



Agenda Item # _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Aldinger and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Jim Arndt, Director of Public Works
Dana Greenwood, City Engineer

DATE: September 4, 2007

SUBJECT: Award a Contract (\$29,800.00) for the Herrin Street Repair Project to Newtech Engineering & Construction, Inc.; Authorize Staff to Retain Services for Inspection and Material Testing (not to exceed \$6,000); and Approve an Appropriation of \$38,800 from Gas Tax Fund Reserves

RECOMMENDATION:

Staff recommends that the City Council pass a motion to:

- a) Award a contract for the Herrin Street Repair Project to Newtech Engineering & Construction, Inc. in the net amount of \$29,800.00.
- b) Authorize staff to retain services for inspection and material testing for a fee not to exceed \$6,000.
- c) Authorize the Director of Public Works to approve any necessary change order work up to \$3,000.
- d) Approve an appropriation of \$38,800 from Gas Tax Fund Reserves.

FISCAL IMPLICATION:

This work is not included in the current fiscal year's Capital Improvement Program. It is recommended that \$38,800 be appropriated from Gas Tax Fund Reserves to fund the contract, inspection/material testing, and possible change order work. Upon completion, the resident at 1560 Second Street will be billed.

BACKGROUND:

On October 31, 2006, the City issued a permit that would have allowed the resident at 1560 Second Street to reconstruct a portion of the curb and gutter on the west side of Herrin Avenue (between 1st Street and 2nd Street). The work authorized by the permit also included the

necessary reconstruction of the street surface to provide a smooth transition to the new curb and gutter elevations.

As of February 27, 2007, the work had not been completed. The new curb and gutter had been constructed, but the asphalt work had not been done. Staff noted that the situation with the gap in the pavement adjacent to the new curb and gutter constituted an unsafe condition for the general public. Furthermore, the street could be undermined if the situation is not corrected before the next rainy season.

A letter (dated February 27, 2007) was sent to inform the resident that the City could not allow this condition to continue indefinitely and that the City expected the work authorized by the permit to be completed in a timely manner. Furthermore, the letter went on to state that if the work was not completed within thirty (30) days from the date of the letter, the City would have to step in and complete and work on the residents' behalf. The City would then bill the resident for the cost to complete this work.

Numerous subsequent attempts were made to have the resident complete the work:

DATE	ACTION
March 21, 2007	A follow-up letter was sent by our City Attorney.
June 18, 2007	A field meeting was held with the resident and their legal representative.
June 18, 2007	The names of seven paving contractors capable of doing the work was faxed to their legal representative.
June 19, 2007	A follow-up letter was sent to their legal representative.
July 17, 2007	A voice message was left with their legal representative.
July 18, 2007	An e-mail was sent to their legal representative.
August 17, 2007	A letter was sent to the resident and their legal representative advising them that staff would be recommending award of a contract at the September 4, 2007 Council meeting.

DISCUSSION:

Bid Proposals

This project was advertised for bids in five construction industry publications. Subsequently, plans and specifications were provided to 27 contractors, subcontractors and material suppliers. A total of six competitive bids were received and opened on August 15, 2007. The bids ranged from the low bid of \$29,800.00 by Newtech Engineering & Construction, Inc., to the highest bid of \$43,000. Newtech Engineering & Construction, Inc.'s bid was reviewed by the Public Works Department and found to be responsive and in conformance with prevailing construction prices.

Representatives of agencies where work has been performed by Newtech Engineering & Construction, Inc. have indicated that the construction work performed was to their satisfaction. The project was discussed with a representative of the firm and he expressed confidence in his bid and a desire to perform the work.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA) of 1970, this project is Categorically Exempt (Section 15301, Class 1(c)). A Notice of Exemption has been filed with the County Clerk's office.

Change Order Authority

With projects of this type, existing pavement thicknesses can vary, giving rise to additional sawcutting and demolition costs. Staff is recommending authorizing the Director of Public Works to approve any necessary change orders that could arise (up to \$3,000) to expedite completion of the work and to avoid potential delay claims.

Construction Inspection and Material Testing

At the present time, there are inadequate staffing resources available to provide proper inspection for this work. Staff is therefore recommending retaining the services of a contract inspector to be billed on an hourly basis. Also, staff does not have the necessary certifications or experience to do the material testing. Staff is also recommending that this work be contracted out on a time and material basis. Both services would be provided for a fee not-to-exceed \$6,000.

Attachment: GIS Map

xc: Robert V. Wadden, Jr., City Attorney
Henry Mitzner, Controller
Juan Price, Maintenance Superintendent



CITY OF MANHATTAN BEACH

HERRIN STREET REPAIR PROJECT

