



MEETING DATE: 3/20/06

ITEM NO. 8

COUNCIL/AGENCY AGENDA REPORT

DATE: MARCH 14, 2006

TO: MAYOR AND TOWN COUNCIL/ CHAIR AND MEMBERS OF THE REDEVELOPMENT AGENCY

FROM: DEBRA J. FIGONE, TOWN MANAGER/EXECUTIVE DIRECTOR

SUBJECT: PROJECT NO. 04-63A - AWARD OF CONSTRUCTION CONTRACT FOR STREET LIGHT FIXTURE REPLACEMENT ON MAIN STREET
A. ADOPT RESOLUTION DECLARING CAL-WEST ELECTRIC COMPANY TO BE THE LOWEST RESPONSIBLE BIDDER ON THE PROJECT AND AWARDDING A CONSTRUCTION CONTRACT IN THE AMOUNT OF \$62,690.
B. AUTHORIZE STAFF TO ISSUE CHANGE ORDERS TO THE CONSTRUCTION CONTRACT UP TO AN AMOUNT OF \$5,000

RECOMMENDATION:

- 1. Adopt Resolution (Attachment 1) declaring Cal-West Electric Company to be the lowest responsible bidder on the project and awarding a construction contract (Exhibit A) in the amount of \$ 62,690.
2. Authorize staff to issue change orders to the construction contract up to an amount of \$5,000.

BACKGROUND:

The construction of streetscape and resurfacing of Main Street this summer concludes the overall downtown improvements that had been funded by the Redevelopment Agency. One of the components of this project was the evaluation of the condition and performance of street lights on Main Street. There are 41 decorative street lights on Main Street from Santa Cruz Avenue to Alpine Avenue. After an inspection of these lights, it was determined that the poles and their foundation are in good condition. However, the light fixtures have deteriorated over the years and are in need of replacement. In addition, the paint on the light poles has faded due to normal aging.

PREPARED BY: JOHN E. CURTIS
Director of Parks and Public Works

Reviewed by: Assistant Town Manager Attorney Clerk Administrator
Finance Community Development Revised: 3/14/06 7:56 am

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MAYOR AND TOWN COUNCIL/
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DISCUSSION:

The cost to replace all of these street lights would be approximately \$450,000 (which is cost prohibitive) and would impose a great deal of inconvenience on the merchants as sidewalks would have to be dug up for new foundations and related construction. A more cost-effective approach with fewer impacts is to replace the light fixtures and paint the poles. Once the light fixtures are replaced and the poles are painted, the street lights will both look like and perform like new street lights.

The approach to replace the fixtures only will cost approximately \$75,000 and would not require any digging of sidewalks and can be done with minimal inconvenience to the public, as well as cost savings. After the light fixtures are replaced, a painting contractor will paint the poles under a separate contract.

For projects under \$75,000 construction costs, the Town's informal bid process does not require public advertising and the preparation of a set of complete plans and specifications for a project. This informal bid process allows staff to prepare a scope of work, solicit bids from four (4) contractors, and award the contract to the lowest bidder. The Town uses this process for small and uncomplicated projects.

Bids for the Street Light Fixture Replacement on Main Street were received by the Town Engineer on March 13, 2006.

The following contractors submitted bids for this project:

Cal-West Electric Company \$ 62,690
Republic Electric Company \$ 65,485

It is recommended that the Council/Agency adopt the attached Resolution that would declare Cal-West Electric Company to be the lowest responsible bidder on the project and award a construction contract to this company in the amount of \$62,690.

Staff has checked all of the bids received and has determined that Cal-West Electric Company is responsible and that its bid is responsive to the Town's informal bid process.

It is recommended that the Council/Agency authorize staff to execute future Change Orders to the construction contract up to an amount of \$5,000. Given the variables associated with this type of construction, staff should be able to manage the construction work and the change order amount is adequate to cover the cost of unforeseen circumstances that may arise during the course of construction, and/or for additional quantities of work that may exceed those included in the awarded contract.

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The construction of this project is anticipated to begin in May 2006 since there is a eight week period to have the new light fixture manufactured and delivered to the site.

CONCLUSION:

Staff recommends that the Council/Agency accept the staff recommendations noted above.

ENVIRONMENTAL ASSESSMENT:

This is a project as defined under CEQA but is Categorically Exempt (Section 15301c). A Notice of Exemption will not be filed.

FISCAL IMPACT:

This project is a component of the Main Street Streetscape Project, to improve the downtown facilities which include sidewalks, streetlights, curb and gutters, a traffic signal, and the roadway. There is sufficient funding in the Streetscape Project Account 930-0217, to meet the cost to upgrade the streetlights, as follows:

Main Street Streetlight Fixture Repair					
<i>Engineering Project # 04-63</i>					
	Available Budget Funding	STP Main Street Paving Match	Expended/ Encumbered to Date	Amount Requested for this Project	Balance of Account
FY 2005/06 Fiscal Impact					
930-0217	1,493,910	117,000	827,000	67,690	482,220
			-		-
TOTALS	1,493,910	117,000	827,000	67,690	482,220
TOTAL EXPENDITURES BY CATEGORY:					
Staff Labor					
Materials					
Construction Estimate				62,690	
Contingency			-	5,000	
TOTALS			-	67,690	

Attachments:

1. Resolution declaring Cal-West Electric Company to be the lowest responsible bidder (with Exhibit A) Construction Contract
2. Bid Summary

RESOLUTION

**RESOLUTION OF THE TOWN COUNCIL/REDEVELOPMENT AGENCY
OF THE TOWN OF LOS GATOS
AWARDING A CONSTRUCTION CONTRACT TO
CAL-WEST ELECTRIC COMPANY
FOR PROJECT 04-63A - STREET LIGHT FIXTURE REPLACEMENT
ON MAIN STREET**

WHEREAS, bids were sought in conformance with State and Town law for Project 04-63A - Street Light Fixture Replacement on Main Street; and

WHEREAS, Cal-West Electric Company submitted the lowest bid which the Town Council/Redevelopment Agency deems to be responsive to the Town's solicitation.

WHEREAS, public improvements are of benefit to the project area or the immediate neighborhood of the project area; and

WHEREAS, no other reasonable means of financing such public improvements are available to the community; and

WHEREAS, the Redevelopment Agency's contribution to the cost of the public improvement will assist in elimination of one or more blighting conditions in the project area; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council/Redevelopment Agency of the Town of Los Gatos, County of Santa Clara, State of California, that Cal-West Electric Company is declared to be the lowest responsible bidder for Project 04-63A - Street Light Fixture Replacement on Main Street.

BE IT FURTHER RESOLVED that the Town Manager/Executive Director is hereby authorized and directed to execute a construction contract (Attached as Exhibit A) for said project on behalf of the Town in the amount of \$62,690.

BE IT FURTHER RESOLVED, that staff is authorized to execute future change orders, as necessary, up to an amount of \$5,000.

PASSED AND ADOPTED at a regular meeting of the Town Council/Redevelopment Agency of the Town of Los Gatos, California, held on the 20th day of March, 2006, by the following vote:

COUNCIL/AGENCY MEMBERS:

AYES:

NAYS

ABSENT:

ABSTAIN:

SIGNED: MAYOR OF THE TOWN OF LOS GATOS/
 CHAIR OF THE REDEVELOPMENT AGENCY
 LOS GATOS, CALIFORNIA

ATTEST:

CLERK ADMINISTRATOR/SECRETARY
OF THE TOWN OF LOS GATOS REDEVELOPMENT AGENCY
LOS GATOS, CALIFORNIA

CONTRACT

THIS AGREEMENT is between the **Town of Los Gatos Redevelopment Agency** (hereinafter referred to as "Owner") and **Cal-West Electric Company** (hereinafter referred to as "Contractor"). Owner and Contractor, for the consideration hereinafter named, agree as follows:

A. SCOPE OF WORK

Contractor shall furnish all materials and perform all of the work for the construction of **Project 04-63A - Street Light Fixture Replacement on Main Street** in accordance with the Contract Documents.

B. CONTRACT PRICE

As full compensation for furnishing all materials and for doing all the work contemplated and embraced in this Contract, also for all loss or damage arising out of the nature of the work aforesaid, or from the actions of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by Owner, and for all risks of every description connected with the Work, also for all expenses incurred by or in consequence of the suspension or discontinuance of work, and for well and faithfully completing the Work, and the whole thereof, in the manner and according to the Contract Documents, Owner shall pay (Sixty two thousand six hundred and ninety dollars), (\$62,690), which shall supersede any other amount specified in the Contract Documents.

C. CONTRACT DOCUMENTS

All rights and obligations of Owner and Contractor are fully set forth and described in the Contract Documents. All parts of the Contract Documents are intended to be correlated so that any work called for in one part and not mentioned in the other, or vice versa, is to be executed the same as if mentioned in all said documents.

D. BEGINNING OF WORK

Following the execution of this Contract and the approval of bonds and insurance policies and certificates, Owner shall issue a *Notice to Proceed* with the Work. Commencing work or the entrance of equipment or materials on the site of the Work by Contractor before receipt of the *Notice to Proceed* is at the sole risk and expense of Contractor, and the Contractor shall be fully liable for any damage or injury sustained by Owner or third persons resulting therefrom.

E. TIME OF COMPLETION

The Work called for herein shall be fully completed within **sixty (60)** working days of Contractor's receipt of the *Notice to Proceed*.

F. CORRECTION OF WORK AFTER ACCEPTANCE AND FINAL PAYMENT BY TOWN

Contractor shall remedy any defects due to faulty materials and/or workmanship and pay for any damages to other work and/or existing facilities resulting therefrom which shall appear within a period of 2 years from the date of recording of the *Notice of Completion*.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of _____ day of _____, 20_____.

TOWN OF LOS GATOS, by:

by:

Debra J. Figone
Town Manager/Executive Director

(Signature)

RECOMMEND BY:

John E. Curtis
Director of Parks and Public Works

APPROVED AS TO FORM:

Orry P. Korb
Town Attorney/General Counsel

(Contractor's License Number)

ATTEST:

Marlyn Rasmussen
Clerk Administrator/Secretary of the
Redevelopment Agency

Town of Los Gatos Parks and Public Works Department
 Street Light Replacement and Painting Project # 04-63A
 Certified Bid Tabulation Bid opening: March 13, 2006 at 10:00 A.M. at the PPW

				Engineers Estimate		Cal-West PO Box 612035 San Jose, CA 95161-2035		Republic Electric 371 Bel Marin Keys Blvd., #200 Novato, CA 94949-5699	
Item No.	Description	Quantity	Unit	Unit Price	Item Cost	Unit Price	Item Cost	Unit Price	Item Cost
BASE BID SUMMARY									
1	Replacement of Light Fixtures	41	EA	\$1,550.00	63,550.00	1,490.00	61,090.00	1,585.00	64,985.00
2	Circuit Evaluation	1	LS	\$1,000.00	1,000.00	1,600.00	1,600.00	500.00	500.00
					\$64,550.00	\$62,690.00		\$65,485.00	

This certifies that all bids were received on March 13, 2006, and that this is a copy of the bid tabulation with bids corrected for errors in addition & multiplication. By:

