



AGENCY: City Council
MEETING DATE: June 10, 2024
DEPARTMENT: Public Works
PRESENTED BY: C. O'Neal
EMAIL ADDRESS: coneal@fortbragg.com

AGENDA ITEM SUMMARY

TITLE:

Receive Report and Consider Adoption of City Council Resolution Approving Contract with GOC Construction, for the Replacement of the Fire Station Roof, City Project PWP-00138, Authorizing City Manager to Execute Contract (Amount Not to Exceed \$177,430.00), and Finding the Project Exempt from CEQA under 14 CCR 15301

ISSUE:

Public Works staff solicited informal quotes for the replacement of the Fire Station roof. The Fire Station roof is a project listed in the City's 2023/2024 Capital Improvement Program list with a budget of \$100,000. The engineer estimate for this project was \$175,000.

Public Works staff solicited informal quotes for the replacement of the Fire Station roof in April 2024. The City received six (6) quotes (Bid Opening Summary Attachment 5). Two (2) of which were deemed non-responsive upon receipt. After a cursory review of the bids and the release of the bid opening, the City received protests on the two (2) lowest bids. One (1) protest regarding proposed material, and one (1) regarding insurance endorsements. After evaluating the protests (further described in the analysis section), the City determined that the first low bidder was non-responsive, but the second protest lacked merit. Staff is recommending an award to the second low bidder, GOC Construction for \$177,430.00.

ANALYSIS:

This project scope includes the removal of the existing roofing material on the various roof sections comprising the Fire Station, the installation of a modified bitumen roof system on the flat sections, and standard 30-year shingles on the pitched roof section. This project had a base bid that included two (2) roof sections composed of Thermoplastic Polyolefin (TPO) and an alternate bid item for all flat sections of the roof to be done in Modified Bitumen (Mod Bit). Based upon the quotes received, the budget available, and the alternate material being the greater value, city staff recommends moving forward with the Mod Bit scope for the Fire Station Project. The replacement of the Fire Station roof is necessary to prevent leaking and ensure the building is maintained sufficiently.

The notice inviting bids described the project in general terms and included a list of minimum task items necessary for a complete bid. The City received six bids and as described above, staff initially determined two bids were unresponsive because the quotes

AGENDA ITEM NO. _____

excluded several components outlined in the scope of work. Thompson Construction was deemed the lowest bidder on 05/15/2024. The City received a timely protest to Thompson Construction's bid citing the following "The use of "30# felt" in their proposal does not meet the manufacturer's specifications for installation, therefore is not allowable." The bid protest claimed that Thompson Construction's bid did not meet the code and should not be considered a responsible bid.

City Staff performed an analysis of the claim and determined the following:

1. The proposed underlayment for the Fire Station Roof Project is non-compliant with code standards, industry standards, and manufacturer specifications.
2. This irregularity is a material deviation and materially affects the proposal.
3. A bid that varies materially must be rejected.

The city has determined that the best course of action was to reject the low bid of Thompson Construction as non-responsive because it does not comply with code standards, industry standards, and manufacturer specifications.

According to the City Informal bid procedures outlined in the Fort Bragg Municipal Code (FBMC) §3.22.050 (G): "Contracts shall be awarded to the lowest responsible bidder submitting a responsive bid." Since the low bidder is based on material defects, the city of Fort Bragg has determined that this proposal is non-responsive, and moved to the next lowest responsive bidder, GOC Construction.

The City received a protest regarding the second low bidder, citing concerns inquiring whether or not "GOC has the necessary insurance endorsement for 'hot tar / modified bitumen" and stating "Without this endorsement, their general liability insurance would not cover this project."

The City has analyzed the concerns raised about GOC's Insurance. CIRA, the City's risk management team reviewed the concerns raised in this second protest and determined the referenced endorsement, only relates to a warranty "It will cover the cost of any warranty repair if all the conditions are met during construction. If the conditions are not met, then the policy will not cover the cost of the warranty, and the contractor will be out of pocket for any warranty repair. A policy/endorsement like this is more about protecting the contractor financially, not the customer." Following this consultation, the City has determined that this endorsement is not necessary for the contractor to meet their obligations under this contract so long as the contractor provides all the other insurance documentation and endorsements required by the contract. GOC Construction has agreed to provide all necessary insurance and endorsements to fulfill its obligations under this contract.

Finally, since all responsive bids received were in excess of \$175,000, staff is referring Council to FBMC §3.22.050 (H), which states "If all bids received are in excess of

\$175,000, the City Council may, by adoption of a resolution by a four-fifths vote, award the contract, at \$187,500 or less, to the lowest responsible bidder submitting a responsive bid if the Council determines the cost estimate of the public agency was reasonable.” Thus in order to award the contract, a four-fifths vote is necessary to award the contract.

RECOMMENDED ACTION:

Accept the bid of GOC Construction as the lowest responsive and responsible bidder, adopt the Resolution awarding the contract for construction to GOC Construction for the Fire Station roof project, and find the project exempt from CEQA under 14 CCR 15268.

ALTERNATIVE ACTION(S):

Refuse bids and put the project out to bid again.

FISCAL IMPACT:

This project was included in the Capital Improvement Budget for \$100,000 in the FY 23/24 budget. A more recent evaluation of the Fire Station roof in late April 2024 increased the engineer's estimate to \$175,000 given the heavy deterioration of the roof. The lowest responsive bid was \$2,430 above the engineer's estimate, and a budget amendment is proposed (via resolution) to increase the budget by \$77,430 for a total cost of \$177,430 to replace the roof of the Fort Bragg Fire Department.

Funding to cover the cost of this project will be supplied by the Fort Bragg Fire Department as part of their Measure P funds received from Mendocino County.

ENVIRONMENTAL ANALYSIS:

This Project is categorically exempt from CEQA, 14 CCR Section 15301 which allows for the repair and maintenance of existing facilities. There will be a short-lived increase in greenhouse gas emissions during construction from processes and equipment necessary for the performance of the work. All Air Quality Management District best management practices for minimizing greenhouse gas emissions during construction, such as reducing idling vehicles, will be incorporated into the daily activities of this project.

CONSISTENCY:

This project is consistent with General Plan Element 3 Public Facilities, which is intended to identify essential public facilities, buildings, and services and to ensure that the existing and future population of Fort Bragg is provided with the best feasible level of public services and infrastructure. Repair of the Fire Station roof will ensure the quality of the work environment for the employees who work there, as well as ensure the longevity of the equipment that is stored there.

IMPLEMENTATION/TIMEFRAMES:

Start Construction – July 2024
Complete Construction – August 2024

ATTACHMENTS:

1. Resolution
2. GOC Construction Quote
3. Budget Amendment
4. Contract
5. Bid Opening

NOTIFICATIONS:

1. GOC Construction
2. Redwood Roofers
3. Thompson Construction