



Agenda Report

20-643

Agenda Date: 8/18/2020

REPORT TO COUNCIL

SUBJECT

Action on Award of Contract for the Citywide Emergency Generator Replacement - Phase 1 Project (CE 17-18-07) [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

BACKGROUND

The City maintains Hazardous Materials Business Plans (HMBPs) and Spill Prevention, Control & Countermeasure (SPCC) plans for some generator locations, which require sufficient secondary containment be provided for tanks of petroleum products. All generators and fuel tank configurations must meet the secondary containment and storage requirements of the SPCC rule and the Certified Unified Program Agency (CUPA) for oil-filled operational equipment and fuel holding tanks. In addition, the City maintains Permits to Operate (PTOs) from the Bay Area Air Quality Management District (BAAQMD) for all non-exempt portable and stationary generators currently in use.

The City has emergency stand-by generators at critical buildings and equipment sites throughout the City which provide backup power in the event of a major power loss. The Department of Public Works maintain 35 generators throughout the City at various locations. The average age of the existing emergency generators is 24 years, resulting in increased maintenance costs and decreased reliability. City staff performed an initial evaluation of the existing emergency generators based on maintenance history, service vendor's input on maintenance and repair costs, and critical operation of the City facility it serves. Replacement of all the generators is prioritized into five phases in compliance with SPCC, CUPA, and BAAQMD requirements.

The Citywide Emergency Generator Replacement - Phase 1 Project (Project) consists of removal and replacement of the emergency stand-by generators at nine City facilities: City Hall - East Wing, Emergency Operation Center, Radio Shop (at the Utilities Corporation Yard), Fire Station 1, 7, and 8, Parks Service Center, and Rambo and Lick Mill Storm Drain pump stations. The Project plan cover sheet, which includes the site locations, is included as Attachment 1.

DISCUSSION

On June 24, 2020, bids were opened via video conference for construction of the Project. Seven bids were received ranging from \$2,924,791 to \$4,477,043. The Bid Summary is included as Attachment 2. The lowest bid, submitted by Rosendin Electric, Inc., in the amount of \$2,924,791, is 25.5 percent above the Engineer's Estimate (EE) of \$2,330,130. The bid results indicate that the low bid is an accurate reflection of the cost of work and it is unlikely that re-bidding the project will produce a lower bid result. While the lowest bid is higher than the EE, staff recommends awarding the contract to Rosendin Electric.

Rosendin Electric's bid was reviewed for compliance with the terms and conditions of the Bid Documents and found to be the lowest responsible and responsive bid. The City received one bid

protest for this Project from the second lowest bidder, California Building Evaluation & Construction, Inc. The protest was received at noon on July 10, 2020, eleven days after the deadline specified in the Instructions to Bidders. According to the instructions, failure to meet that deadline constitutes a waiver of any right to pursue a bid protest. Late submittal notwithstanding, Public Works staff reviewed the protest with the City Attorney's office and determined the basis of protest lacked merit.

The Project is currently scheduled for completion by late 2021, however, this timeframe is subject to change based on the current issues related to the COVID-19 pandemic. The contract includes prevailing wage requirements.

ENVIRONMENTAL REVIEW

This Project being considered is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15302 - REPLACEMENT OR RECONSTRUCTION as the activity consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

FISCAL IMPACT

The cost of the construction contract is \$2,924,791 plus a 15 percent construction contingency of \$438,719, for any potential change orders. The total not-to-exceed construction contract amount is \$3,363,510. Staff recognizes the potential unknowns and challenges of working with the existing facilities and hence recommends a 15 percent construction contingency for this Project. Funding for the contract is available in the Public Buildings Capital Fund's Stationary Standby Generators project.

COORDINATION

This report has been coordinated with the City Attorney's Office, Finance Department, Fire Department, Police Department, and Parks & Recreation Department.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220 or email clerk@santaclaraca.gov <<mailto:clerk@santaclaraca.gov>>.

RECOMMENDATION

1. Award the Public Works Contract for the Citywide Emergency Generator Replacement - Phase 1 Project (CE 17-18-07) to the lowest responsive and responsible bidder, Rosendin Electric, Inc., in the amount of \$2,924,791 and authorize the City Manager to execute any and all documents associated with, and necessary for the award, completion, and acceptance of this Project; and
2. Authorize the City Manager to execute change orders up to approximately 15 percent of the original contract price, or \$438,719, for a total not-to-exceed amount of \$3,363,510.

Reviewed by: Craig Mobeck, Director of Public Works

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. Plan Cover Sheet
2. Bid Summary