

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

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

DATE: February 14, 2023

SUBJECT: Award Construction Contract to LDCo, Inc. for the Mary Phillips Senior Center Enhancement and Renovation, PW20-13

PREPARED BY: Avlin R. Odviar, Principal Civil Engineer
William Becerra, Associate Engineer II

RECOMMENDATION: That the City Council:

1. Award a construction contract to LDCo, Inc., in the amount of \$1,286,000, for the Mary Phillips Senior Center Enhancement and Renovation, PW20-13; and
2. Authorize the City Manager to approve contract change orders up to 25% of the contract amount, \$321,500; and
3. Make a finding that the Mary Phillips Senior Center Enhancement and Renovation, PW20-13 project is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

BACKGROUND: On June 14, 2022, City Council approved the plans and specifications and authorized the Department of Public Works to solicit construction bids for Mary Phillips Senior Center Enhancement and Renovation, PW20-13.

The Mary Phillips Senior Center Enhancement and Renovation is an infrastructure project that will update and enhance the appearance, improve safety, and extend the life of the facility. The Project exterior scope includes removal, disposal, and installation of roof, siding, soffit, fascia, trim, doors, and windows. Interior scope includes replacement lighting, acoustics, trim, bookcase, and finishes. Accessibility improvements will be brought up to current standards throughout the building interior and site.

The construction contract was publicly advertised between June 21 and August 4, 2022. Four (4) bids were received and publicly opened on Thursday, August 4, 2022. On September 13, 2022, the City Council rejected all bids and authorized the Department of Public Works to re-advertise the construction contract. The construction contract was then readvertised publicly between

December 16, 2022, and January 19, 2023. Three (3) bids were received and publicly opened on Thursday, January 19, 2023.

The results were as follows:

Rank	Bidder	Bid Amount
1.	LDCo, Inc.	\$ 1,286,000
2.	Armstrong Cal Builders, Inc.	Non-Responsive
3.	Pre Con Industries, Inc.	Non-Responsive

The bid submitted by Armstrong Cal Builders, Inc. did not include the Bidder's Agreement, which is required to be submitted with the bid packet. Pre Con Industries, Inc. failed to meet the self-performance requirement of at least 50% of the contract work. The construction contract, specifically Section 3-2 Self Performance of the Standard Specifications for Public Works Construction, requires that the contractor self-perform at least 50% of the contract work.

LDCo, Inc., of San Diego, California is the lowest responsible bidder. LDCo, Inc. has public contracting experience and has successfully completed similar public projects. Staff has received a bid evaluation memorandum from the City's CDBG consultant which verifies that LDCo, Inc. bid submittal meets CDBG requirements.

The Engineer's Estimate of construction cost was \$772,000. The construction contract allows for 100 working days (approximately 5 months) to construct the Project.

The Mary Phillips Senior Center facility has never received enhancement and renovation such as the ones being proposed. Renovation projects of older facilities more often than not uncover additional deficiencies during construction that would need to be remedied. As such, staff is requesting the approval of a 25% contingency instead of the standard 10%. Any unused portion of this contingency will be returned to the fund source it was appropriated from after the construction completion.

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 only projects, such as this project, are exempt from MSHCP fees.

FISCAL IMPACT: The Mary Phillips Senior Center Enhancement and Renovation project is included in the City's Capital Improvement Program (CIP) Budget Fiscal Years 2023-27. The sources of funds include DIF – Park & Recreation, DIF – Quimby, and Measure S. The City Council meeting agenda for tonight's meeting include a transfer of \$1,025,000 from one or more existing projects as part of the CIP Budget Midyear adjustment. With the transfer of the additional \$1,025,000 to this project, adequate funds will be available in the project account to cover the contract amount of \$1,286,000 plus the 25% contingency amount of \$321,500 for a total encumbrance of \$1,607,500.00.

ATTACHMENTS:

1. Contract
2. CIP Budget Sheet