



# City of Rialto

## Legislation Details (With Text)

**File #:** 21-0121      **Version:** 1      **Name:**  
**Type:** Agenda Item      **Status:** Agenda Ready  
**File created:** 3/23/2021      **In control:** City Council  
**On agenda:** 4/27/2021      **Final action:**  
**Title:** Request City Council to 1) Award a Construction Contract to IVL Contractors, Inc. in the amount of \$637,400 for Restroom Building Demolition and Construction of American with Disabilities Act Site Improvements at Roger Birdsall Park, City Project No. 210304; and 2) Award a Construction Contract and Authorize Issuance of a Purchase Order to Public Restroom Company in the amount of \$669,106 for the Purchase and Installation of a Pre-Manufactured Restroom Building, also at Roger Birdsall Park, City Project No. 210304.  
(ACTION)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - Birdsall Park bid summary.pdf, 2. Attachment 2 - IVL Disclosure State license & DIR table.pdf, 3. Attachment 3 - IVL Contractors Construction Contract.pdf, 4. Attachment 4 - Proposers that registered for the Project.pdf, 5. Attachment 5 - Public Restroom Company Disclosure State license and DIR table.pdf, 6. Attachment 6 - Restroom Building.pdf, 7. Attachment 7 - Public Restroom Company Construction Contract.pdf, 8. Attachment 8 - Notice of Exemption.pdf

Date	Ver.	Action By	Action	Result
4/27/2021	1	City Council		

For City Council Meeting [April 27, 2021]

TO: Honorable City Council

APPROVAL: Sean Grayson, Acting City Manager

FROM: Michael Tahan, Interim Public Works Director

Request City Council to 1) Award a Construction Contract to IVL Contractors, Inc. in the amount of \$637,400 for Restroom Building Demolition and Construction of American with Disabilities Act Site Improvements at Roger Birdsall Park, City Project No. 210304; and 2) Award a Construction Contract and Authorize Issuance of a Purchase Order to Public Restroom Company in the amount of \$669,106 for the Purchase and Installation of a Pre-Manufactured Restroom Building, also at Roger Birdsall Park, City Project No. 210304.  
(ACTION)

**BACKGROUND:**

The City recognizes that park usage has increased over the last decade and that the demand for recreational facilities has expanded to include both active and passive sports, recreational activities, and community facilities. This action covers the modification, renovation, enhancement and Americans with Disabilities Act (ADA) improvements for Roger Birdsall Park.

Currently, the City is pursuing several complementary City park projects, covering the planning,

conceptual design and physical improvement of deteriorated and non-compliant ADA facilities at numerous City parks.

On October 10, 2017 the City Council approved a Professional Services Agreement with IDS Group for professional services related to the design of concessions, restrooms and Americans with Disabilities Act (ADA) Site Improvements to accommodate ADA and path of travel access at various parks, including Roger Birdsall Park.

On November 10, 2020, City Council authorized the Release of Request for Bids for Construction of Concession, Restroom, and Americans with Disabilities Act Improvements at Roger Birdsall Park, City Project No. 210304.

Essentially, staff requested approval to separately release bids to:

1. Fabricate and deliver prefabricated buildings; and
2. Construct site and ADA improvements to accommodate the new building.

The replacement buildings have a long lead-time and will take from 90 to 120 days to fabricate off-site, before delivery and installation. Prefabricated concession and restroom buildings are constructed under controlled environments to exacting standards and have historically been shown to be of superior construction, less costly and provide a timelier delivery than similar buildings constructed on site. Methodologies for using prefabricated buildings are also well understood and, thus, the prefabricated buildings will be complementary to the work undertaken at each park to accommodate the new buildings, once delivered.

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

On December 8, 2020, the City released RFB No. 21-015 Construction of Concession, Restroom and ADA Improvements at Roger Birdsall Park, City Project No. 210304, 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 January 26, 2021, the City received 13 bids in response to RFB No. 21-015, tabulated in **Table 1** below:

**Table 1**

	Company Name	Bid Amount
1	IVL Contractors, Inc.	\$637,400.00
2	Three Peaks Corp.	\$729,784.00
3	Towo Enterprise Inc.	\$732,379.00
4	Roadway Engineering & Construction, Inc.	\$786,400.00
5	ABNY General Engineering	\$842,000.00
6	Senitica Construction	\$914,000.00
7	KASA Construction	\$916,811.00
8	Jergensen Construction	\$928,000.00
9	Los Angeles Engineering Inc.	\$960,000.00
10	AToM Engineering Construction, Inc.	\$967,769.00
11	Spec Construction Co. Inc.	\$989,500.00
12	H&H General Contractors, Inc.	\$1,235,800.00
13	Gentry General Engineering Inc.	\$1,640,000.00

A full bid summary of responses for RFB No. 21-015 is included as **Attachment 1**. The engineer's estimate was \$450,000 to \$525,000. The lowest responsible and responsive bid was \$637,400 submitted by IVL Contractors, Inc. of Riverside, CA. Staff reviewed the bid and found IVL Contractors, Inc. to be properly licensed and qualified. IVL Contractors, Inc.'s Disclosure Statement, Contractor's License, and DIR Registration documents are included as **Attachment 2**. Staff recommends that the City Council accept the bid received from IVL Contractors, Inc. as the lowest responsible and responsive bid. A construction contract with IVL Contractors, Inc. for the Restroom Building demolition and Construction of ADA site improvements is included as **Attachment 3**.

#### Prefabricated Restroom Building

On March 2, 2021, the City released RFP No. 21-030 for the Purchase of a Concession, Restroom Building for Roger Birdsall Park, City Project No. 210304.

On March 18, 2021, the City received one (1) bid, tabulated in **Table 2** below:

**Table 2**

	Company Name	Bid Amount
1	Public Restroom Company	\$669,106.00

To ensure that the prefabricated building community was aware of the project, City staff checked the PlanetBids website immediately prior to receipt of proposals and determined that six hundred and twenty nine (629) vendors were notified of the project through PlanetBids, and eight (8) firms accessed and registered with PlanetBids as potential Proposers for the project. The list of proposers that registered for the project is included as **Attachment 4**.

The engineer's estimate for the Prefabricated Restroom Building was \$600,000 to \$650,000. The lowest responsible and responsive bid was \$669,106 submitted by Public Restroom Company of Minden, Nevada. Staff reviewed the bid and found Public Restroom Company to be properly licensed and qualified.

Staff recommends that the City Council accept the bid received from Public Restroom Company as

the lowest responsible and responsive bid. The City successfully used this identical approach for the fabrication and delivery of prefabricated buildings at Joe Sampson Park, at Frisbie Park, at Bud Bender Park, and at Andreson Park. Staff's recommendation is based upon similarities in the operation and maintenance of the buildings, quality of product, consistency in building product within the City, and competitiveness of the submitted bids.

Public Restroom Company's Disclosure Statement, Contractor's License, and DIR Registration documents are included as **Attachment 5**. A sample of the Prefabricated Restroom Building and color is included as **Attachment 6**. A contract with Public Restroom Company for the project is included as **Attachment 7**.

### **ENVIRONMENTAL IMPACT:**

Section 21084 of the California Public Resources Code requires that the guidelines for implementation of the California Environmental Quality Act (CEQA) include a list of classes of projects that have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. In response to that mandate, the Secretary for Resources identified classes of projects that do not have a significant effect on the environment, and are declared categorically exempt from the requirement for the preparation of environmental documents. In accordance with 14 CCR Section 15301 "Existing Facilities," Class 1 projects consist of the repair, maintenance, or minor alteration of existing public structures or facilities; therefore, the modification, renovation, ADA improvements at Birdsall Park, City Project No. 210304 is considered categorically exempt from CEQA. Staff has prepared and filed with the San Bernardino County Recorder's Office a Notice of Exemption for the project, included as **Attachment 8**.

### **GENERAL PLAN CONSISTENCY:**

This action is consistent with Guiding Principle 3A in the General Plan:

*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.*

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

**Goal 2-24: Take advantage of opportunities to increase and enhance open spaces throughout Rialto.**

**Goal 2-27: Provide a variety of park facilities that meet the diverse needs and interests of the community.**

Policy 2-27.1: Establish a Master Plan for Parks and Recreation that achieves a park ratio of 3.0 acres per 1,000 residents, evenly distributes park facilities throughout the community, and contains strategies for funding facilities and maintenance.

Policy 2-27.2: Plan for and designate adequate funding to maintain new and existing parks and facilities.

### **LEGAL REVIEW:**

The City Attorney has reviewed and supports this staff report.

**FINANCIAL IMPACT:**

**Operating Budget Impact**

The proposed action for the Park Building demolition and ADA accessibility improvements will impact the Operating Budget in the future, once completed, with the new Restroom Building being included within the annual park maintenance budget.

**Capital Improvement Budget Impact**

The Construction Contract with IVL Contractors, Inc. in the amount of \$637,400, and the Purchase Order with Public Restroom Company for \$669,106, will be funded from the Capital Project Fund, Account Number 300-500-7304-3001-210304-05.

**Licensing**

A Business License Tax at the Professional Services rate of \$704 based on the construction amount of \$637,400 for the construction of the site improvements, and \$729 based on the amount of \$669,106 for the purchase of a prefabricated building will be assessed against the project and paid by interoffice transfer.

**RECOMMENDATION:**

Staff recommends that for the Roger Birdsall Park Project, City Project No. 210304, the City Council:

- Award a Construction Contract to IVL Contractors, Inc. in the amount of \$637,400 for the Construction of ADA Improvements, and
- Award a Construction Contract and Authorize Issuance of a Purchase Order to Public Restroom Company in the Amount of \$669,106 for the Purchase of a Prefabricated Building.