

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

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

DATE: October 11, 2022

SUBJECT: Appropriate Funding and Award a Construction Contract to All American Asphalt for the Pavement Rehabilitation Program – Citywide, Ynez Road, Solana Way, Nicolas Road and Winchester Road Project, PW21-10

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

RECOMMENDATION: That the City Council:

1. Appropriate \$3,600,000 from the Street Maintenance Fund to be transferred to Fund 210 – Capital Improvement Program for the aforementioned project; and
2. Award a Construction Contract to All American Asphalt in the amount of \$3,629,219 for the Pavement Rehabilitation Program - Citywide, Ynez Road, Solana Way, Nicolas Road and Winchester Road Project, PW21-10; and
3. Authorize the City Manager to approve construction change orders up to \$362,921.90, which is equal to 10% of the Contract amount; and
4. Make a finding that the Pavement Rehabilitation Program - Citywide, Ynez Road, Solana Way, Nicolas Road and Winchester Road Project, PW21-10 is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

BACKGROUND: On February 8, 2022, the City Council approved the plans and specifications, and authorized the Department of Public Works to solicit construction bids for the Pavement Rehabilitation Program – Citywide, Ynez Road, Solana Way, Nicolas Road and Winchester Road Project, PW21-10.

Work will generally consist of full width and/or edge grinding of existing asphalt, localized dig outs, preparation of grade, and placement of rubberized asphalt concrete pavement. Work also includes reconstruction of ADA curb ramps, removal and replacement of curb and gutter, adjustment of existing utilities to grade, installation and removal of temporary video detection and restoration of existing striping, and detector loops.

The construction contract was publicly advertised for bids and on Tuesday, July 12, 2022, five bids were electronically opened and publicly posted on the City’s online bidding service, PlanetBids.

The results are as follows:

Rank	Bidder	Amount
1.	All American Asphalt	\$3,629,219.00
2.	RJ Noble Company	\$3,655,572.07
3.	Eagle Paving Company	\$3,990,640.00
4.	ATP General Engineering	\$4,095,051.85
5.	Hardy & Harper	\$4,670,000.00

Staff has completed its analysis of the submitted bids and found that All American Asphalt of Corona, California to be the lowest responsive and responsible bidder. All American Asphalt has public contracting experience and has successfully completed similar projects for various public agencies, including the City of Temecula.

Section 13 of the Instruction to Bidders in the project specifications, BIDS TO BE LEFT ON DEPOSIT, states “Unless otherwise required by law, no bid, nor any part thereof, may be withdrawn by the bidder for a period of 90 calendar days after the opening of the bids.” If approved by the City Council, award and execution of this contract would occur more than 90 calendar days after the bid opening date. All American Asphalt has confirmed they will honor the bid and the prices even though award and execution of this contract will take place more than 90 calendar days after the bid opening.

The Engineer’s Estimate for the project was \$2,628,600. The project specifications allow for 60 working days (approximately three months) to complete the work.

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.

Beginning July 1, 2008, the RCA requires 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. Maintenance only projects, such as this project, are exempt from MSHCP fees.

FISCAL IMPACT: The Pavement Rehabilitation Program – Citywide, Ynez Road, Solana Way, Nicolas Road and Winchester Road Project, PW21-10 is a component of the Pavement Rehabilitation Program – Citywide which is identified in the City’s Capital Improvement Program (CIP) budget for Fiscal Years 2023-2027, and funded with Measure A and Road Repair and Accountability Act (RMRA) funds. In order to fund this project, a transfer of \$3,600,000 from the Street Maintenance Fund is necessary. With this transfer adequate funds will be available to cover the Contract amount of \$3,629,219, plus the 10% contingency of \$362,921.90, for a total encumbrance of \$3,992,140.90.

- ATTACHMENTS:**
1. Contract
 2. Project Description
 3. Project Locations