

RESOLUTION NO. 2023-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA AWARDING THE CITY OF MARINA MUNICIPAL IMPROVEMENTS ON-CALL CONTRACT 2023 TO MONTEREY PENINSULA ENGINEERS OF MARINA, CALIFORNIA FOR AN ANNUAL CONTRACT AMOUNT NOT TO EXCEED \$1,000,000, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS AND ALL WORK AND CHANGE ORDERS ON BEHALF OF THE CITY SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY ATTORNEY, AND AUTHORIZING THE FINANCE DIRECTOR TO MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES

WHEREAS, the City of Marina Municipal Improvements On-Call Contract 2020 was successfully used to expedite the delivery of various City projects and has expired on November 18, 2022, and;

WHEREAS, currently the City does not have an on-call contract for municipal improvements to expedite the execution of the Citywide Street Repair Program and other related projects, and;

WHEREAS, this on-call contract is similar to a job order contract, which will augment the City staff, and provide a readily available work force to repair existing City's infrastructure, conduct emergency repairs and new construction, as the City deems appropriate, and;

WHEREAS, at the regular meeting of October 6, 2022, the City Council adopted Resolution 2022-117 approving advertising and call for bids for the City of Marina Municipal Improvement On-Call Contract 2023 and accepting the Specifications, and;

WHEREAS, the Bid Schedule includes a Base Bid to establish unit prices for various construction items, an Additive Bid 1, General Construction, to establish a percentage for cost of bonds, insurance mobilization and demobilization, environmental pollution prevention etc. and Additive Bid 2, Premium Labor, to establish percentage for labor cost for holidays and outside normal working hours as specified in the Specifications. The Grand Total Bid is the sum of the base bid, additive bids 1 and 2 and was used as the basis for the lowest responsive bid, and;

WHEREAS, on May 9, 2023, two sealed bids were received, opened, and publicly read in person and via live video feed for the City of Marina Municipal Improvements On-Call Contract 2023, and;

WHEREAS, the two bids received were both responsive and after reviewing the bids, Monterey Peninsula Engineering, of Marina, California is deemed to be the lowest, responsive, and responsible bid in the amount of \$551,715.72. The Monterey Peninsula Engineering is a local company and has worked on and successfully completed several city projects in the past. Staff experience working with Monterey Peninsula Engineering is favorable and the company's work quality is acceptable, and;

WHEREAS, the bid schedule was used to capture the unit prices and percentages that will be used for estimating and issuance of work orders, and;

WHEREAS, the awarding of the proposed construction contract does not have fiscal impact and no minimum annual dollar value of work is guaranteed by the City. The Monterey Peninsula Engineering contract will be for a term of one (1) year with a not to exceed annual funding limit of \$1,000,000. The agreement will include an option for an additional one (1) year extension with a not to exceed annual funding limit of \$1,000,000. The total term of this agreement will not exceed two (2) years. The amount of work to be requested during the one year or optional additional year twelve-month contract period cannot be well defined at the outset. Work shall be issued through Work Orders, and;

WEREAS, Work orders issued under this contract will be funded by the respective approved Capital Improvement Project funding and appropriate maintenance account. In the case of emergency repairs, staff will bring a budget appropriation recommendation to the City Council for approval, and;

WHEREAS, the awarding of construction contract for the City of Marina Municipal Improvements on Call Contract 2023 is Categorical Exemptions under CEQA guidelines §15300.1. Each project that will be issued under the City of Marina Municipal Improvements on Call Contract 2023 will require a CEQA determination and shall comply accordingly, and;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Marina to adopt Resolution No. 2023- for the following action:

1. Award the City of Marina Municipal Improvements On-Call Contract 2023 to Monterey Peninsula Engineering of Marina, California for an annual contract amount not to exceed \$1,000,000, and an option for an additional one (1) year extension with a not to exceed annual funding limit of \$1,000,000, and;
2. Authorize the City Manager or designee to execute contract documents and all work and change orders on behalf of the City subject to final review and approval by the City Attorney, and;
3. Authorize Finance Director to make necessary accounting and budgetary entries.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 6th day of June 2023, by the following vote:

AYES: COUNCIL MEMBERS: Visscher, McCarthy, Biala, Medina Dirksen, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce Delgado, Mayor

ATTEST:

Anita Sharp, Deputy City Clerk

May 31, 2023

Item No. **10g(1)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of June 6, 2023

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2023-,
AWARDING THE CITY OF MARINA MUNICIPAL IMPROVEMENTS
ON-CALL CONTRACT 2023 TO MONTEREY PENINSULA
ENGINEERING OF MARINA, CALIFORNIA FOR AN ANNUAL
CONTRACT AMOUNT NOT TO EXCEED \$1,000,000, AUTHORIZING
THE CITY MANAGER TO EXECUTE CONTRACT DOCUMENTS AND
ALL WORK AND CHANGE ORDERS ON BEHALF OF THE CITY
SUBJECT TO FINAL REVIEW AND APPROVAL BY THE CITY
ATTORNEY, AND AUTHORIZING THE FINANCE DIRECTOR TO
MAKE NECESSARY ACCOUNTING AND BUDGETARY ENTRIES**

REQUEST:

It is requested that the City Council consider adopting Resolution No. 2023- for the following action:

1. Awarding the City of Marina Municipal Improvements On-Call Contract 2023 to Monterey Peninsula Engineering, of Marina, California for an annual contract amount not to exceed \$1,000,000, and an option for an additional one (1) year extension with a not to exceed annual funding limit of \$1,000,000, and,
2. Authorizing the City Manager or designee to execute contract documents and all work and change orders on behalf of the City subject to final review and approval by the City Attorney, and,
3. Authorizing Finance Director to make necessary accounting and budgetary entries.

BACKGROUND:

The City of Marina Municipal Improvements On-Call Contract 2020 was successfully used to expedite the delivery of various City projects and expired on November 18, 2022.

Currently the City does not have an on-call contract for municipal improvements to help expedite the execution of the Citywide Street Repair Program and other related projects.

This on-call contract is similar to a job order contract, which will augment the City staff, and provide a readily available work force to repair existing City's infrastructures, conduct emergency repairs and new construction, as the City deems appropriate for roadways, storm drain system, streetlights, and other related work.

The Bid Schedule includes a Base Bid to establish unit prices for various construction items, an Additive Bid 1, General Construction, to establish a percentage for cost of bonds, insurance mobilization and demobilization, environmental pollution prevention etc. and Additive Bid 2, Premium Labor, to establish percentage for labor cost for holidays and outside normal working hours as defined in the Specifications. The Grand Total Bid is the sum of the base bid, additive bids 1 and 2 and was used as the basis for determining the lowest responsive bid.

The bid schedule is used to capture the unit prices and percentages that will be used for estimating and issuing work orders.

At the regular meeting of October 6, 2022, the City Council adopted Resolution 2022-117 approving advertising and call for bids for the City of Marina Municipal Improvement On-Call Contract 2023.

A Notice to Bidders was sent to various Builders Exchanges, several local contractors and was posted on the Ebidboard. Follow up phone calls to all contractors that were on the bidder's list was done to ensure receipt of invitation to bid and addendum.

ANALYSIS:

On May 9, 2023, two sealed bids were received, opened, and publicly read in person and via live video feed for the City of Marina Municipal Improvements On-Call Contract 2023.

Following is the bid summary:

Name of Company and Address	Base Bid (BB)	Additive Bid 1 (AB 1)	Additive Bid 2 (AB 2)	Grand Total Bid (BB + AB 1 & 2)
Monterey Peninsula Engineering Marina, CA	\$475,617.00	\$47,561.70 (10%)	\$28,537.02 (6%)	\$551,715.72
Don Chapin Company, Inc. Salinas, CA	\$447,255.92	\$67,088.39 (15%)	\$67,088.39 (15%)	\$581,432.70

The Engineer's estimate includes a Base Bid of \$409,663.90 and Additive Bids 1 and 2 of \$40,966.39 (10% of the base bid) and \$ 61,449.59 (15% of the base bid), respectively, for a Total bid of \$512,079.88.

The two bids received were both responsive and after reviewing the bids, Monterey Peninsula Engineering, of Marina, California is deemed to be the lowest, responsive, and responsible bid. The Monterey Peninsula Engineering is a local company and has worked on and successfully completed City projects in the past. Staff experience working with Monterey Peninsula Engineering is favorable and the company's work quality is acceptable.

Having the on-call contract will help the City quickly respond to construction emergencies and provide the ability to deliver smaller projects on time with staff time savings and possible cost savings.

FISCAL IMPACT:

The awarding of the proposed construction contract does not have a fiscal impact and no minimum annual dollar value of work is guaranteed by the City.

The construction contract with Monterey Peninsula Engineering will be awarded for a term of one (1) year with a not to exceed annual funding limit of \$1,000,000. The agreement will include an option for an additional one (1) year extension with a not to exceed annual funding limit of \$1,000,000. The total term of this agreement will not exceed two (2) years. The amount of work to be requested during the 1st year or optional 2nd year contract period cannot be well defined at the outset. Work shall be issued through Work Orders.

Work orders issued under this contract will be funded by the respective approved Capital Improvement Project funding and appropriate maintenance account. In the case of emergency repairs, staff will bring a budget appropriation recommendation to the City Council for approval.

California Environmental Quality Act (CEQA)

The awarding of construction contract for the City of Marina Municipal Improvements on Call Contract 2020 is Categorical Exemptions under CEQA guidelines §15300.1.

Each project that will be issued under the City of Marina Municipal Improvements on Call Contract 2023 will require a CEQA determination and shall comply accordingly.

CONCLUSION:

This request is submitted for City Council consideration and possible action.

Respectfully submitted,

Elvira Morla-Camacho, P.E., QSD
Project Management Services
Wallace Group

REVIEWED/CONCUR:

Brian McMinn, P.E., P.L.S.
Public Works Director/City Engineer
City of Marina

Layne P. Long
City Manager
City of Marina