

SUBJECT: AWARD OF CONTRACT – TRANSIT MAINTENANCE & CNG FUELING FACILITY EXPANSION PROJECT

SOURCE: Public Works Department - Engineering Division

COMMENT: On February 18, 2015, staff received three (3) bids for the Transit Maintenance & CNG Fueling Facility Expansion Project. The Base Bid includes constructing a minimum of twenty (20) new “time-fill” CNG dispenser locations for use by the City’s expanding CNG-vehicle fleet. The expansion will include connections to existing upstream CNG-supply headers, routing of new distribution headers, location and configuration of new time-fill stations, supporting electrical work for under canopy lighting, and emergency shutdown buttons at the new dispensing areas.

The expansion project will include civil construction work as well as structural work. The civil elements of the project will include grading, infill and paving of existing ponds, enhancing emergency storage at the Waste Water Treatment Facility, concrete improvements, installation of storm drainage system, and water main for fire protection. The structural aspect of the project will consist of installing two new pre-engineered canopies. The new canopies will generally match existing canopies. There will also be construction of structural support for the new CNG-fueling dispensers. The CNG Expansion Project includes installation of solar panels on the pre-engineered canopies; however, these solar panels or Solar Photovoltaic Systems are intended as add alternates. The add alternates are listed as follows:

CNG Fueling Facility Expansion Project Add Alternates:

- Add Alternate A – Installation of “Solar Photovoltaic System 1” 40 kilowatt system.
- Add Alternate B - Installation of “Solar Photovoltaic System 2” 40 kilowatt system.
- Add Alternate C - Installation of “Solar Photovoltaic System 3” 40 kilowatt system.
- Add Alternate D – Installation of “Solar Photovoltaic System 4” 40 kilowatt system.

This project is partially funded by a Federal Transit Administration grant, which requires the City to establish a Disadvantaged Business Enterprise (DBE) goal specific to the construction trades involved in this project. The DBE goal for this project was 7.5%. In order to meet the DBE federal requirements, bidders need to provide both the achieved DBE obtained percentage and/or a “Good Faith” effort. In other words, if the responsive

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low bidder meets the DBE goal, then a “Good Faith” effort is not required. If the DBE goal is not met, then the low bidder must prove to the agency that a “Good Faith” effort was attempted during the bidding process. The responsive low bidder exceeded the City’s DBE goal by documenting that DBE contractors will perform 8.0% of the base bid and 8.6% of the add alternates combined, all of which exceeds the established 7.5%.

The Engineer’s Estimate of probable cost for the Base Bid is \$1,081,617.20 and \$2,141,383.60, including all add alternates. The specifications as written and published budget amount requires the award of contract based on the lowest responsive base bid. The add alternates, if awarded, will establish a solar photovoltaic system that will assist in offsetting some of the electrical costs for the entire CNG facility. The responsive low bidder is 24% over the Base Bid Engineer’s Estimate and 0.5% below the Engineer’s Estimate for the complete bid.

The responsive low bidder’s bid for the project is \$2,130,280. An additional \$213,028 is required for construction contingency (10%). It is anticipated that an additional \$106,514 is required for construction management, quality control, inspection services, and construction surveying (5%). The total estimated cost for the project is \$2,449,822.

Partial funding was approved in the 2014/2015 Annual Budget for CNG Facility Expansion and the Council approved a budget augmentation of \$300,000 of Solid Waste Funds to provide a total budget amount of \$1,821,228, which includes Local Transportation Funds (LTF) that are typically slated for Transit. Staff is recommending approval of the entire project, Base Bid plus all Add Alternates. In order to accomplish this, the Transit Operator was successful in obtaining an additional \$400,000 in Federal Transportation Funds (Section 5309 and 5307 Federal Funding), which requires a \$100,000 local match of LTF funds. There is still a need of \$128,549 to fully fund the project. Staff is recommending \$100,000 budget augmentation from the Waste Water Treatment Facility Capital Reserve Fund and the remainder to be financed with Local Transportation Funds.

The following is a summary of current available funding and proposed funding:

Current Available Funds

Federal Transit Administration:	\$1,535,228
Local Transportation Funds:	\$ 386,000
Solid Waste Fund:	<u>\$ 300,000</u>
Current Available Fund Total:	\$2,221,228

Proposed Budget Augmentation

Waste Water Treatment
Facility Capital Reserve Fund: \$ 100,000
Local Transportation Fund: \$ 128,594
Proposed Augmentation: \$ 228,594

Proposed total amount: \$2,449,822

The bids are as follows:

<u>Contractor</u>	<u>Amount</u>
1. RJ Berry Selma, CA	Base Bid: \$1,341,280.00 Add Alt: <u>\$ 789,000.00</u> Total: \$2,130,280.00
2. Lee's Paving Visalia, CA	Base Bid: \$1,449,262.75 Add Alt: <u>\$ 733,950.00</u> Total: \$2,183,212.75
3. Diversified Project Services* Bakersfield, CA	Base Bid: \$1,547,735.09 Add Alt: <u>\$ 559,585.26</u> Total: \$2,107,320.35

*Non-responsive bid. The bidder did **not** comply with the "Self Performance" clause, which requires the prime contractor to perform fifty (50) percent of the contract with his/her forces. This bidder also failed to meet the requirements of the City's DBE program requirements.

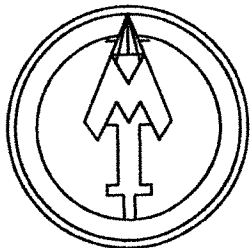
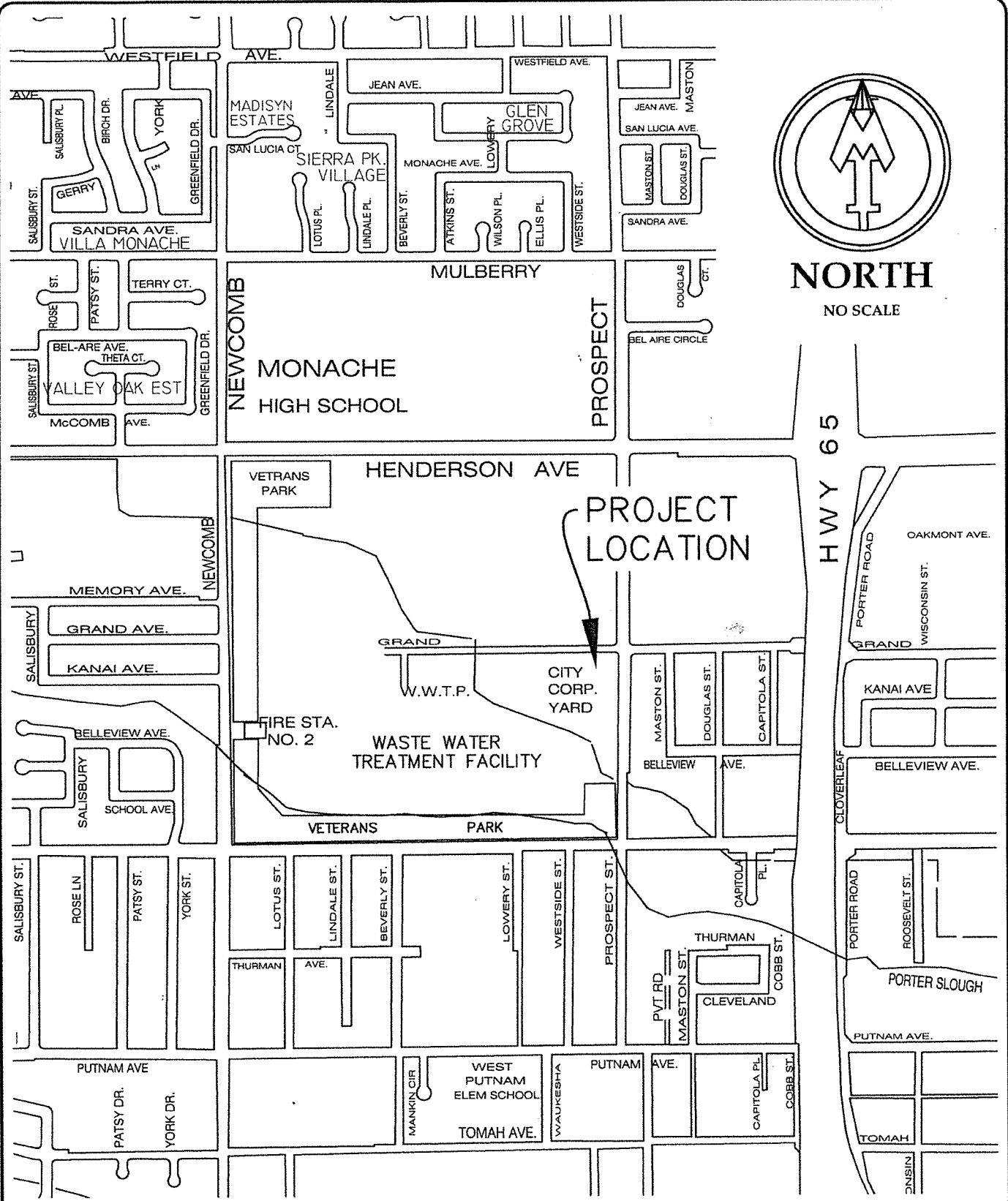
Staff has found the responsive bidder's bid acceptable and in compliance with the specification requirements for the project. It should be noted that all three bidders were within 3.47% of each other.

RECOMMENDATION: That City Council:

1. Award the Transit Maintenance & CNG Fueling Facility Expansion Project to RJ Berry in the amount of \$2,130,280;
2. Authorize a 10% contingency to cover unforeseen construction costs and 5% for construction management, quality control, inspection services, and construction surveying;
3. Re-affirm the \$300,000 Solid Waste Fund appropriation;

4. Authorize the Finance Director to appropriate an additional \$100,000 from Waste Water Facility Capital Reserve Funds and \$128,594 from the Local Transportation Fund;
5. Authorize progress payments up to 100% of the contract amount; and
6. Authorize the City Engineer to negotiate construction surveying services with one of the firms as approved by Council MO #02-100714.

ATTACHMENT: Locator Map



NORTH

NO SCALE

HWY 65

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**Transit CNG
 Fueling Facility
 Expansion Project**