

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

FROM: Ron Moreno, Director of Public Works/City Engineer

DATE: September 10, 2024

SUBJECT: Award Construction Contract to BWW & Company, Inc. for the Sidewalks – Citywide, Ynez Road (Rancho Highland Drive to Tierra Vista Road), PW17-28

PREPARED BY: Nino Abad, Senior Civil Engineer
Chris White, Associate Engineer II

RECOMMENDATION: That the City Council:

1. Award a Construction Contract to BWW & Company, Inc. in the amount of \$279,813 for the Sidewalks – Citywide, Ynez Road (Rancho Highland Drive to Tierra Vista Road); and
2. Authorize the City Manager to approve change orders not to exceed the contingency amount of \$83,944, which is equal to 30% of the Contract amount; and
3. Approve a budget transfer of \$77,393 in Measure S funds from the Sidewalks – Third Street Project, PW23-03 to the Sidewalks – Citywide, PWSW-02, and
4. Make a finding that the Sidewalks – Citywide, Ynez Road (Rancho Highland Drive to Tierra Vista Road), PW17-28 is exempt from Multiple Species Habitat Conservation Plan fees.

BACKGROUND: On May 24, 2022, the City Council approved the project plans and specifications and authorized the Department of Public Works to solicit construction bids for the Sidewalks – Citywide, Ynez Road (Rancho Highland Drive to Tierra Vista Road), PW17-28.

The Sidewalks – Citywide, Ynez Road (Rancho Highland Drive to Tierra Vista Road) will provide for construction of new sidewalk on the west side of Ynez Road, ADA-compliant access ramps, traffic signal modification, landscaping and irrigation removal and replacement, utility relocation and adjustments, and minor drainage facilities upgrades.

The construction contract was publicly advertised for bids and on August 13, 2024, five bids were electronically opened and publicly posted on the City’s online bidding service, PlanetBids.

The results were as follows:

	Contractor	Bid Amount
1.	BWW & Company, Inc.	\$279,813.00
2.	Tryco General Engineering	\$347,082.00
3.	Onyx Paving Company, Inc.	\$373,000.00
4.	Aster Construction Services, Inc.	\$453,123.00
5.	Gentry General Engineering, Inc.	\$651,156.00

Staff has completed its analysis of the submitted bids and found that BWW & Company, Inc. of Grand Terrace, California to be the lowest responsive and responsible bidder. BWW & Company, Inc. has public contracting experience and has successfully completed similar projects for various public agencies.

The Engineer's estimate for the project was \$197,000. The specifications allow for forty-five (45) working days for construction, which is approximately two months.

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) Fee Remittance and Collection Policy adopted by Resolution 07-04 on September 10, 2007. The RCA is a joint regional authority formed by the County and the Cities to provide primary policy direction for implementation of the MSHCP.

Beginning July 1, 2008, the RCA started requiring 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 five percent of construction costs. This project is exempt from MSHCP fees as it is not located within a MSCHP cell.

FISCAL IMPACT: The Sidewalks – Citywide, Ynez Road (Rancho Highland Drive to Tierra Vista Road) is included in the City's Capital Improvement Program (CIP) Fiscal Years 2025-29 and is funded with Measure S and General Fund. With the budget transfer of \$77,393 in Measure S funds from PW23-03 to this project, adequate funds are available for the contract amount of \$279,813, plus a 30% contingency amount of \$83,944 for a total encumbrance of \$363,757.

ATTACHMENTS:

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