

LAST MINUTE AGENDA INFORMATION

9/07/11 Regular Meeting

(Agenda Related Writings/Documents provided to a majority of the City Council after distribution of the Agenda Packet for the September 5, 2011 Regular meeting.)

ITEM NO. DESCRIPTION

6.7	RESOLUTION NO. 2011-7086 – AWARDING CONTRACT FOR 9TH AND PALM CENTER DEMOLITION - MIRACLE SHOPPING CENTER PROPERTY CIP R05-20A. (0640-10) <ul style="list-style-type: none">a. Revised Fiscal Impact (page 2 of Staff Report)b. Revised Resolution No. 2011-7086
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(Best Management Practices) left in place to prevent urban runoff into the receiving waters. Two chain link gates will be included: one from the south off the alley and the second from the west off Delaware Avenue for security and visibility purposes.

The engineers estimate for Demolition of the 9th & Palm Center – Miracle Shopping Center property - was \$375,000.00.

ENVIRONMENTAL DETERMINATION:

This demolition project was issued an Administrative Coastal Permit (ACP 110006/ MF 1062) on August 1, 2011 wherein it was found to be categorically exempt from CEQA pursuant to CEQA Guidelines Section 15302 – Replacement or reconstruction. A new shopping center will replace the existing shopping center of about the same size.

FISCAL IMPACT:

The budget for the 9th and Palm Center is \$15,000,000. As of August 31, 2011 the project has a balance of \$1,588,000. This balance is sufficient to cover the cost of the demolition and remaining relocation costs to complete the original project. The funds for this contract are with the City. The Imperial Beach Redevelopment Agency Board and City Council entered into a Cooperation Agreement (the "Agreement"), which was executed effective February 16, 2011, to provide for implementation of certain projects, including the 9th and Palm project.

DEPARTMENT RECOMMENDATION:

1. Receive this report.
2. Authorize the execution of a contract with the lowest responsive and responsible bidder.
3. Adopt the attached resolution authorizing the City Manager to execute a construction contract and purchase order with the lowest responsive and responsible bidder in the amount bid by the lowest responsive and responsible bidder.

CITY MANAGER'S RECOMMENDATION:

Approve Department recommendation.



Gary Brown, City Manager

Attachments:

1. Resolution No. 2011-7086

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RESOLUTION NO. 2011-7086

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AWARD OF CONTRACT FOR 9TH & PALM CTR DEMOLITION - MIRACLE SHOPPING CENTER PROPERTY - CIP R05-20A

2011 SEP -2 P 12: 22

WHEREAS, the Five-Year Capital Improvement Program Budget Fiscal Year 2004/2005 through Fiscal Year 2008/2009 adopted by Resolution No. 2005-6080 and as amended December 7, 2005 – Resolution No. 2005-6253 and February 6, 2008 – Resolution No. 2008-2008-6574 - included the Development of 9th & Palm Shopping Center CIP# R05-201; and

WHEREAS, the Five-Year Capital Improvement Program Budget Fiscal Year 2009/2010 through Fiscal Year 2013/2014 adopted by resolution 2009-6732 continued the plan for the development of the 9th and Palm Shopping Center CIP R05-201 and included the task to demolish the existing shopping center CIP R05-20A; and

WHEREAS, on August 11, 2011 the City advertised for bids for the Demolition of the 9th & Palm Center – Miracle Shopping Center property – CIP R05-20A; and

WHEREAS, a mandatory pre-bid meeting was conducted on August 19, 2011 at 10:00 A.M. for contractors to familiarize themselves with the existing site conditions prior to submitting bids; and

WHEREAS, fourteen (14) companies were represented at the mandatory pre-bid meeting; and

WHEREAS, the bid opening was scheduled for Thursday, September 1, 2011, at 2:00 p.m; and

WHEREAS, the bids were opened as scheduled and the lowest responsive and responsible bidder for the Demolition of the 9th & Palm Center – Miracle Shopping Center property – CIP R05-20A was Patriot General Engineering, Inc. at a bid price of \$412,674; and

WHEREAS, the lowest dollar value bid was evaluated “non-responsive” due to not including the required document acknowledgement with the bid submittal as required in the “Request for Bids”; and

WHEREAS, the Imperial Beach Redevelopment Agency Board and City Council authorized the City Manager and Executive Director to enter into a Cooperative Agreement (the “Agreement”), which was executed effective February 16, 2011, to provide for implementation of certain projects, including the Demolition of the 9th & Palm Center – Miracle Shopping Center property – CIP R05-20A under which payments will be made by the Agency to the City as otherwise necessary to reimburse the City for the cost of the demolition; and

WHEREAS, on ~~August 3~~ July 20, 2011, the City Council ~~adopted~~ introduced Ordinance No. 2011-1121 under protest and subject to reservation, in order to avoid the immediate adverse impacts on ABx1 26 enacted on June 29, 2011 related to redevelopment agencies; and

WHEREAS, the engineers estimate for Demolition of the 9th & Palm Center – Miracle Shopping Center property - was \$375,000.00.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Imperial Beach as follows:

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1. The above recitals are true and correct.
2. The legislative body hereby rejects all proposals for bids except that identified as the lowest responsive and responsible bid: Patriot General Engineering, Inc. at a bid price of \$412,674. The bid of the lowest responsive and responsible bidder will be on file with the transcript of these proceedings and open for public inspection in the City Clerk Department on file as contract No. XXXX.
3. The City Manager is authorized to enter into an agreement with the lowest, responsive and responsible bidder: Patriot General Engineering, Inc. at a bid price of \$412,674
4. The Contractor shall not commence construction or order equipment until he has received a Notice to Proceed.
5. The works of improvement shall be constructed in the manner and form and in compliance with the requirements as set forth in the plans and specifications for the project.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Imperial Beach at its meeting held on the 7th day of September 2011, by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

JAMES C. JANNEY, MAYOR

ATTEST:

JACQUELINE M. HALD, MMC
CITY CLERK

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