

FORM APPROVED COUNTY COUNSEL
 BY: M. S. Keck 2/2/10 DATE
 MARSHAL VICTOR

Departmental Concurrence

**SUBMITTAL TO THE BOARD OF DIRECTORS OF THE
 REDEVELOPMENT AGENCY
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

906



FROM: Redevelopment Agency

SUBMITTAL DATE:
 December 24, 2009

SUBJECT: Approval of the Agreement with Parkwest Construction Company for the Mecca Boys and Girls Club and approval of the Project Budget

RECOMMENDED MOTION: That the Board of Directors:

1. Waive minor irregularity by the apparent low bidder Parkwest Construction Company;
2. Accept and award the construction contract to the low bidder, Parkwest Construction Company, in the amount of \$5,066,300.00;
3. Approve the project budget of \$6,203,450;
4. Approve and authorize the Chairman to execute contract documents on behalf of the Board.

BACKGROUND: On September 15, 2009, the Board approved the plans and specifications for the Mecca Boys and Girls Club Project. A Notice Inviting Bids was published September 20th and 27th, 2009 with sealed bids due on October 29, 2009.
 (Continued on Page 2)

Robert Field

Robert Field
 Executive Director

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 3,101,725	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	NO
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2009-2010

COMPANION ITEM ON BOARD OF SUPERVISORS AGENDA: No

SOURCE OF FUNDS: Redevelopment Agency Capital Improvement Funds-Desert Communities Project Area	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
 BY: *Jennifer L. Sargent*
 Jennifer L. Sargent

County Executive Office Signature

Dep't Recomm.: Consent Policy
 Per Exec. Ofc.: Consent Policy

Reviewed by
 CIP/IF/AM
Christopher Hans
 Christopher Hans

Prev. Agn. Ref.: Item 4.1 on 9/15/09 | District: 4th | Agenda Number:

4.2

ATTACHMENTS FILED
 WITH THE CLERK OF THE BOARD

BACKGROUND: (continued)

The Clerk of the Board received 26 bids. The bid submitted by the apparent low bidder Parkwest Construction Company appears to be in appropriate form. One protest was submitted by W.L. Butler Construction. Butler raised two issues related to the listing of subcontractors. The first ground for protest was that the full address of the subcontractors was not listed. The Public Contract Code requires the name and location of the subcontractors. It has been found in an Attorney General Opinion that the full address is not required. If sufficient information is given from the identity of the subcontractor can be determined, that is sufficient. The second ground listed was a reference to specifications sections 06410, 0660, and 16721. These sections require some certifications by manufacturers, however these were not required at bid time. Therefore there is no basis for fining of non-responsiveness on this ground.

The last ground for protest was with regard to the listing of two particular subcontractors – Strang in Santee for HVAC, and BEB Wallcovering in Rancho Cucamonga for wall coverings. The listing for Strang had a license number that belonged to another company and therefore was in error. However, there was a listing for Strang in Santee on the State Contractor's License Board website with a license number that was just one digit away from the license number noted on the bid documents. Since there was sufficient information from which to identify the subcontractor, this is a minor irregularity that may be waived. This same is true of the listing for BEB Wallcovering in Rancho Cucamonda. The license number was transposed on the bid sheets. A general internet search located a BEB Wallcovering in Rancho Cucamonga from which a phone number could be obtained and an independent check made to verify the listed subcontractor.

County Counsel has determined that upon waiver of the minor irregularities, the bid may be awarded to Parkwest Construction Company as the lowest responsible bidder. Therefore RDA staff recommends that the Board waive the minor irregularities and award the contract to the lowest bidder, Parkwest Construction Company, in the amount of \$5,066,300.00 and approve the project budget as follows:

Project Budget:

Construction	\$5,066,300
Permits/Inspection/ Misc.	\$ 175,200
Utilities	\$ 350,000
County IT	\$ 71,210
Materials Testing	\$ 48,000
<u>Subtotal</u>	<u>\$5,639,500</u>
Contingency 10%	\$ 563,950
<u>Project Total</u>	<u>\$6,203,450</u>

It is anticipated that by the end of this fiscal year, approximately half of the budget will be expended on the project, and the balance will be spent in fiscal year 2010-2011. The project will be funded entirely by Redevelopment Agency Capital Improvement Funds - DCPA and will not impact County General Funds.

Attachments:

- Exhibit A - Bid Summary
- Exhibit B - Agreement Forms (3 copies)
- Exhibit C - Performance and Payment Bonds with Corresponding Power of Attorney
- Exhibit D - Certificate of Liability Insurance
- Exhibit E - Certificate of Workers' Compensation Insurance