



STAFF REPORT

CITY of YORBA LINDA

PUBLIC WORKS DEPARTMENT

DATE: JULY 19, 2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JAMIE LAI, P.E., DIRECTOR OF PUBLIC WORKS/CITY ENGINEER
PREPARED BY: FREDY CASTILLO, ASSISTANT ENGINEER

SUBJECT: AWARD OF A PUBLIC WORKS CONSTRUCTION CONTRACT FOR THE FISCAL YEAR 2021-22 ANNUAL PAVEMENT PRESERVATION PROJECT (ZONE 6) TO ONYX PAVING COMPANY, INC. AND APPROVE PROFESSIONAL SERVICES CONTRACT WITH INTERWEST FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES

RECOMMENDATION

It is recommended that the City Council:

1. Approve the plans and specifications for the Fiscal Year 2021-22 Annual Pavement Preservation Project (APPP) (Zone 6); and
2. Find that the Project is categorically exempt from the California Environmental Quality Act (CEQA), Class 1, pursuant to CEQA Guidelines, Section 15301; and
3. Award the public works construction contract to Onyx Paving Company, Inc. for the Fiscal Year 2021-22 APPP (Zone 6) in the amount of \$5,164,530 and reject all other bids; and
4. Approve a Professional Services Contract with Interwest in the amount of \$157,200 to provide Construction Management and Inspection Services; and
5. It is also recommended that the City Council authorize expenditures of up to \$535,958.00 (10% of the value of the agreements) in total contract contingencies for potential additional services and unanticipated work that may arise during the course of work.

BACKGROUND

The City utilizes a Pavement Management Program (PMP) that allows for the planning and programming of street maintenance strategies throughout the City's roadway network. As a result of implementing the PMP, through ongoing investment in the City's roadway network, the overall street condition has been maintained in good condition. The PMP is

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updated on a biennial basis through efforts that include field inspections on each street to determine the best and most efficient maintenance strategy for long-term asphalt preservation.

The City is divided into seven (7) maintenance zones and pavement maintenance/preservation treatments are implemented for one (1) zone per year. The area originally scheduled to receive treatment for Fiscal Year 2021-2022 included all of Maintenance Zone 6. Plans and specs were originally packaged for this area and were advertised in April. Bids were originally opened on May 19th but due to a number of factors, including recent spikes in material and labor costs, bids came in significantly higher than anticipated. At the June 7, 2022 meeting the City Council rejected all bids and authorized staff to repackage the plans and specifications with modifications to the treatment area and treatment types to create an opportunity for value engineering. The repackaged treatment area defers the Travis Ranch school area and Esperanza Road improvements to better synchronize with the summer school break and anticipated utility work in the area (See Attachment 1). The modified treatment type allows for a more cost-effective approach in roadway re-surfacing while still maintaining the quality and longevity of the maintenance effort.

DISCUSSION

Approval of Plans and Specifications

The contract documents, including the plans, specifications and the bid proposal from Onyx Paving Company, Inc., are on file with the City Clerk. The contract portion of the bid documents is included as Attachment 2. It is recommended that the City Council approve the plans and specifications for the Project.

Bid Analysis

Plans and specifications were re-advertised for bids on June 16th and June 23rd, 2022. Formal bidding procedures have been followed in conformance with the State Public Contract Code and the City of Yorba Linda Municipal Code. A total of four (4) bids were received and opened by the City Clerk’s office on July 7th, 2022, with the following results:

Table 1 – Bid Summary

<u>Bidder</u>	<u>Bid Amount</u>
Onyx Paving Company, Inc.	\$4,884,000.00
All American Asphalt	\$5,329,222.00
The RJ Noble Company	\$5,396,337.00
Palp, Inc. DBA Excel Paving	\$5,588,576.59

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Onyx Paving Company has successfully delivered similar projects with the City and with other public agencies, such as City of Arcadia and the City of Montebello. References were verified and positive comments were received regarding their quality of work and ability to stay within budget and on schedule. Based upon this information, staff is recommending the award of the public works construction contract to Onyx Paving Company.

Project Schedule

The following table indicates a preliminary project schedule:

Table 2: Preliminary Project Schedule

Notice of Award	July 2022
Pre-Construction Meeting	August 2022
Begin Construction/Notice to Proceed	August 2022
Complete Construction	January 2023
Notice of Completion	January 2023

The project will have some traffic impacts to the neighborhood residents during construction. Impacts are due to the temporary lane and street closures during the required construction time frame. The contractor shall schedule the order of work so that no travel lanes are closed before 8:30 A.M. or after 5:30 P.M. daily. The same number of travel lanes currently in use shall be opened to traffic and no street closures will occur during non-working hours. Affected property owners will be notified via door hanger at least two days in advance of the work.

Consultant Construction Support

Staff relies on consultant services to provide construction management and inspection for the APPP. Several firms are available to the City based on the City's on-call professional engineering contracts. Proposals were requested from four engineering consultants on the City's on-call list. Two proposals were received and evaluated by Public Works Staff. Based on demonstrated experience, availability of resources, and ability to facilitate public relations between the contractor and the community, it was determined that Interwest would best meet the needs of the City. Interwest has extensive experience providing the City with construction management and inspection services for capital improvement projects. This experience has resulted in a strong working relationship with City staff and a team that is thoroughly familiar with the City's needs as well as its standards and administrative procedures. Staff is recommending the approval of a Professional Service Contract with Interwest in the amount of \$157,200 to provide Construction Management and Inspection services.

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California Environmental Quality Act

The award of the contract is Categorically Exempt from the California Environmental Quality Act (CEQA) based upon a Class 1 exemption (Cal. Code Regs., Title 14, Section 15301). The Class 1 exemption consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination. The Annual Pavement Preservation Program consists of minor maintenance applications on existing streets involving negligible expansion of the existing use and therefore qualifies as a Class 1 exemption.

FISCAL IMPACT

The estimated project expenditures, including the standard 10% project contingency, is estimated below:

Table 3: Estimated Project Expenditures

Item	Estimated Expenditures
Construction Contract (Onyx)	\$4,884,000.00
Option A3 Reconstruct Cross Gutters (Onyx)	\$280,530.00
SUBTOTAL (ONYX)	\$5,164,530.00
Construction Management & Inspection (Interwest)	\$157,200.00
Materials Testing	\$37,850.00
SUBTOTAL	\$5,359,580.00
Project Contingency (10%)	\$535,958.00
GRAND TOTAL	\$5,895,538.00

The selection of the low bidder is based on the base bid from Onyx Paving Company as the lowest responsible and responsive bid. The bid schedule also included a solicitation for optional bid items that could be awarded to the low bidder. Staff deems the option item to reconstruct cross gutters to be reasonable and recommends this item be included with the award amount. Therefore, the total award amount to Onyx Paving will be \$5,164,530. Sufficient funds are available in the Ongoing Street Maintenance Program Capital Improvement Program budget (Project Account No. SI221009) for the anticipated expenditures noted above. The project utilizes a combination of Gas Tax, Measure M2, SB1, and General Fund monies.

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ALTERNATIVES

The City Council may choose to not award the proposed public works construction contract and reject all bids. Staff does not recommend this alternative because it will delay the delivery of the needed improvements and these streets will continue to deteriorate which will require more expensive repair/maintenance strategies in the future. The bid received from Onyx Paving Company, Inc. is competitive and there is no guarantee that re-advertising this Project will result in lower bids.

ATTACHMENTS

1. Vicinity Map
 2. Onyx Paving Company, Inc. Contract
 3. Interwest Professional Services Contract
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