

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Patrick Thomas, Director of Public Works/City Engineer

DATE: July 9, 2024

SUBJECT: Award Construction Contract to Martin Marietta San Diego Aggregates LLC dba ATP General Engineering Contractors, for the Rainbow Canyon Road Pavement Rehabilitation Project, PW22-15

PREPARED BY: Nino Abad, Senior Civil Engineer
Kellen Freeman, Assistant Engineer

RECOMMENDATION: That the City Council:

1. Award a construction contract to Martin Marietta San Diego Aggregates LLC dba ATP General Engineering Contractors, in the amount of \$1,923,009.35, for Rainbow Canyon Road Pavement Rehabilitation Project, PW22-15; and
2. Authorize the City Manager to approve construction contract change orders up to \$252,300.94, which is 13% of the contract amount; and
3. Make a finding that Rainbow Canyon Road Pavement Rehabilitation Project, PW22-15, is exempt from Multiple Species Habitat Conservation Plan fees.

BACKGROUND: On April 23, 2024, the City Council approved the contract documents and authorized the Department of Public Works to solicit construction bids for the Rainbow Canyon Road Pavement Rehabilitation Project, PW22-15. On March 26, 2024 the City filed a Notice of Exemption with the County Clerk and Records Office.

This project will rehabilitate approximately 53,000 square yards (477,000 square feet) of roadway on Rainbow Canyon Road from the intersection of Rainbow Canyon Road and Pechanga Parkway to the southern City Limits. The roadway rehabilitation will consist of cold milling 0.1' (1.2") of the existing pavement followed by a 0.1' (1.2") leveling course followed by Asphalt Rubber and Aggregate Membrane (ARAM) chip seal topped with 0.1' (1.2") of Asphalt Rubber Hot Mix (ARHM). Removal of existing pavement delineation, restriping, and replacement of existing curb ramps with ADA compliant curb ramps are also included.

The construction contract was publicly advertised between May 9 and June 6, 2024. Four (4) bids were received and publicly opened on June 6, 2024. Staff has reviewed and analyzed the bids. The results are as follows:

	Contractor	Bid Amount
1	Martin Marietta San Diego Aggregates LLC dba ATP General Engineering Contractors	\$1,923,009.35
2	Hardy & Harper, Inc.	\$1,935,000.00
3	All American Asphalt	\$1,975,579.10
4	R.J. Noble Company	\$2,192,383.70

After analysis of bids, and waiving minor bid irregularities, it has been determined that ATP General Engineering Contractors is the lowest responsive and responsible bidder.

The Engineer's Construction Cost Estimate was \$1,800,000. The project specifications allow for 60 working days (approximately 3 months) to complete the work.

In April of 2022 the County of Riverside (County) opened bids for pavement rehabilitation on Rainbow Canyon Road. The County's pavement rehabilitation project spanned approximately 5000 feet from Rainbow Valley Boulevard to just south of the City limits. After discussion with the County, it was discovered that the County ended their pavement rehabilitation short of their border with the City. The \$252,300.94 contingency amount includes money for the contractor to rehabilitate the portion of Rainbow Canyon Road that the County omitted from their rehabilitation project plus 10% of the base contract amount. The County will reimburse the City for the cost of the pavement rehabilitation segment in the County's right of way.

The Multiple Species Habitat Conservation Plan (MSHCP) is an element of the Riverside County Integrated Project (RCIP) to conserve open space, nature preserves and wildlife to be set aside in some areas. It is designed to protect over 150 species and conserve over 500,000 acres in Western Riverside County. The City of Temecula is a permittee to the MSHCP and as such is required to abide by the Regional Conservation Authority's (RCA) MSHCP Mitigation Fee Implementation Manual adopted by Resolution 2020-013 on December 7, 2020. The RCA is a joint regional authority formed by the County and the Cities to provide primary policy direction for implementation of the MSHCP.

Since July 1, 2008, the RCA has required that locally funded Capital Improvement Projects contribute applicable MSHCP fees within 90-days of construction contract award. Fees outside the public right of way are calculated on a cost per acre of disturbed area basis, while fees for typical right-of-way improvements projects are 5% of construction costs. Maintenance projects such as this project are exempt from the MSHCP.

FISCAL IMPACT: Rainbow Canyon Road Pavement Rehabilitation Project, PW22-15 is identified in the City's Capital Improvement Program (CIP) budget for Fiscal Years 2025-2029 and is funded with Measure S funds and Pechanga Intergovernmental Agreement reimbursement funds. There are adequate funds to cover the contract amount of \$1,923,009.35 plus the 13% contingency of \$252,300.94 for a total encumbrance of \$2,175,310.29.

ATTACHMENTS:

1. Contract
2. Project Description
3. Project Location Map