



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution Awarding Contract for DeBenedetti Park – Electrical Improvements, 2350 South Lower Sacramento Road, to Angelo Utilities, of Sacramento (\$223,025) and Appropriating Funds (\$270,000)

MEETING DATE: April 7, 2010

PREPARED BY: Public Works Director

RECOMMENDED ACTION: Adopt a resolution awarding the contract for the DeBenedetti Park – Electrical Improvements, 2350 South Lower Sacramento Road to Angelo Utilities, of Sacramento, in the amount of \$223,025 and appropriating funds in the amount of \$270,000.

BACKGROUND INFORMATION: This project consists of providing and installing new primary and fiber optic conduits, pull line, conductor trenching, backfill and compaction. Work also includes the installation of primary vaults, secondary service boxes, module enclosure pads, a transformer pad, metered switchboard panels, streetlights along the park frontage on Lower Sacramento Road and other incidental and related work. The City of Lodi Electric Utility Department will furnish the vaults, transformer and conductor for the contractor to install as part of this project.

This project will be done in conjunction with the DeBenedetti Park irrigation and turfing project previously awarded to Hemington Landscape. Completion of these Electrical Improvements is necessary to provide power to the irrigation and lighting systems in DeBenedetti Park. The completion of both projects will allow the Parks and Recreation Department to add new play areas for its soccer, flag football and softball programs. The new fields should be ready for use in the spring of 2011.

Plans and specifications for this project were approved on February 17, 2010. The City received the following 10 bids for this project on March 10, 2010.

Bidder	Location	Bid
Engineer's Estimate		\$ 275,750.00
Angelo Utilities	Sacramento	\$ 223,025.00
MCH Electric	Tracy	\$ 258,187.00
Emard Engineering	Loomis	\$ 279,650.00
Arrow Construction	Sacramento	\$ 297,583.00
Collins Electrical	Stockton	\$ 300,003.02
Bockman and Woody	Stockton	\$ 315,443.00
Pacific Excavation	Elk Grove	\$ 323,439.00
Tennyson Electric	Livermore	\$ 334,945.00
Harris Electric	Dublin	\$ 337,500.00
*Bleyco	Castro Valley	\$ *278,457.00

*Contractor did not include a Receipt of Addendum with Bid Proposal.

APPROVED:

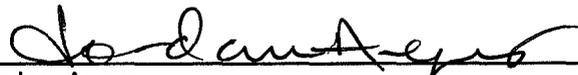
Blair King, City Manager

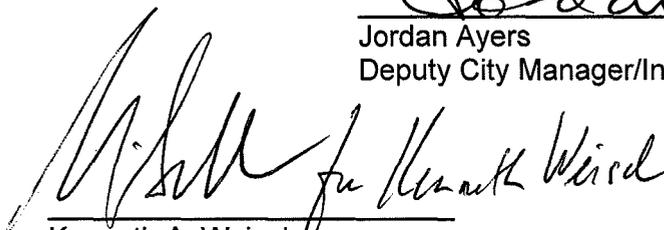
Adopt Resolution Awarding Contract for DeBenedetti Park – Electrical Improvements,
2350 South Lower Sacramento Road, to Angelo Utilities, of Sacramento (\$223,025) and Appropriating
Funds (\$270,000)
April 7, 2010
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Staff is recommending that Council reject the bid proposal from Bleyco as being non-responsive because the Receipt of Addendum was not included with the Bid Proposal. There were several items in Addendum No. 1 that would have affected the bid proposal total. Clarifications were made regarding which material was to be furnished by the contractor and which material was to be furnished by the City.

FISCAL IMPACT: There will be an increase in long-term electrical facilities maintenance costs.

FUNDING AVAILABLE: Requested Appropriation:
Electric Utility Outlay Reserve Fund (161651): \$270,000


Jordan Ayers
Deputy City Manager/Internal Services Director


Kenneth A. Weisel
Interim Electric Utility Director


F. Wally Sandelin
Public Works Director

Prepared by Wesley K. Fujitani, Senior Civil Engineer

FWS/WKF/pmf

cc: City Attorney
Purchasing Officer
Streets and Drainage Superintendent
Parks Superintendent
Management Analyst Areida-Yadav

CITY OF LODI, CALIFORNIA

THIS CONTRACT made by and between the CITY OF LODI, State of California, herein referred to as the "City," and ANGELO UTILITIES, 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 providing and installing new primary and fiber optic conduits, pull line, trenching, backfill and compaction. Work shall also include installation of primary vaults, secondary service boxes, module enclosure pads, transformer pad, grounding, (11) streetlights along Lower Sacramento Road, metered switchboard panel, conduits and service boxes for future Musco lighting sports system and other incidental and related work, all as shown on the plans and specifications for the project.

DEBENEDETTI PARK ELECTRICAL IMPROVEMENT CONTRACT EMS

ITEM NO.	DESCRIPTION	UNIT	EST'D QTY	UNIT PRICE	TOTAL PRICE
1.	Dust Control	LS	1	\$4,200.00	\$4,200.00
2.	Traffic Control	LS	1	\$7,955.00	\$7,955.00
3.	Excavation Safety	LS	1	\$1,000.00	\$1,000.00
4.	Furnish and Install Underground Electrical System including all Trenching, Backfill, Compaction, Type DB Conduit, Conductor and Grounding	LS	1	\$103,000.00	\$103,000.00
5.	Furnish and Install 3 Phase 480Y/277 Volt – 4 Wire 600 AMP Metered Panel Switchboard Cabinet with Breakers	LS	1	\$37,000.00	\$37,000.00
6.	Furnish and Install 1-Inch Type DB Conduit, Conductor, Pull Boxes, Trenching, Backfill, Compaction and Grounding for Streetlights	LS	1	\$11,700.00	\$11,700.00
7.	Furnish and Install 30 Foot Steel Streetlights and Concrete Foundations	EA	10	\$1,900.00	\$19,000.00
8.	Furnish and Install Sports Lighting Pull Boxes	EA	17	\$230.00	\$3,910.00

ITEM NO.	DESCRIPTION	UNIT	EST'D QTY	UNIT PRICE	TOTAL PRICE
9.	Furnish and Install 2-Inch Type DB Conduit, Pull Boxes, Pull Ropes, Trenching, Backfill and Compaction for Future Sports Lighting	LF	5,000	\$6.00	\$30,000.00
10.	Furnish and Install Type DB Conduits, Conductor, Pull Boxes, Trenching, Backfill, Compaction and Grounding for Utility Enclosure Area	LS	1	\$4,900.00	\$4,900.00
11.	Furnish, Install and Maintain Storm Water Pollution Prevention Plan	LS	1	\$360.00	\$360.00
TOTAL:					\$223,025.00

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 Mayor has executed the contract and to diligently prosecute to completion within **80 WORKING 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

Blair King
City Manager, City of Lodi

By: _____

Attest:

Title

Randi Johl
City Clerk

(CORPORATE SEAL)

Dated: _____

Approved as to form:

D. Stephen Schwabauer
City Attorney



RESOLUTION NO. 2010-38

A RESOLUTION OF THE LODI CITY COUNCIL AWARDING CONTRACT
FOR DEBENEDETTI PARK ELECTRICAL IMPROVEMENTS, 2350 SOUTH
LOWER SACRAMENTO ROAD, 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 10, 2010, at 11:00 a.m. for the DeBenedetti Park Electrical Improvements, 2350 South Lower Sacramento Road, described in the plans and specifications therefore approved by the City Council on February 17, 2010; and

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

Bidder	Bid
Angelo Utilities	\$ 223,025.00
MCH Electric	\$ 258,187.00
Emard Engineering	\$ 279,650.00
Arrow Construction	\$ 297,583.00
Collins Electrical	\$ 300,003.02
Bockman and Woody	\$ 315,443.00
Pacific Excavation	\$ 323,439.00
Tennyson Electric	\$ 334,945.00
Harris Electric	\$ 337,500.00
Bleyco	\$ "278,457.00

* Bleyco did not include a Receipt of Addendum with its Bid Proposal.

WHEREAS, staff recommends awarding the contract for the DeBenedetti Park Electrical Improvements, 2350 South Lower Sacramento Road, to the low bidder, Angelo Utilities, of Sgramento, California.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby award the contract for the DeBenedetti Park Electrical Improvements, 2350 South Lower Sacramento Road, to the low bidder, Angelo Utilities, of Sacramento, California, in the amount of \$223,025; and

BE IT FURTHER RESOLVED that funds in the amount of \$270,000 be appropriated from the Electric Utility Outlay Reserve Fund.

Dated: April 7, 2010

I hereby certify that Resolution No. 2010-38 was passed and adopted by the City Council of the City of Lodi in a regular meeting held April 7, 2010, by the following vote:

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



RANDI JOHL
City Clerk