



Legislation Text

File #: 21-0110, **Version:** 1

Recommendation to adopt Specifications No. RFP PW20-084 and award contracts to Bitech Construction, Inc., of Buena Park, CA, EBS General Engineering, Inc., of Corona, CA, and Sully-Miller Contracting Company, of Brea, CA, for design-build services for curb ramps, in an annual aggregate amount not to exceed \$15,000,000, for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager; and, authorize City Manager, or designee, to execute all documents necessary to enter into contracts including any necessary amendments; and

Accept Categorical Exemption CE-20-142. (Citywide)

City Council approval is requested to enter into contracts with Bitech Construction, Inc., EBS General Engineering, Inc., and Sully-Miller Contracting Company, for engineering design and construction services for curb ramps and concrete-related improvements, such as repair and replacement of sidewalks, driveways, curbs, gutters, alley entrances, and bus stop pads.

The design-build contracts include design and construction based on individual workorders issued by the City and does not include any guaranteed minimum payment or retainer fee. Payment to the contractors will be based on workorders issued by the City and fully completed by the design-builders. Measure A has made additional funding available for curb ramps and related improvements needed to comply with the terms of the City's Americans with Disabilities Act (ADA) Settlement Agreement and Transition Plan.

California Assembly Bill 2932 (AB 2932), approved by California's Governor on September 9, 2020, authorizes the City of Long Beach (City) to use the design-build contracting process to award contracts for curb ramps that are compliant with the ADA. AB 2932 is essential for the City to expedite the construction of curb ramps and related improvements required to meet the deadlines set in the City's ADA Settlement Agreement.

The Request for Proposals (RFP) was advertised in the Long Beach Press-Telegram on October 24, 2020, and 68 potential proposers specializing in engineering services and street construction services were notified of the RFP opportunity. Of those proposers, 59 downloaded the RFP via the City's electronic bid system. The RFP document was made available on the Purchasing Division's website at www.longbeach.gov/purchasing. An RFP announcement was also included in the Purchasing Division's weekly update of Open Bid Opportunities, which is sent to 35 local, minority-owned, and women-owned business groups. Five proposals were received on December 8, 2020. Of those five proposers, two were Minority-owned Business Enterprises (MBEs), none were a Women-owned Business Enterprise (WBE), one was a certified Small Business Enterprise (SBE), one was a

Disadvantaged Business Enterprise (DBE), and none were Long Beach businesses (Local).

A selection committee composed of a multi-department panel determined that the best fit to provide design-build services to the City were Bitech Construction, Inc., of Buena Park, CA (MBE, SBE, and DBE), EBS General Engineering, Inc., of Corona, CA, and Sully-Miller Contracting Company, of Brea, CA. The three design-builders were the most qualified to provide the services for the City based on their display of a full understanding of the complex design-build process, ability to provide examples of successful projects completed, and identification of an experienced project team.

Local Business Outreach

In an effort to align with the City's outreach goal, Long Beach businesses are encouraged to submit proposals for City contracts. The Purchasing Division also assists businesses with registering on the PlanetBids database to download RFP specifications. Through outreach, six Long Beach vendors were notified to submit proposals, of which four downloaded and zero submitted a proposal. The Purchasing Division is committed to continuing to perform outreach to local vendors to expand the bidder pool.

In conformance with the California Environmental Quality Act, Categorical Exemption No. CE-20-142 was issued for this project (Attachment A).

This matter was reviewed by Deputy City Attorney Amy R. Webber on January 7, 2021, Business Services Bureau Manager Tara Yeats on January 13, 2021, and by Budget Management Officer Rhutu Amin Gharib on January 24, 2021.

City Council action to adopt Specifications No. RFP PW20-084 and award contracts concurrently is requested on February 9, 2021, to ensure the contracts are in place expeditiously to meet the deadlines set in the City's ADA Settlement Agreement. Failure to meet the requirements of the City's ADA Settlement Agreement may expose the City to potential future litigation.

The recommendation requests an annual aggregate contract authority of \$15,000,000, for an amount not to exceed \$30,000,000 for a period of two years, with the option to renew for two additional one-year periods. The contract authority amount is estimated based on current projects within the Public Works Department and AB 2932. Any work not currently budgeted will only proceed at such time that appropriations have been approved by the City Council. Each workorder will be funded prior to the workorder being issued to the contractor. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. The number of additional local jobs created by the award of these contracts will not be known until the contractors complete hiring and construction has commenced.

Approve recommendation.

ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

APPROVED:

THOMAS B. MODICA
CITY MANAGER