TO: Mayor and City Council

FROM: Michael L. Wolfe, P.E., Public Works Director/City Engineer

AGENDA DATE: November 17, 2020

TITLE: AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO BOGH ENGINEERING, INC. FOR THE JUAN BAUTISTA DE ANZA MULTI-USE TRAIL GAP CLOSURE, PROJECT NO. 801 0077

RECOMMENDED ACTION

Recommendations:

1. Award a construction contract to Bogh Engineering, Inc., 401 W. 4TH Street, Beaumont, CA 92223, for the Juan Bautista De Anza Multi-Use Trail Gap Closure project and authorize the City Manager to execute a contract with Bogh Engineering, Inc. in the amount of $2,548,507.25;

2. Authorize the issuance of a Purchase Order to Bogh Engineering, Inc., in the amount of $2,803,357.98 ($2,548,507.25 bid amount plus a 10% contingency) when the contract has been signed by all parties;

3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to Bogh Engineering, Inc. contract, but not exceeding the total contingency of $254,850.73, subject to the approval of the City Attorney; and

4. Authorize a budget adjustment as set forth in the Fiscal Impact section of this report to provide sufficient budget to complete the project funded by a combination of Active Transportation Program ATP 3 Funds (Fund 2301), Gas Tax Funds (2000) and PCS Capital Project Funds (3015).

SUMMARY

This report recommends approval of a contract with Bogh Engineering, Inc. for the construction of the Juan Bautista De Anza Multi-Use Trail Gap Closure project. This project is funded by a combination of Active Transportation Program ATP 3 Grant Funds...
DISCUSSION

The Active Transportation Program (ATP) was created by California Senate Bill 99 (Chapter 359, Statutes of 2013) and California Assembly Bill 101 (Chapter 354, Statutes of 2013) to encourage increased use of active modes of transportation, such as biking and walking. Eligible projects for ATP grant funding include pedestrian facilities, traffic control devices, bicycle facilities, and recreational trails. The City submitted an application for ATP grant Cycle 3 under the Senate Bill 1 Augmentation in October 2017 for the Juan Bautista De Anza Multi-Use Trail Gap Closure project and was awarded the ATP grant funds.

At the February 20, 2018 City Council meeting, the Council accepted the ATP Cycle 3 grant and authorized the appropriation of a total grant amount of $2,849,000 as revenue and expense in the Capital Projects Grants fund (Fund 2301) for the project. The project includes the design, right of way acquisition, and construction of a two-mile segment of the Juan Bautista De Anza Multi-Use Trail from El Potrero Park to Lake Perris State Recreation Area. This segment will close a gap in the southern portion of the trail and expanding connectivity to Rancho Verde High School and the existing multi-use trail surrounding Lake Perris.

The project was advertised for construction bids on August 26, 2020 and formal bidding procedures were followed in conformance with the Public Contract Code. Eleven (11) bids were received via the electronic bid management system, PlanetBids, on October 05, 2020 as follows:

<table>
<thead>
<tr>
<th>CONTRACTORS</th>
<th>Base Bid + Additive Alt. Bids</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Bogh Engineering, Inc.</td>
<td>$2,670,064.91</td>
</tr>
<tr>
<td>2. CALIBA, Inc.</td>
<td>$2,688,338.00</td>
</tr>
<tr>
<td>3. Los Angeles Engineering, Inc.</td>
<td>$3,113,814.00</td>
</tr>
<tr>
<td>4. Leonida Builders, Inc.</td>
<td>$3,175,740.00</td>
</tr>
<tr>
<td>5. C.S. Legacy Construction, Inc.</td>
<td>$3,256,852.26</td>
</tr>
<tr>
<td>6. Mamco, Inc. dba Alabbasi</td>
<td>$3,397,777.00</td>
</tr>
<tr>
<td>7. Nationwide Contracting Services, Inc.</td>
<td>$3,487,868.22</td>
</tr>
<tr>
<td>8. Roadway Engineering &amp; Contracting, Inc.</td>
<td>$3,574,139.60</td>
</tr>
<tr>
<td>9. Powell Constructors, Inc.</td>
<td>$3,689,928.00</td>
</tr>
<tr>
<td>10. Riverside Construction Company, Inc.</td>
<td>$3,754,910.00</td>
</tr>
<tr>
<td>11. H&amp;H General Contractors, Inc.</td>
<td>$3,870,923.35</td>
</tr>
</tbody>
</table>

The lowest responsible bidder was determined by comparing the cumulative total for all base bid and additive alternate bid items as stipulated in the bidding documents. Staff has reviewed the bid by Bogh Engineering, Inc. and finds it to be the lowest responsive and responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Bogh Engineering, Inc. in their bid. Due to limited available budget, staff recommends awarding a contract with the base bid and Alternate bids 1, 3 & 4 which is to construct DG path, reconstruct
the Vista Point with concrete pavement and construct a Pedestrian Traffic Signal on Lasselle Street.

A contingency of 10% of the bid amount ($254,850.73) is recommended to account for any changed field condition that may have occurred during the period between the completion of the engineering design work and construction start. The contingency is also recommended to allow rapid response to avoid unnecessary construction delays that typically result in contractor change orders from unforeseen circumstances encountered during construction.

The Planning Division of the Community Development Department determined that this project is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301(c) as a Class 1 (Existing Facilities), Article 19, commencing with Section 15300.

Approval of the recommended actions will support Initiative 4.6.1 of the Momentum MoVal Strategic Plan: “Complete the Juan Bautista De Anza Regional Trail”.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. This alternative, as recommended by staff, allows the timely construction of the Juan Bautista De Anza Multi-Use Trail Gap Closure project without losing approximate $2.5 million of ATP 3 funding.

2. Do not approve and authorize the recommended actions as presented in this staff report. Staff does not recommend this alternative as it will delay the construction of needed improvements and may result in losing ATP 3 funding.

FISCAL IMPACT

This project is primarily funded by the Active Transportation Program ATP 3 Grant Funds (2301). A small amount of Gas Tax Funds (2000) is included for transportation eligible improvements (i.e. improvements within the City’s right-of-way). Additionally, eligible PCS Capital Project Funds (3015) are being proposed to allow for sufficient funding to complete the project and avoid losing the remaining ATP funds of $2,574,000.

Gas Tax Funds 2000 is utilized to construct the access ramps in compliance with Americans with Disabilities Act (ADA). The PCS Capital Project funds are a group of funds used to account for the restricted fees collected to provide funding for capital improvement related to the impact of development on various City services. The City collects fees from Developers that can be used for park improvement projects only.

The ATP grant will provide for reimbursement of up to $2,574,000 for construction phases of the project. Per the original grant application, the City will provide $300,000 in matching funds, in the form of in-kind services, which are required as part of the project. The in-kind services include dedication of right of way from the Val Verde Unified School District.
ATP funds can only be used for Active Transportation Projects. There is no impact to the General Fund.

<table>
<thead>
<tr>
<th>Category</th>
<th>Fund</th>
<th>GL Account Project Number</th>
<th>Type</th>
<th>FY 20/21 Budget</th>
<th>Proposed Adjustments</th>
<th>FY 20/21 Amended Budget</th>
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<tr>
<td>CIP</td>
<td>DIF – Park Improvements (2905)</td>
<td>2905-99-95-92905-903015</td>
<td>EXP</td>
<td>$30,000</td>
<td>$350,000</td>
<td>$380,000</td>
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<tr>
<td>CIP</td>
<td>PCS Capital Proj (3015)</td>
<td>3015-99-99-93015-802905</td>
<td>REV</td>
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<td>$380,000</td>
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<tr>
<td>CIP</td>
<td>PCS Capital Proj – Park Improvmts (3015)</td>
<td>3015-50-57-80001-720199 801 0077-3015-99</td>
<td>EXP</td>
<td>$0</td>
<td>$350,000</td>
<td>$350,000</td>
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</tbody>
</table>

PROJECT BUDGET:
Capital Projects Grants (Fund 2301)
(Acct No. 2301-70-77-80001-720199) (Proj No. 801 0077-2301-99)……………… $2,574,000
State Gas Tax (Fund 2000)
(Acct No. 2000-70-77-80001-720199) (Proj No. 801 0008 70 77-2000-99)…………$50,000
PCS Capital Project Park Improvements (Fund 3015)
(Acct No. 3015-50-57-80001-720199) (Proj No. 801 0077-3015-99)…………….. $350,000
Total…………………………………………………………………………...…...$2,974,000

ESTIMATED PROJECT COSTS:
Construction (including 10% contingency)………………………………………………………… $2,803,357.98
Construction Material Testing and Geotechnical Services ………………………………. $40,000
Construction Survey Services …………………………………………………………… $40,000
Project Administration and General Inspection*…………………………………….. $50,000
Total……………………………………………………………………………………………………. $2,933,357.98
*Project administration and inspection will be provided by City staff

ANTICIPATED PROJECT SCHEDULE:
Construction is anticipated to begin in early calendar year 2021 once all pre-construction documentation and information is provided by the contractor and approved by the City. The project is anticipated to be completed in Fall 2021, barring any weather or unforeseen site condition delays.

NOTIFICATION
Prior to construction, all utilities, adjacent property owners, business owners, law enforcement, fire department, and other emergency services responders in the area will be notified in a timely manner of the proposed construction.

PREPARATION OF STAFF REPORT
CITY COUNCIL GOALS

Public Safety. Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous material incidents, and provide protection for citizens who live, work and visit the City of Moreno Valley.

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

Community Image, Neighborhood Pride and Cleanliness. Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

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ATTACHMENTS  
Location Map  

APPROVALS