



AGENDA REPORT

Department: Engineering and Public Works
Prepared by: Tirza Gonzales, Management Analyst II
Meeting Date: Tuesday, March 7, 2023
Approved by: Brad Raulston, City Manager

SUBJECT:

Project close-out and notice of completion for the Paradise Creek Park Site Remediation and Improvements Project, CIP No. 18-07.

RECOMMENDATION:

Adopt a Resolution Entitled, "Resolution of the City Council of the City of National City, California, 1) accepting the work performed by Whillock Contracting, Inc. for the Paradise Creek Park Site Remediation and Improvements Project, CIP No. 18-07; 2) approving the final contract amount of \$5,197,256.50; 3) ratifying the release of retention in the amount of \$141,891.95; and 4) approving the signing of the Notice of Completion for the project."

BOARD/COMMISSION/COMMITTEE PRIOR ACTION:

Not Applicable.

EXPLANATION:

The Paradise Creek Park Site Remediation and Improvements Project provided the site remediation, grading and infrastructure improvements necessary to construct a new approximately 4-acre Community Park (under a separate phase) that consists of walking paths, community garden, playground and other amenities on the west side of Paradise Creek, between W. 22nd Street and W. 19th Street. More specifically, the scope of this project included installation of the gabion wall, park lighting, storm water pipes and structures, and landscaping. Funding was also used to reconstruct Harding Avenue and W. 20th Street to provide paved roadways, utilities, parking, new sidewalks and curb ramps for ADA compliance.

On August 21, 2018, the bid solicitation was posted on PlanetBids, a public electronic bidding system for contractors. On August 23, 2018 and August 30, 2018, the bid solicitation was advertised in local newspapers.

On September 27, 2018, nine (9) bids were received electronically on PlanetBids by the 2:00 p.m. deadline. Bid results were available immediately after the 2:00 p.m. deadline. Whillock Contracting, Inc. (Whillock) was the apparent lowest bidder with a grand total bid amount of \$5,877,475. The project specifications state that if an additive, alternate or additive/alternate bids items are called for in the Contract Documents, the sum of the base bid and all additive, alternate and additive/alternate bids, if any, shall be used to compare all bids to determine the lowest responsive bid.

On October 1, 2018, Whillock maintained it made clerical errors in its bid and, on that basis, requested to withdraw its bid. Staff determined Whillock's request was unsubstantiated and requested additional information to prove the alleged errors were indeed clerical. On October 4, 2018, Whillock rescinded its requested withdrawal and agreed to perform work on the Project as the lowest responsive and responsible bidder.

Additionally, upon review of all documents submitted, Whillock's bid was deemed responsive.

On October 16, 2018, the City Council adopted Resolution No. 2018-182 awarding the contract to Whillock Contracting, Inc., in the not-to-exceed amount of \$5,219,250.00 and authorizing a 25% contingency of up to \$1,304,812.50 for any unforeseen changes.

The Notice to Proceed with construction was issued on November 29, 2018. Construction began on December 13, 2018 and was completed on November 19, 2020.

The change orders issued for this project are detailed in the Final Contract Balance Report (see attached). The change orders increased the contract by \$280,064.42. Contract savings from line-item adjustments was \$302,057.92. This results in a savings of \$21,993.50 from the original Contract Price for a final contract balance of \$5,197,256.50. Any remaining project encumbrances will be released to the original funding source.

As a result of satisfactory completion of the project, staff recommends that City Council, 1) accept the work performed by Whillock Contracting, Inc. for the Paradise Creek Park Site Remediation and Improvements Project, CIP No. 18-07; 2) approve the final contract amount of \$5,197,256.50; 3) ratify the release of retention in the amount of \$141,891.95; and 4) approve the signing of the Notice of Completion for the project.

The Notice of Completion will be filed with the San Diego County Recorder's Office.

FINANCIAL STATEMENT:

Appropriations for the retention payment are accounted for in the adopted budget.

RELATED CITY COUNCIL 2020-2025 STRATEGIC PLAN GOAL:

Transportation Choices and Infrastructure

ENVIRONMENTAL REVIEW:

This is not a project under CEQA and is therefore not subject to environmental review. CCR15378; PRC 21065.

PUBLIC NOTIFICATION:

Agenda Report posted within 72 hours of meeting date and time in accordance with Brown Act.

ORDINANCE:

Not Applicable

EXHIBITS:

- Exhibit A – Location Map
- Exhibit B – Notice of Completion
- Exhibit C – Final Contract Balance Report
- Exhibit D – Resolution