

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

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

DATE: May 14, 2019

SUBJECT: Award a Construction Contract to Hardy and Harper for the Pavement Rehabilitation Program – Citywide, Meadowview Loop, PW18-10

PREPARED BY: Avlin Odviar, Senior Civil Engineer
Nino Abad, Associate Civil Engineer

RECOMMENDATION: That the City Council:

1. Award a Construction Contract to Hardy and Harper, Inc. in the amount of \$1,338,769.00, for the Pavement Rehabilitation Program – Citywide, Meadowview Loop, PW18-10;
2. Authorize the City Manager to approve change orders not to exceed the contingency amount of \$267,753.80, which is equal to 20% of the Contract amount;
3. Make a finding that the Pavement Rehabilitation Program – Citywide, Meadowview Loop, PW18-10 is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

BACKGROUND: The project consists of pavement rehabilitation of the Meadowview Loop which is composed of Via Norte and Del Rey Road. Avenida Barca from Del Rey Road to Margarita Road is also included in the project. The pavement rehabilitation will generally consist of approximately 106,000 square yards of asphalt concrete leveling course followed by a chip seal using Asphalt Rubber and Aggregate Membrane (ARAM) and a final surface cap of rubberized type II slurry. The project also includes restriping along with as needed removal and replacement of asphalt or concrete curb and gutter.

On February 12, 2019, the City Council approved the specifications and authorized the Department of Public Works to solicit construction bids. The construction contract was publicly advertised between March 21, 2019 and April 18, 2019. On Thursday, April 18, 2019 four bids were electronically opened and publicly posted on the City's online bidding service, PlanetBids.

The results were as follows:

	<u>Contractor</u>	<u>Bid Amount</u>
1.	Hardy and Harper	\$1,338,769.00
2.	All American Asphalt	\$1,375,772.45
3.	Hazard Construction	\$1,469,310.00
*	R.J. Noble Company	Non-responsive

* Bid deemed non-responsive for not self-performing at least 50% of the work.

Staff has completed its analysis of the submitted bids. All bidders were required to designate who the ARAM subcontractor is for the project and provide both a prior project sheet and permission to operate (PTO) for their designated subcontractor. All bidders proposed the same subcontractor. Staff was able to independently verify that the subcontractor proposed by all bidders has a valid PTO. In addition, all bidders submitted a project list demonstrating competency with this work. Therefore, staff recommends awarding the construction contractor to the lowest bidder, Hardy and Harper.

Hardy and Harper has successfully completed similar projects for various public agencies including the City of Temecula. The Engineer's estimate for the project was \$1,600,000. The specifications allow for one hundred (100) working days for construction, which is approximately 5 months.

The project is Categorically Exempt under the California Environmental Quality Act (CEQA). The Notice of Determination was filed with the County of Riverside on March 5, 2019, in compliance with the provisions of Section 21152 of the Public Resource Code.

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 will require 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, Meadowview Loop Project is included in the Fiscal Year 2019-23 Capital Improvement Program budget. Sufficient funds are available in the project account to cover the construction cost plus the

requested contingency which totals \$1,606,522.80.

ATTACHMENTS:

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