

**CITY OF TEMECULA
AGENDA REPORT**

TO: City Manager/City Council

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

DATE: September 14, 2021

SUBJECT: Award Construction Contract to JFL Electric, Inc., for Fiber Optic Communication System Upgrade, PW18-05

PREPARED BY: Nick Minicilli, Senior Civil Engineer
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RECOMMENDATION: That the City Council:

1. Award a construction contract to JFL Electric, Inc., in the amount of \$690,340.50, for the Fiber Optic Communication System Upgrade, PW18-05; and
2. Authorize the City Manager to approve change orders not to exceed the contingency amount of \$69,034.05, which is equal to 10% of the contract amount; and
3. Make a finding that the Fiber Optic Communication System Upgrade, PW18-05, is exempt from Multiple Species Habitat Conservation Plan (MSHCP) fees.

BACKGROUND: In April 2015, the Caltrans Division of Local Assistance announced the Cycle 7 Call for Projects for the 2015 Highway Safety Improvement Program (HSIP). On July 28, 2015, the City Council approved Resolution 15-43 approving the filing of the project application for Highway Safety Improvement Program (HSIP) Cycle 7 funding through Caltrans, Division of Local Assistance. The purpose of adopting the resolution was to approve the filing of the project application, accept the terms of the grant agreement, and appoint the Director of Public Works/City Engineer to conduct all negotiations, execute and submit all documents including, but not limited to, applications, agreements, amendments and payment requests which may be necessary for the completion of the aforementioned process.

On July 31, 2015, the City of Temecula submitted a project application in response to the Call for Projects for the Highway Safety Improvement Program (HSIP) Cycle 7 funding. On December 2, 2015, grant awards were announced to include the City of Temecula as an award recipient of HSIP Cycle 7 funding, in the amount of \$1,208,200, for the Fiber Optic Communication System Upgrade Project.

On March 9, 2021 the City Council approved the plans and specifications and authorized the Department of Public Works to solicit construction bids and made a finding of CEQA exemption for the Fiber Optic Communication System Upgrade project, PW18-05.

The Fiber Optic Communication System Upgrade project will install fiber optic communication system upgrades including conduits, cables, closed circuit television (CCTV) cameras, traffic signal controllers, and related communication equipment to improve safety and operations with optimized traffic signal timing coordination. Various signalized intersections will be improved along the Winchester Road, Rancho California, and Temecula Parkway corridors.

The construction contract was publicly advertised for bids between June 23, 2021 and July 27, 2021. On Tuesday, July 27, 2021, fourteen bids were electronically opened and publicly posted on PlanetBids. The results are as follows:

Rank	Bidder	Amount
1.	JFL Electric, Inc.	\$690,340.50
2.	Elecnor Belco Electric, Inc.	\$737,875.00
3.	Crosstown Electrical & Data, Inc.	\$794,144.50
4.	Alfaro Communications Construction, Inc.	\$869,807.50
5.	DBX, Inc.	\$919,012.00
6.	Econolite Systems	\$950,837.87
7.	Select Electric, Inc.	\$978,500.00
8.	GA Technical Services	\$997,197.50
9.	California Professional Engineering, Inc.	\$1,026,486.00
10.	HMS Construction, Inc.	\$1,250,000.00
	Baker Electric, Inc.	Non-responsive
	International Line Builder, Inc.	Non-responsive
	Ferreira Coastal Construction Company	Non-responsive
	Asplundh Construction, LLC	Non-responsive

Baker Electric, Inc, International Line Builder, Inc, Ferreira Coastal Construction Company, and Asplundh Construction, LLC. have all been deemed non-responsive because they did not provide the contract minimum 5% Disadvantaged Business Enterprise (DBE) goal nor did they provide a DBE Good Faith Effort justification.

Staff has reviewed the bid proposals and found that JFL Electric, Inc. of Los Angeles, California to be the lowest responsible bidder for this project. JFL Electric, Inc, Inc. has public contracting experience and has completed similar projects for other public agencies in Southern California.

The Engineer's Estimate for the construction contract was \$1,165,025.00 which included \$273,000 for City purchased equipment. The Specifications allow for 90 working days for construction, which is approximately four and one half 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 however, due to exponential increases in certain commodities, including specialty vehicles, to facilitate the purchase of the new vehicles the department hereby requests the appropriation of additional vehicles and equipment funds in the amount of \$76,000 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.

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. Projects funded by TUMF or Measure A are exempt from MSHCP fees as those programs contribute directly to MSHCP. The Fiber Optic Communication System Upgrade project is exempt from MSHCP fees because it is a safety project funded primarily with federal Highway Safety Improvement Program (HSIP) funds. In addition, the work to be performed will be within the existing public right of way and there is no new disturbed area.

FISCAL IMPACT: The Fiber Optic Communication System Upgrade project is identified in the City's Capital Improvement Program (CIP) Budget for Fiscal Years 2022-2026. It is funded with Highway Safety Improvement Program (HSIP) grant funding and Measure S. Adequate funds are available in the project accounts for the contract amount of \$690,340.50, plus the 10% contingency amount of \$69,034.05, for a total encumbrance of \$759,374.55.

ATTACHMENTS:

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