



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Awarding Contract for DeBenedetti Park ADA Access Improvement Project to A. M. Stephens Construction Company, Inc., of Lodi (\$126,736.50) and Appropriating Funds (\$158,000)

MEETING DATE: April 17, 2013

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt resolution awarding contract for DeBenedetti Park ADA Access Improvement Project to A. M. Stephens Construction Company, Inc., of Lodi, in the amount of \$126,736.50, and appropriating funds in the amount of \$158,000.

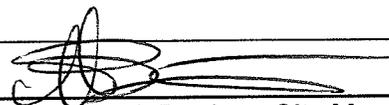
BACKGROUND INFORMATION: This project will improve accessibility to DeBenedetti Park. The improvements will consist of a paved parking lot entrance, two concrete ADA-compliant parking stalls, accessible paths to the bottom of the north and south basins, sidewalk completion along Century Boulevard and other incidental and related work, all as shown on the plans and specifications for the project. The proposed improvements are shown in Exhibit A.

Plans and specifications for this project were approved on March 6, 2013. The City received the following 10 bids for this project on March 27, 2013.

Bidder	Location	Bid
Engineer's Estimate		\$ 158,055.00
A. M. Stephens Construction	Lodi	\$ 126,736.50
A-Vet Construction	Woodbridge	\$ 135,322.56
Abide Builders	Vacaville	\$ 147,307.00
Biondi Paving	Sacramento	\$ 142,571.00
Sierra National Construction	Carmichael	\$ 171,125.00
BC Construction	Ceres	\$ 171,591.25
Glissman Excavating	Loomis	\$ 189,404.65
Andrew L. Lee, Inc.	Lodi	\$ 214,390.00
Cazadores Construction	El Dorado Hills	\$ 214,796.10
George Reed, Inc.	Modesto	\$ 220,083.00

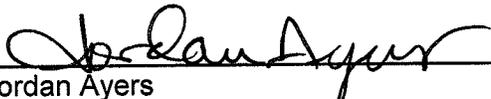
The requested appropriation of \$158,000 covers engineering, construction, inspection and project contingencies.

FISCAL IMPACT: There will be a small increase in the park's maintenance cost associated with the addition of asphalt, concrete, signs and striping.

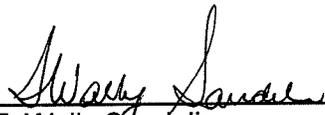
APPROVED: 
Konrad Bartlam, City Manager

Adopt Resolution Awarding Contract for DeBenedetti Park ADA Access Improvement Project to
A. M. Stephens Construction Company, Inc., of Lodi (\$126,736.50) and Appropriating Funds (\$158,000)
April 17, 2013
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FUNDING AVAILABLE: Requested Appropriation:
Parks Impact Fees (1217043): \$158,000



Jordan Ayers
Deputy City Manager/Internal Services Director

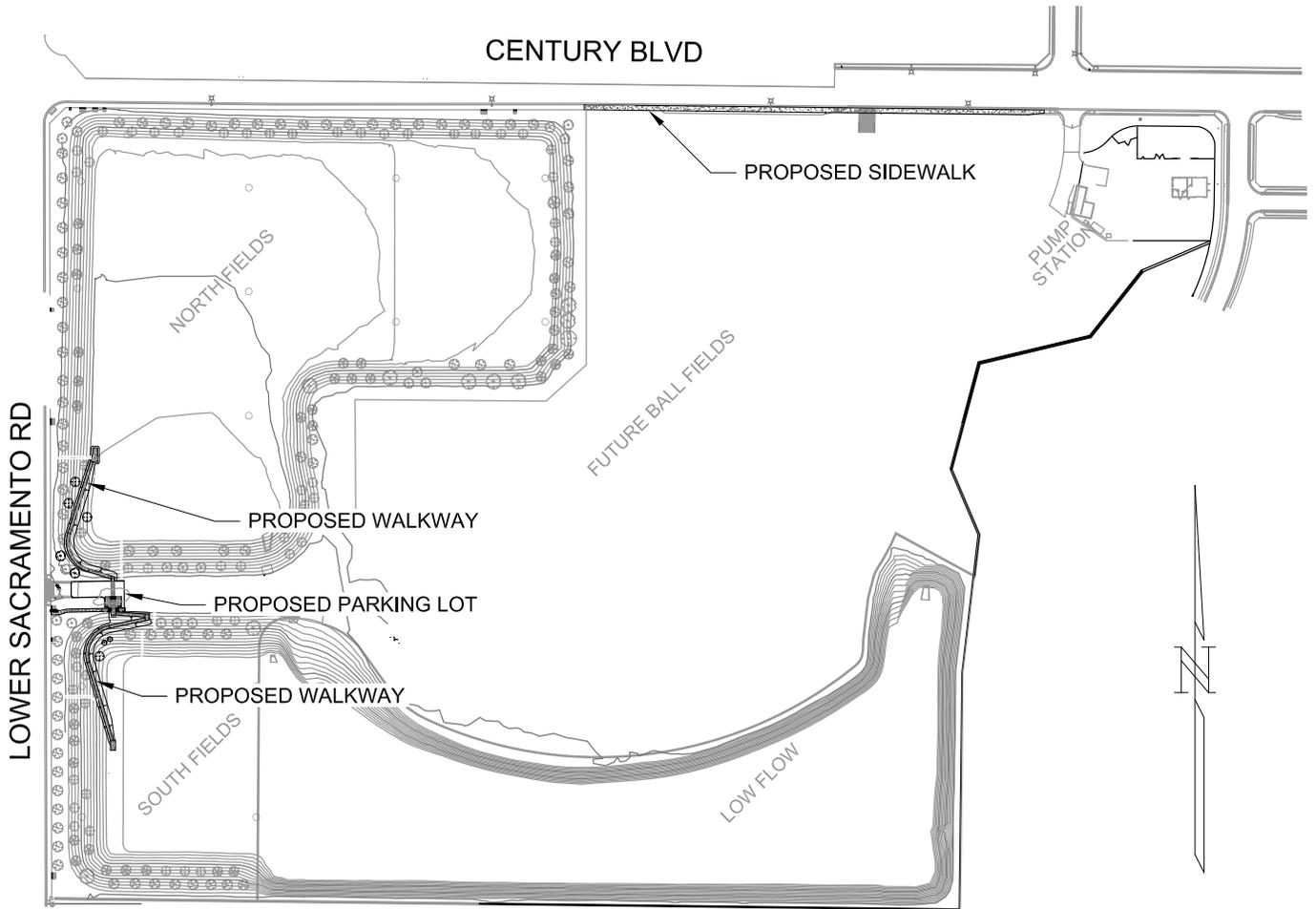


F. Wally Sandelin
Public Works Director

Prepared by Sean Nathan, Associate Engineer
FWS/SN/pmf
Attachment
cc: Associate Civil Engineer
Management Analyst
Parks, Recreation and Cultural Services Director

EXHIBIT A

DEBENEDETTI PARK ADA ACCESS IMPROVEMENT PROJECT



**DEBENEDETTI PARK ADA ACCESS IMPROVEMENT PROJECT
2150 South Lower Sacramento Road**

CONTRACT

CITY OF LODI, CALIFORNIA

THIS CONTRACT made by and between the CITY OF LODI, State of California, herein referred to as the "City," and A. M. STEPHENS CONSTRUCTION COMPANY, INC., herein referred to as the "Contractor."

WITNESSETH:

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

The complete Contract consists of the following documents which are incorporated herein by this reference, to-wit:

Notice Inviting Bids	The July 1992 Edition,
Information to Bidders	Standard Specifications,
General Provisions	State of California,
Special Provisions	Business and Transportation Agency,
Bid Proposal	Department of Transportation
Contract	
Contract Bonds	
Plans	

All of the above documents, sometimes hereinafter referred to as the "Contract Documents," are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all said documents.

ARTICLE I - That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City and under the condition expressed in the two bonds bearing even date with these presents and hereunto annexed, the Contractor agrees with the City, at Contractor's cost and expense, to do all the work and furnish all the materials except such as are mentioned in the specifications to be furnished by the City, necessary to construct and complete in a good workmanlike and substantial manner and to the satisfaction of the City the proposed improvements as shown and described in the Contract Documents which are hereby made a part of the Contract.

ARTICLE II - The City hereby promises and agrees with the Contractor to employ, and does hereby employ, the Contractor to provide all materials and services not supplied by the City and to do the work according to the terms and conditions for the price herein, and hereby contracts to pay the same as set forth in Section 5.600, "Measurement, Acceptance and Payment," of the General Provisions, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III - The Contractor agrees to conform to the provisions of Chapter 1, Part 7, Division 2 of the Labor Code. The Contractor and any Subcontractor will pay the general prevailing wage rate and other employer payments for health and welfare, pension, vacation, travel time, and subsistence pay, apprenticeship or other training programs. The responsibility for compliance with these Labor Code requirements is on the prime contractor.

ARTICLE IV - And the Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid or from the action 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 the City, 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 Plans and Contract Documents and the requirements of the Engineer under them, to-wit:

The work consists of constructing a parking lot and entrance of 82 tons of asphalt and 477 square feet of concrete. Also includes construction of 3,210 square feet of concrete walkway down the basin side slopes and 6,580 square feet of concrete sidewalks and other incidental and related work, all as shown on the plans and specifications for "DeBenedetti Park ADA Access Improvement Project, 2150 South Lower Sacramento Road".

CONTRACT ITEMS

ITEM NO.	DESCRIPTION	UNIT	EST'D. QTY	UNIT PRICE	TOTAL PRICE
1.	Traffic Control	LS	1	\$ 1,500.00	\$ 1,500.00
2.	Clearing, Grubbing, and Demolition	LS	1	\$ 12,430.00	\$12,430.00
3.	Remove and Salvage Existing Chain Link Fence	LF	1,815	\$ 1.20	\$ 2,178.00
4.	Relocate Trees	EA	6	\$ 340.00	\$ 2,040.00
5.	Tree Planting	EA	2	\$ 340.00	\$ 680.00
6.	Basin Slope Walkway Grading	SF	9,060	\$ 1.25	\$11,325.00
7.	Pavement Excavation	CY	41	\$ 93.00	\$ 3,813.00
8.	Asphalt Concrete	TON	82	\$ 150.00	\$12,300.00
9.	Concrete Parking Stalls (ADA)	SF	477	\$ 6.50	\$ 3,100.50

ITEM NO.	DESCRIPTION	UNIT	EST'D. QTY	UNIT PRICE	TOTAL PRICE
10.	4-Inch Thick Concrete Sidewalk, Curb Ramp and Concrete Transitions	SF	6,580	\$ 4.50	\$29,610.00
11.	6-Inch Thick Concrete Walk	SF	3,210	\$ 6.70	\$21,507.00
12.	Concrete Curb with 2-Foot Openings	LF	81	\$ 23.00	\$ 1,863.00
13.	Concrete Curb	LF	106	\$ 19.00	\$ 2,014.00
14.	Truncated Dome Panels	SF	66	\$ 32.00	\$ 2,112.00
15.	Concrete Wheel Stop	EA	2	\$ 45.00	\$ 90.00
16.	Bollards and Chain with Reflectors	LS	1	\$ 1,100.00	\$ 1,100.00
17.	Dead-End Barricade (Pedestrian)	EA	1	\$ 510.00	\$ 510.00
18.	Replace Turf on Impacted Areas	SF	5,850	\$ 2.20	\$12,870.00
19.	Install 3-Inch Diameter Schedule 80 PVC Irrigation Sleeve	LF	38	\$ 28.00	\$ 1,064.00
20.	Install 8-Inch Diameter Schedule 80 PVC Irrigation Sleeve	LF	20	\$ 65.00	\$ 1,300.00
21.	Signage and Striping	LS	1	\$ 3,330.00	\$ 3,330.00
TOTAL					\$ 126,736.50

ARTICLE V - By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE VI - It is further expressly agreed by and between the parties hereto that, should there be any conflict between the terms of this instrument and the Bid Proposal of the Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE VII - The City is to furnish the necessary rights-of-way and easements and to establish lines and grades for the work as specified under the Special Provisions. All labor or materials not mentioned specifically as being done by the City will be supplied by the Contractor to accomplish the work as outlined in the specifications.

ARTICLE VIII - The Contractor agrees to commence work pursuant to this contract within 15 calendar days after the City Manager has executed the contract and to diligently prosecute to completion within **35 CALENDAR DAYS**.

WHEN SIGNING THIS CONTRACT, THE CONTRACTOR AGREES THAT THE TIME OF COMPLETION FOR THIS CONTRACT IS REASONABLE AND THE CONTRACTOR AGREES TO PAY THE CITY LIQUIDATED DAMAGES AS SET FORTH IN SECTION 6-04.03 OF THE SPECIAL PROVISIONS. CONTRACTOR AGREES THAT THIS AMOUNT MAY BE DEDUCTED FROM THE AMOUNT DUE THE CONTRACTOR UNDER THE CONTRACT.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date written below.

CONTRACTOR:

CITY OF LODI

By: _____

Konradt Bartlam
City Manager

By: _____

Date: _____

Attest

Title

City Clerk

(CORPORATE SEAL)

Approved As To Form

D. Stephen Schwabauer
City Attorney



1. AA# _____
 2. JV# _____

**CITY OF LODI
 APPROPRIATION ADJUSTMENT REQUEST**

TO: Internal Services Dept. - Budget Division
 3. FROM: Rebecca Areida-Yadav 5. DATE: 04/01/2013
 4. DEPARTMENT/DIVISION: Public Works

6. REQUEST ADJUSTMENT OF APPROPRIATION AS LISTED BELOW

	FUND #	BUS. UNIT #	ACCOUNT #	ACCOUNT TITLE	AMOUNT
A. SOURCE OF FINANCING	1217		3205	Fund Balance	\$ 158,000.00
B. USE OF FINANCING	1217	1217043	1825.2300	DeBenedetti Park ADA	\$ 158,000.00

7. REQUEST IS MADE TO FUND THE FOLLOWING PROJECT NOT INCLUDED IN THE CURRENT BUDGET

Please provide a description of the project, the total cost of the project, as well as justification for the requested adjustment. If you need more space, use an additional sheet and attach to this form.

Contract withy AM Stephens for DeBenedetti Park ADA access improvement project.

If Council has authorized the appropriation adjustment, complete the following:

Meeting Date: _____ Res No: _____ Attach copy of resolution to this form.

Department Head Signature: Wally Sander

8. APPROVAL SIGNATURES

 Deputy City Manager/Internal Services Manager Date

Submit completed form to the Budget Division with any required documentation.
 Final approval will be provided in electronic copy format.

RESOLUTION NO. 2013-65

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING AND AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT FOR DEBENEDETTI PARK AMERICANS WITH DISABILITIES ACT ACCESS IMPROVEMENT PROJECT AND FURTHER APPROPRIATING FUNDS

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed bids were received and publicly opened on March 27, 2013, at 11:00 a.m., for the DeBenedetti Park Americans with Disabilities Act (ADA) Access Improvement Project described in the plans and specifications therefore approved by the City Council on March 6, 2013; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as follows:

Bidder Bid	
Engineer's Estimate	\$ 158,055.00
A. M. Stephens Construction	\$ 126,736.50
A-Vet Construction	\$ 135,322.56
Abide Builders	\$ 147,307.00
Biondi Paving	\$ 142,571.00
Sierra National Construction	\$ 171,125.00
BC Construction	\$ 171,591.25
Glissman Excavating	\$ 189,404.65
Andrew L. Lee, Inc.	\$ 214,390.00
Cazadores Construction	\$ 214,796.10
George Reed, Inc.	\$ 220,083.00

WHEREAS, staff recommends awarding the contract for the DeBenedetti Park ADA Access Improvement Project to the low bidder, A. M. Stephens Construction Company, Inc., of Lodi, California, in the amount of \$126,736.50.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby award the contract for the DeBenedetti Park Americans with Disabilities Act (ADA) Access Improvement Project to the low bidder, A. M. Stephens Construction Company, Inc., of Lodi, California, in the amount of \$126,736.50; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the contract.

BE IT FURTHER RESOLVED that funds in the amount of \$158,000 be appropriated from the Parks Impact Fees account for this project.

Dated: April 17, 2013

I hereby certify that Resolution No. 2013-65 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 17, 2013, by the following vote:

- AYES: COUNCIL MEMBERS – Hansen, Johnson, and Katzakian
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – Mounce and Mayor Nakanishi
- ABSTAIN: COUNCIL MEMBERS – None



RANDI JOHL
City Clerk