Project”), which provides for the conversion of 17 acres of landscape irrigation from potable water to recycled water at City parks, trails, and the Community Garden. Work also includes installation of potable supply for drinking fountains and sinks, and installation of a sanitary sewer lateral; and

WHEREAS, the Engineer’s Estimate for the base bid Project work and sum of various alternates is \$511,190 and \$70,500, respectively; and

WHEREAS, the Project was advertised and no sealed bid proposals were received on the bid closing date – September 13, 2016. Public Contract Code section 22038(c) provides that if no bids are received through the bidding process, the project may be performed by negotiated contract. Accordingly, staff contacted several contractors in order to negotiate a contract to perform the work. The selected contractor is Marina Landscape, Inc. (“Marina Landscape”), which agreed to a contract amount of \$586,120 for the base bid scope of work and Add Alternates A, B and D; and

WHEREAS, staff recommends the award include the base bid, Alternate A, Alternate B, and Alternate D; and

WHEREAS, no bid protests were filed with the City within five (5) days of the bid opening as set forth in the Project plans and specifications; and

WHEREAS, due to the Project’s tight completion schedule and staff’s ability to respond swiftly to unanticipated construction conditions in order to limit potential claims or risk to the City, staff recommends the City Council authorize the Director of Engineering/City Engineer to negotiate and execute change order(s) in an amount not to exceed the construction contingency of \$117,000 established for this Project, which is approximately twenty (20) percent of the estimated construction cost.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council hereby awards the construction contract to and authorizes the City Manager to execute a construction contract and related documents with Marina Landscape for the Project in the amount of \$586,120.

3. The Director of Engineering/City Engineer is hereby authorized to negotiate and execute contract change order(s) for the Project in an aggregate amount not to exceed the construction contingency of \$117,000 for this Project.

PASSED AND ADOPTED this _____ day of _____, 2016 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Christopher J. Diaz, City Attorney

Recycled Water Conversion Sites Phase 1

***5B**

Bid Item	Section	Item Description	Unit	Est. Quantity	Engineers Estimate		Marina Landscape	
					Unit Price,\$	Extension,\$	Unit Price,\$	Extension,\$
1	E-04	Mobilization (5% Maximum of Total Base Bid)	LS	1		24,000.00		24,000.00
2	E-05	Traffic Control - Base	LS	1		12,000.00		25,000.00
3	E-09	Potholing For Utilities	LS	1		6,000.00		10,000.00
4	E-11	Water Pollution Control Work	LS	1		10,000.00		20,000.00
5A	E-12	Tree trimming	EA	81	125.00	10,125.00	400.00	32,400.00
5B	E-12	Root pruning	EA	81	150.00	12,150.00	450.00	36,450.00
5C	E-12	Tree Preservation	EA	81	100.00	8,100.00	380.00	30,780.00
6	E-16	Clearing, Grubbing, Disposal and Miscellaneous Demolition	LS	1		60,000.00		45,000.00
7	E-17	Tan Shredded Bark Groundcover	LS	1		30,000.00		25,000.00
8	E-18	RW Advisory Signs, Tagging and Labeling	LS	1		12,000.00		22,000.00
9	E-18	Irrigation - 2" Mainline System	LF	1035	19.00	19,665.00	16.00	16,560.00
10	E-18	Irrigation - 3" Mainline System	LF	1365	22.00	30,030.00	17.00	23,205.00
11	E-18	Irrigation - 4" Mainline System	LF	120	24.00	2,880.00	19.00	2,280.00
12	E-18	Irrigation - 6" Mainline System	LF	1200	28.00	33,600.00	22.00	26,400.00
13	E-18	Irrigation - 3/4" Lateral Piping	LF	1500	7.50	11,250.00	6.00	9,000.00
14	E-18	Irrigation - Addition of Spray Heads	EA	149	60.00	8,940.00	50.00	7,450.00
15	E-18	Irrigation - Adjustment of Spray Heads	LS	1		12,000.00		15,000.00
16	E-18	Irrigation - Controller Wire Routing In Same Trench as Piping	LF	1500	0.75	1,125.00	0.35	525.00
17	E-18	Irrigation - Own Trench Controller Wire Routing	LF	500	2.00	1,000.00	7.00	3,500.00
18	E-18	Irrigation - Master Valves	EA	2	1,500.00	3,000.00	2,500.00	5,000.00
19	E-18	Irrigation - Flow Sensors	EA	2	1,500.00	3,000.00	1,800.00	3,600.00
20	E-18	Irrigation - Quick Coupler Installation	EA	65	270.00	17,550.00	250.00	16,250.00
21	E-18	Irrigation - Controller Installation	LS	1		14,400.00		25,000.00
22	E-18	Irrigation - Sleeve Installation	LF	130	30.00	3,900.00	45.00	5,850.00
23	E-18	Irrigation - Irrigation Component Installation	LS	1		36,000.00		35,000.00
24	E-18	Irrigation - Remote Control Valve Installation	EA	5	475.00	2,375.00	275.00	1,375.00
25	E-19	Turf and Landscape Restoration	LS	1		18,000.00		15,000.00
26	E-20	Potable Water Distribution System - Component Installation	LS	1		15,000.00		3,500.00
27	E-20	Potable Water Distribution System - Fixture Installation	LS	1		15,000.00		30,000.00
28	E-20	Potable Water Distribution System - 1" Pipe	LF	950	14.00	13,300.00	5.00	4,750.00
29	E-20	Potable Water Distribution System - Standpipe	LF	3	1,200.00	3,600.00	1,200.00	3,600.00
30	E-21	Sanitary Sewer System - 4" Pipe	LF	330	40.00	13,200.00	35.00	11,550.00
31	E-22	Horizontal Directional Drill Work - 4" Sanitary Sewer Piping	LF	200	240.00	48,000.00	130.00	26,000.00
32	E-23	Not needed	LS	1		-		-
Base Bid Subtotal						511,190.00	Subtotal	561,025.00

Add Alternate A

Bid Item	Section	Item Description	Unit	Quantity	Unit Price	Extension	Unit Price	Extension
A-1	E-22	Horizontal Directional Drill Work - Recycled Water Irrigation	LF	175	240.00	42,000.00	72	12,600.00
Add Alternate A Subtotal						42,000.00		12,600.00

Add Alternate B

Bid Item	Section	Item Description	Unit	Quantity	Unit Price	Extension	Unit Price	Extension
B-1	E-18	Irrigation - Outdoor Storage Shed Installation and foundation	LS	1		3,500.00		4,500.00
Add Alternate B Subtotal						3,500.00		4,500.00

Add Alternate C

Bid Item	Section	Item Description	Unit	Quantity	Unit Price	Extension	Unit Price	Extension
C-1	E-05	Not needed	LS	1				
C-2	E-18	Not needed	LF	230				
C-3	E-22	Not needed	LF	130				
Add Alternate C Subtotal						-		-

Add Alternate D

Bid Item	Section	Item Description	Unit	Quantity	Unit Price	Extension	Unit Price	Extension
D-1	E-05	Traffic Control - Kevenaire Drive	LS	1		3,000.00		75.00
D-2	E-22	Horizontal Directional Drill - 1.5" Recycled Water Irrigation Kevenaire Drive	LF	110	200.00	22,000.00	72	7,920.00
Add Alternate D Subtotal						25,000.00		7,995.00

Base Bid + Add Alternate D	536,190.00	569,020.00
Base Bid + Add Alternates A and D	578,190.00	581,620.00
Base Bid + Add Alternates A, B, and D	581,690.00	586,120.00

Construction Change Order Policy for Recycled Water Site Conversion, phase 1 Project, Project Nos. 7126 and 3417.

2007 City Council Approved Construction Change Order Policy

<u>Construction Award Award Amount</u>	<u>Individual Administrative Change Order Authority</u>	<u>Cumulative Change Order Authority</u>
Under \$50,000	\$5,000	\$7,500
Over \$50,000	10% of Award or \$25,000 whichever is smaller	15% of Award or \$100,000 whichever is smaller

Recycled Water Site Conversion, phase 1 Project Change Order Policy

<u>Construction Award Award Amount</u>	<u>Individual Administrative Change Order Authority</u>	<u>Cumulative Change Order Authority</u>
\$586,120	N/A	\$117,000