



# City of Rialto

## Legislation Details (With Text)

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**Type:** Agenda Item    **Status:** Approved  
**File created:** 7/9/2019    **In control:** City Council/Rialto Utility Authority  
**On agenda:** 9/10/2019    **Final action:** 9/10/2019  
**Title:** Request City Council/Rialto Utility Authority (1) Award a Construction Contract to Kirtley Construction in the Amount of \$1,000,576 to construct the Frisbie Park Sewer Lift Station, City Project No. 190501; and (2) Delegate authority to the City Administrator in the Not to Exceed amount of \$25,000 for unforeseen Contingency costs related to the construction of the Project; (3) Increase Purchase Order with Berg & Associates Inc. in the Amount of \$100,000 for On-Call Services for Construction Management and Inspection related to the project; and (4) Authorize Purchase Orders for required permits and miscellaneous expenses related to Construction and Energizing the Lift Station in the not to exceed amount of \$80,000.  
(ACTION)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 Frisbie Park Sewer Lift Station bid table.pdf, 2. Attachment 2 TK Reference Check Table.pdf, 3. Attachment 3 190501- Construction Contract 01-04-18.pdf, 4. Attachment 4 - Berg.pdf

Date	Ver.	Action By	Action	Result
9/10/2019	1	City Council		

For City Council Meeting and Rialto Utility Authority [September 10, 2019]

**TO:** Honorable Mayor and City Council

**APPROVAL:** Rod Foster, City Administrator

**FROM:** Thomas J. Crowley, P.E., Utilities Manager

Request City Council/Rialto Utility Authority (1) Award a Construction Contract to Kirtley Construction in the Amount of \$1,000,576 to construct the Frisbie Park Sewer Lift Station, City Project No. 190501; and (2) Delegate authority to the City Administrator in the Not to Exceed amount of \$25,000 for unforeseen Contingency costs related to the construction of the Project; (3) Increase Purchase Order with Berg & Associates Inc. in the Amount of \$100,000 for On-Call Services for Construction Management and Inspection related to the project; and (4) Authorize Purchase Orders for required permits and miscellaneous expenses related to Construction and Energizing the Lift Station in the not to exceed amount of \$80,000.

**(ACTION)**

### **BACKGROUND:**

City Council/Rialto Utility Authority (RUA) appropriated budget from the General Fund in fiscal year 2015/2016 for design of existing undeveloped portions of Frisbie Park. Frisbie Park is located at 598 E. Easton Street. This 27.4 acre site is partially developed.

The park currently has two restroom buildings and a snack bar on two separate septic systems. The

new park will include a third restroom building and an additional snack bar building. The City would like to expand the sewer collection system and connect restroom facilities at the Park to the sewer system. It is the goal of the City to abandon the existing septic systems and build a new sewer lift station that will accommodate the project. In addition, there is an eleven lot Tentative Tract Map (TTM) that is being considered adjacent to the park that would also be tributary to the proposed sewer lift station. The new sewer lift station is to be constructed on the east side of Eucalyptus Avenue, just south of the intersection of Easton Street.

The Frisbie Park Sewer Lift Station project is an expansion of the existing sewer collection system and allows for the connection of Frisbie Park and the proposed TTM to the sewer system. This project will consist of the construction of a sewer lift station that will accommodate the flows from the park and the TTM. Approximately 760 linear feet of 8" VCP sewer line in Easton Street will collect the flows from the park facilities to the sewer lift station, approximately 1,040 linear feet of a 8" VCP sewer line in Eucalyptus Avenue will collect the flows for the eleven lot TTM, and 1,310 linear feet of force main in Eucalyptus Avenue will connect the sewer lift station to the existing sewer collection system. In addition, the sewer lift station will require a backup generator powered by diesel in the event there is loss of power to the site.

The City Council/RUA awarded a Professional Services Agreement to Kimley-Horn and Associates on January 22, 2019, in the amount of \$198,100 for professional design services for the Sewer Lift Station. City Council/RUA authorized formally soliciting bids for construction on June 11, 2019.

#### **ANALYSIS/DISCUSSION:**

On June 13, 2019, the City released RFB No. 19-145 for the Frisbie Park Sewer Lift Station Project, City Project No. 190501, and published the Notice Inviting Bids in the San Bernardino County Sun; on the City of Rialto website, and on the PlanetBids.com website.

On July 11, 2019, the City received nine (9) bids, tabulated in **Table 1** below:

**Table 1**

<b>Company</b>	<b>Bid Amount</b>
Kirtley Construction	\$1,000,576.00
Big Ben, Inc.	\$1,231,517.00
H&H General Contractors	\$1,255,215.00
Norstar Plumbing	\$1,320,313.00
SRD Engineering	\$1,329,679.00
Boudreau	\$1,359,393.00
Borden, Inc.	\$1,707,555.00
SCCI Construction, Inc.	\$1,840,990.00
GRFC O, Inc.	\$1,852,630.00

A full bid summary is included as **Attachment 1**. The engineer's estimate was \$1,400,000 to \$1,700,000. The lowest responsible and responsive bid appears to be \$1,000,576.00 submitted by Kirtley Construction of San Bernardino, CA. Staff reviewed the bid and found Kirtley Construction to be properly licensed and qualified. Kirtley Construction's disclosure and reference check,

Contractor's License, and DIR Registration documents are included as **Attachment 2**. Staff recommends that the City Council accept the bid received from Kirtley Construction as the lowest responsible and responsive bid. A construction contract with Kirtley Construction for the project is included as **Attachment 3**.

On June 11, 2019, the City Council approved a shortlist of "On-Call" consultants for construction management, inspection and material testing services with six (6) firms. Identified below are the top six (6) firms (in alphabetical order):

- Berg & Associates, Inc.(received proposal)
- PPM Group, Inc. (received proposal)
- TKE Engineering, Inc.(received proposal)
- Transtech Engineering Inc.
- Willdan Engineering
- Wallace and Associates (received proposal)

Subsequently, staff requested and received proposals for construction management and inspection for the project from four (4) firms. The Utilities Manager and the Project Manager evaluated the proposals based on assigned staff qualifications to the project and hours delegated for each position based on 90 working days. City staff recommends Berg & Associates Inc. to provide construction management and inspection services in the amount of \$100,000. Berg's Proposal and Fees are included as **Attachments 4**.

The evaluation included the number of hours assigned to the field inspector and office engineer. The hours allocated for the field inspector is based upon an eight (8) hour working day schedule to accomplish the typical daily tasks:

- Daily construction inspection.
- Conduct weekly construction meetings.
- Traffic Control reviews.
- Project Progress reporting.
- Utility Coordination.
- Environmental Monitoring.
- Material Testing coordination
- Labor Compliance.
- Daily Construction reports.

Based on the 90 working days to construct the project, the Senior Engineer and the Deputy Construction Manager will each provide support to accomplish the typical daily tasks:

- Reviewing baseline schedule.
- Provide support to the field inspector in verifying quantities and process progress payments.
- Quality assurance.
- Issue non-compliance documents for correction of deficiencies.
- Plan ahead to prevent problems and resolve issues to keep the project on schedule.
- Project Management

As noted, based on staff review, Berg Associates, Inc. is the most qualified.

In addition, staff requests Not to Exceed authority of \$80,000 for required permits and other miscellaneous expenses, such as SCE service initiation costs and AQMD fees required to put the lift station into service. SCE and AQMD final permit costs have not been determined. This will allow staff to work through the process with the referenced agencies. At the time final costs are determined, City staff will provide supporting documentation to the City Administrator for review and approval.

The anticipated project schedule is:

Notice requesting Bids posted and issued ..... Thursday, June 13, 2019  
Deadline for receipt of Bids. .... Thursday, July 11, 2019, 3:00 P.M.  
Contract awarded by City Council (tentative) ..... Tuesday, September 10, 2019  
Start of Construction (tentative) ..... Monday, October 7, 2019  
Completion of Construction (tentative) ..... February 2020

In order to have the project completed in time to serve the upcoming Frisbie Park Expansion Project, award of the Sewer Lift Station Construction Contract was presented to the Utility Commission at its July meeting. Unfortunately, the agenda for this meeting was finalized within a couple hours of the bid closing and staff was not able to complete the bid review and analysis in such a short time frame.

Due to the constricted schedule for the project, on July 16, 2019, staff requested the Utility Commission recommend the City Council/RUA award a Construction Contract to the apparent lowest responsible bidder pending completion of the review of bids and licensing check. This request was made in order to continue with the expedited schedule and ensure completion of the sewer infrastructure prior to start of the upcoming Frisbie Park expansion project. At the meeting, staff tentatively named the apparent lowest responsible bidder as Kirtley Construction and responded to the Commission's questions about the bidding process, contractor and project.

Since the Commission meeting, staff has completed the review of bids submitted, determined that the firm is properly licensed and qualified to undertake the work, and confirmed Kirtley Construction as the lowest responsible bidder.

In summary, the disclosure form was submitted, the Contractor's License and DIR Registration documents are current and the Utilities Commission recommended Council award a construction contract to the lowest responsible bidder.

**ENVIRONMENTAL IMPACT:**

Construction of the Project is subject to state environmental review pursuant to the California Environmental Quality Act (CEQA). The City, acting as the lead agency pursuant to CEQA, prepared an Initial Study and a Mitigated Negative Declaration (MND) for the Project. The City approved the MND on March 20, 2019 and on March 21, 2019; the City filed a Notice of Determination with the County Clerk.

**GENERAL PLAN CONSISTENCY:**

Approval of this action complies with the following City of Rialto Guiding Principles, General Plan Goals and Policies:

*Our City government will lead by example, and will operate in an open, transparent, and responsive*

*manner that meets the needs of the citizens and is a good place to do business.*

Goal 3-6: Require that all developed areas within Rialto are adequately served with essential public services and infrastructure.

Goal 3-9: Upgrade and maintain an improved wastewater system with adequate plant efficiency and capacity to protect the health and safety of all Rialto residents, businesses, and institutions.

Policy 3-9.2: Evaluate the wastewater disposal system routinely to ensure its adequacy to meet changes in demand and changes in types of waste.

### **LEGAL REVIEW:**

The City Attorney has reviewed and supports the staff report and construction contract.

### **FINANCIAL IMPACT:**

Project costs totaling \$1,205,576 will be shared between RUA Sewer Reserve Fund which will pay for the sewer lift station with the General Fund Reserves and the Developer paying their portion of the remaining costs. The specific account impacts are Sewer Fund Account No. 660-500-7160-3001 in the amount of \$741,151; Interfund Transfer from General Fund Account No. 010-500-0001-5030 to Capital Projects Fund Account Nos. 300-400-0001-9010 and 300-500-7150-3001 in the amount of \$246,149. City will be reimbursed by the developer to the Sewer Fund Account Nos. 660-500-7160-3001 and 660-400-7150-7703 in the amount of \$218,276.

### **Operating Budget Impact**

The proposed action does not impact the operating budget; however once built, any operating costs will be absorbed through the Concession Agreement.

### **Capital Improvement Budget Impact**

The Frisbie Park Lift Station project is an expansion of the existing sewer collection system and allows for the connection of Frisbie Park and the proposed TTM to the sewer system. Sewer Collection Developer Impact Fees (DIFs) are received from developers for the purpose of maintaining the existing capacity of the sewer system and any expansions needed to meet the growth in the City.

There may be an opportunity to assess a portion of the construction costs related to the TTM as a condition of their project. Also, sewer collection and treatment DIFs will be collected from the proposed 11 lot TTM in the amount of \$30,830 once the project is finalized.

### **Licensing**

Prior to execution of the Construction Contract, the vendor shall submit a business license application and pay a Business License tax at the rate of \$1,079, in addition to applicable Administration and State fees.

### **RECOMMENDATION:**

Staff recommends that the City Council/Rialto Utility Authority:

- Award a Construction Contract to Kirtley Construction in the Amount of \$1,000,576 to construct the Frisbie Park Sewer Lift Station, City Project No. 190501.

- Delegate authority to the City Administrator in the Not to Exceed amount of \$25,000 for unforeseen Contingency costs related to the construction Project.
- Increase Purchase Order with Berg & Associates Inc. in the Amount of \$100,000 for On-Call Services for Construction Management and Inspection related to the project.
- Authorize Purchase Orders for required permits and miscellaneous expenses related to Construction and Energizing the Lift Station in the not to exceed amount of \$80,000.