



CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

333 WEST OCEAN BOULEVARD • LONG BEACH, CA 90802 • (562) 570-6383 • FAX (562) 570-6012

September 18, 2018

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, including any necessary amendments, with Exbon Development, Inc., of Garden Grove, CA, for critical structural and roofing improvements to the Stearns Park Community Center, in the amount of \$762,810, plus a 15 percent contingency in the amount of \$114,422, for a total contract amount not to exceed \$877,232. (District 4)

DISCUSSION

City Council approval is requested to enter into a contract with Exbon Development, Inc., to provide construction services required for urgently needed improvements at the Stearns Park Community Center Project (Project). This critical project is increasingly time sensitive as major elements must be completed prior to the next rainy season in order to prevent further structural deterioration, and to avoid significantly extended closure of the Stearns Park Community Center (Community Center) to the public.

The Community Center is an approximately 5,000 square-foot single-story building with concrete masonry unit walls and a wood-framed roof structure. Due to visual evidence of deterioration of the roof, a structural assessment of the Community Center was conducted. The structural assessment noted the following deficiencies:

- Long-term weather exposure resulted in significant structural rot deterioration at the ends of the exposed roof beams. Deterioration exists at each beam and consists of termite damage, dry rot, and separation of the beams;
- On the south side of the building, the lumber headers show signs of dry rot and termite damage. These headers support the low roof framing, provide support for the window system, and serve as the bearing surface for the roof beams; and,
- Dry rot and termite damage is present at the jambs and headers of the smaller windows in the southeast corner of the building and at the north entry.

Based on the above observed conditions and assessments, the structural engineer recommended the installation of temporary shoring throughout the facility. The shoring was required to prevent failure of the roof beams and allow time for the design, bidding, and construction of the required repairs. The Community Center remained open to the public for a period with the temporary shoring, but was closed this summer to ensure the safety of

staff and the public, and prepare for pending improvements. Temporary facilities have been installed for staff and the public; however, the programming at this location has been temporarily reduced. Further, the structural engineer has expressed concern with the rate of structural deterioration of the roof support system at the Community Center. The closure of the Community Center has resulted in an inconvenience to the community. The Community Center also acts as a cooling center for residents to retreat to in times of high temperatures.

A bid for the Project was advertised in the Long Beach Press-Telegram on July 12, 2018, and 4,581 potential bidders specializing in construction services, and construction materials and supplies were notified of the bid opportunity. Of those bidders, 35 downloaded the bid via the City's electronic bid system. The bid document was made available from the Purchasing Division, located on the seventh floor of City Hall, and the Division's website at www.longbeach.gov/purchasing. A bid announcement was also included in the Purchasing Division's weekly update of Open Bid Opportunities, which is sent to 22 local, minority, and women-owned business groups. Only one bid was received on August 9, 2018, which was from Exbon Development, Inc. (Exbon). While otherwise satisfactorily complete, the bid did not meet one of the extended administrative requirements related to subcontractor outreach as outlined in the bid documents, and was therefore deemed to be non-responsive.

Public Contract Code Section 20166 states, "if no bids are received, the legislative body may have the project done without further complying with this chapter" (i.e., the City may directly engage contractors without further competitive bidding). City staff recommends awarding the contract to Exbon for its previously submitted bid amount. The only factor that caused the solicited bid from Exbon to be deemed non-responsive was the administrative requirement (subcontractor outreach) included in the prior solicitation. The bid was otherwise responsive to all bid documents and within the Project cost estimate prepared for the project. This recommendation is based on the urgent and critical nature of the Project and the lack of interest from other contractors in the prior competitive bid process, and is pursuant to the Public Contract Code.

Local Business Outreach

In an effort to align with the City's outreach goal, Long Beach businesses are encouraged to submit bids for City contracts. The Purchasing Division also assists businesses with registering on the PlanetBids database to download the bid specifications. Through outreach, 405 Long Beach vendors were notified to submit bids, of which one downloaded and none submitted a bid. The Purchasing Division is committed to continuing to perform outreach to local vendors to expand the bidder pool.

This matter was reviewed by Deputy City Attorney Linda T. Vu on August 29, 2018 and by Budget Analysis Officer Julissa José-Murray on August 30, 2018.

TIMING CONSIDERATIONS

City Council action is requested on September 18, 2018, to ensure the contract is in place expeditiously and begin construction in October 2018.

FISCAL IMPACT

The total cost for this project is estimated at \$1,401,058, which includes of the contract award amount of \$877,232, a 15 percent contingency, and the cost for design, construction management, labor compliance, and project oversight. The project cost is supported by \$800,915 from Measure A funding, \$200,000 from a Los Angeles County Regional Park and Open Space District Grant, \$390,000 in General Capital Project Funds, and \$10,143 from Fourth Council District one-time infrastructure funds. The funding is appropriated in the Capital Projects Fund (CP) in the Public Works Department (PW). There is no local job impact associated with this recommendation.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,


CRAIG A. BECK
DIRECTOR OF PUBLIC WORKS

APPROVED:


PATRICK H. WEST
CITY MANAGER

ATTACHMENT: RESOLUTION

CB:EL:MS:DMM

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH EXBON DEVELOPMENT, INC., WITHOUT ADDITIONAL ADVERTISING FOR BIDS, FOR THE RE-ROOF AT STEARNS PARK COMMUNITY CENTER, IN AN AMOUNT NOT TO EXCEED \$762,810, PLUS A 15 PERCENT CONTINGENCY IN THE AMOUNT OF \$114,422, FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$877,232

WHEREAS, on August 9, 2018, the City of Long Beach (the "City") scheduled a bid opening for sealed competitive bids for the Re-Roof at Stearns Park Community Center, located at 4520 E. 23rd Street, Long Beach, CA 90815 (the "Project"); and

WHEREAS, on August 9, 2018, only one (1) bid was received for the Project; and

WHEREAS, Exbon Development, Inc. ("Exbon") submitted the sole bid for the Project, however it was deemed non-responsive because it failed to meet one of the administrative requirements related to subcontractor outreach as outlined in the bid documents for the Project; and

WHEREAS, as a result, no bids were received that met the bidding requirements as outlined in the bid documents for the Project; and

WHEREAS, Public Contract Code Section 20166 permits the City to dispense with competitive bidding if no bids are received, and it states, "if no bids are received, the legislative body may have the project done without further complying with this chapter" (i.e., the City may directly engage contractors without further competitive

OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
333 West Ocean Boulevard, 11th Floor
Long Beach, CA 90802-4664

1 bidding);

2 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
3 follows:

4 Section 1. The City Council finds that after fully complying with the Public
5 Contract Code, no responsive bids were received for the Re-Roof at Stearns Park
6 Community Center Project.

7 Section 2. Pursuant to Public Contract Code Section 20166, the City
8 Manager, or designee, is hereby authorized to enter a contract with Exbon Development,
9 Inc., including any necessary amendments thereto, for the Re-Roof at Stearns Park
10 Community Center, located at 4520 E. 23rd Street, Long Beach, CA 90815, in an amount
11 not to exceed Seven Hundred Sixty-Two Thousand Eight Hundred Ten Dollars
12 (\$762,810), plus a fifteen percent (15%) contingency in the amount of One Hundred
13 Fourteen Thousand Four Hundred Twenty-Two Dollars (\$114,422), for a total contract
14 amount not to exceed Eight Hundred Seventy-Seven Thousand Two Hundred Thirty-Two
15 Dollars (\$877,232), without additional advertising for bids.

16 Section 3. This resolution shall take effect immediately upon its adoption
17 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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I hereby certify that the foregoing resolution was adopted by the City Council of the City of Long Beach at its meeting of _____, 2018 by the following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

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