



Administrative Report

H.10., File # 24-0254

Meeting Date: 3/5/2024

To: MAYOR AND CITY COUNCIL
From: TED SEMAAN, PUBLIC WORKS DIRECTOR

TITLE

ADOPT BY TITLE ONLY RESOLUTION NO. CC-2403-012, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDONDO BEACH, CALIFORNIA, AWARDED A CONTRACT TO HARDY & HARPER, INC., A CALIFORNIA CORPORATION, IN THE AMOUNT OF \$213,800 FOR THE ANITA STREET AT PACIFIC COAST HIGHWAY TO MARIA AVENUE STREET IMPROVEMENTS (WESTBOUND CHANNELIZATION) PROJECT, JOB NO. 41240

EXECUTIVE SUMMARY

The Anita Street (Westbound Channelization Improvements) at Pacific Coast Highway Project, Job No. 41240 ("Project"), funded by Metro Measure R Funds and recommended by South Bay Cities Council of Governments, is designed to improve the level of service at the intersection of Anita Street and PCH by improving the channelization of the west bound approach lanes on Anita Street between PCH and Maria Avenue.

On November 7, 2023, the City Council approved plans and specifications for the Project and authorized competitive bidding. On February 15, 2024, three (3) bids were received and publicly opened. Hardy & Harper, Inc., with a bid of \$213,800, provided the lowest responsive bid.

Funding for this Project is available in the Project Budget. Staff recommends the City Council adopt the attached resolution (Attachment 1) awarding construction of the project to Hardy & Harper, Inc. If approved, construction of the project is expected to begin in May 2024 and be completed within forty (40) working days.

BACKGROUND

On June 19, 2019, the Board of Directors of the Los Angeles County Metropolitan Transportation Authority ("Metro") approved \$300,000 in Regional Measure R funds for the design of the Project, and on April 7, 2020, the City Council entered into a Funding Agreement #MOU.MR312.38 with Metro to accept the funds.

On June 25, 2020, the Metro Board of Directors approved an additional \$2,100,000 in Measure R Highway Program Funds for construction of the Project. On March 9, 2021, the City Council approved Amendment No 1 to Funding Agreement #MOU.MR312.38 with Metro to accept the additional funds.

On March 17, 2021, the City Council approved a Consulting Services Agreement with KOA

Corporation to design the project along with four other transportation related design projects. The design of this channelization project did not require any additional right-of-way and avoided major changes at the intersection. Therefore, a Caltrans design review was not required. On November 7, 2023, the City Council approved plans and specifications for the project and authorized competitive bidding. On February 15, 2024, three (3) bids were received and publicly opened. Hardy & Harper, Inc., with a bid of \$213,800, was found to provide the lowest responsive bid.

There was a minor anomaly with Hardy & Harper, Inc.'s bid that staff recommends be waived per rights reserved to the City Council in the City's municipal code (RBMC §2-6.1.07). Prior to bids being due, staff issued two Addenda to the bid documents, the first correcting the bid opening time and the second changing the pre-bid mandatory site meeting to a non-mandatory meeting. The latter occurred after the scheduled meeting and was decided due to a low attendance at the meeting because of heavy rain on the day. In issuing the second Addendum, staff determined that information provided at the meeting was not so unique to the project as to warrant a delay in bidding timeline. The Addenda were issued with a statement that failure to acknowledge receipt of the Addenda by producing a signed acknowledgement with the bid package may lead to disqualification of the bid. Hardy & Harper, Inc. was not at the pre-bid site meeting and did not return the signed acknowledgment of receipt of the second Addendum with their bid package; they did submit and include the signed first Addendum.

In this case, staff does not believe that any advantage was gained in producing the low bid by the failure to acknowledge receipt of the second Addendum. Staff also does not believe there exists any compromise to the City's ability to implement the project or administer the public works contract as a result of the missing Addendum acknowledgment. Finally, because the Addendum language indicated a failure *may* (not *shall*) result in a disqualification, the City Council is able, per the municipal code, to waive the missing addendum as a minor irregularity, and to award the project to Hardy & Harper, Inc.

Upon the City Council's adoption of the Resolution of Award, and subsequent contract execution, the project construction is expected to begin in May 2024 and be completed within forty (40) working days.

COORDINATION

The development of the Project Plans and Specifications were coordinated by the Public Works Department, Engineering Services Division. This Regional Measure R funded project has been coordinated with Metro and the South Bay Cities Council of Governments. The City Attorney's Office approved the resolution as to form.

FISCAL IMPACT

Regional Measure R Grant funds for the Project total \$2,400,000 and the City's local match is \$100,000, which is funded by local return (LR) funds from Measure R, which are also restricted to transportation uses. The grant funds are paid to the City on a cost reimbursement basis. The actual cost of the project is expected to be well below the current funding commitment. Original estimates for the Project considered the potential for right of way acquisition and possible work within the Caltrans right of way, and drove the request for more funds than ultimately needed. Any unused funds will remain with Metro and made available for future qualifying projects in Metro's Measure R fund balance for the South Bay Highway Program. The project has no impact on the City's General

Fund.

APPROVED BY:

Mike Witzansky, City Manager

ATTACHMENTS

- Resolution of Award
- Bid Results