

## RESOLUTION NO. 25-\_\_

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, AWARDING A CONSTRUCTION CONTRACT TO ALL AMERICAN ASPHALT FOR THE FY 2024-25 PAVEMENT REHABILITATION PROJECT, AND AUTHORIZING CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES BY TRANSTECH ENGINEERS, INC. PURSUANT TO THEIR ON-CALL PROFESSIONAL CONSULTING SERVICES AGREEMENTS**

**WHEREAS,** The FY 2024-25 Pavement Rehabilitation Project (Project) includes the rehabilitation of various alleys citywide including but not limited to gutter replacement, AC cold-mill, AC overlay, and AC pavement removal & construction; and

**WHEREAS,** The alleys were selected based on the recommendations identified within the City's Pavement Management System (PMS) which include:

1. Alley E/Gerhart Av from Ferguson Dr to Alley S/Olympic Bl
2. Alley E/Gerhart Av from Alley N/Olympic Bl to Alley S/Whittier Bl
3. Alley N/Washington Bl from Bedessen Av to Connor Av
4. Alley N/Washington Bl from 198' W/O Ransom St to Ransom St
5. Alley N/Washington Bl from Ransom St to Coutts Av
6. Alley N/Washington Bl from Coutts Av to Bewley Av
7. Alley N/Washington Bl from Bewley Av to Cowlin Av
8. Alley N/Washington Bl from Wilma Av to Strong Av
9. Alley N/Washington Bl from Strong Av to O'Neill Av
10. Alley N/Washington Bl from O'Neill Av to Fitzgerald Av
11. Alley N/Washington Bl from Eastern Av to 275' E/O Daniel Av
12. Alley S/Washington Bl from Ralph Lieberman Av to Strong Av
13. Alley S/Washington Bl from Strong Av to O'Neill Av
14. Alley S/Washington Bl from O'Neill Av to Fitzgerald Av
15. Alley S/Washington Bl from Fitzgerald Av to Eastern Av
16. Alley S/Washington Bl from Eastern Av to Daniel Av
17. Alley S/Washington Bl from Daniel Av to 300' E/O Daniel Av
18. Alley S/Washington Bl from 300' E/O Daniel Av to Commerce Way
19. Alley E/Atlantic Bl from Jillson St to Jardine St
20. Alley E/Atlantic Bl from Jardine St to Harbor St
21. Alley E/Atlantic Bl from Everington St to Fitzgerald St
22. Alley W/Eastern Av from Harbor St to Everington St
23. Alley W/Eastern Av from Everington St to Alley N/Everington St

**WHEREAS,** On March 24, 2025, staff advertised the bid package for the Project; and

**WHEREAS,** In response to the solicitation for bids, eight (8) bids were submitted to the City during the Bid Opening held on April 14, 2025; and

**WHEREAS,** The bid documents required the submission of five references as part of the Bidder Qualification Form. All American Asphalt submitted only three references and indicated that the remaining two were included in an attached list of recently completed construction projects. However, the referenced attachment was not included in their bid submittal; and

**WHEREAS,** The City Attorney reviewed the bid and determined that the missing attachment constituted a non-material error that could be waived. Because the omission did not affect All American Asphalt's obligation to fulfill the bid requirements nor give them an unfair competitive advantage, the City exercised its discretion to request the missing Bidder Qualification Form prior to the Council award of which All American Asphalt has since submitted; and

**WHEREAS,** Based on the bid analysis and due diligence conducted by the City, the lowest responsive and responsible bidder is determined to be All American Asphalt; and

**WHEREAS,** Staff is recommending award of a construction contract to All American Asphalt in the amount of \$2,599,124.00 for the total Base Bid Schedule amount; and

**WHEREAS,** Staff recommends approval of up to 15% of construction contract for Contingencies; and

**WHEREAS,** Staff recommends that Transtech Engineers, Inc. be authorized to provide construction management and inspection services pursuant to their existing on-call agreements for consultant services; and

**WHEREAS,** The total estimated cost of this project including construction contract, contingencies, construction management, and inspection services is \$3,287,891.86 of which \$4.4 million is available in the approved Measure AA Funds Account #41-5180-57010.12002.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:**

**Section 1.** The City Council of the City of Commerce hereby finds and declares that the foregoing recitals are true and correct, and incorporates them herein as findings and as a substantive part of this Resolution.

**Section 2.** Approves the Plans and Specifications for the FY 2024-25 Pavement Rehabilitation Project.

**Section 3.** Irregularities in All American Asphalt's bid is hereby waived as

insubstantial and not affecting the fair bidding process. A construction contract to All American Asphalt, as the lowest responsive and responsible bidder, for the FY 2024-25 Pavement Rehabilitation Project in the amount of \$2,599,124.00 is hereby awarded and the Mayor is authorized to execute the contract in a form approved by City Attorney.

**Section 4.** Authorize Construction contingencies of up to \$389,868.60 (15% of construction contract) for unforeseen conditions.

**Section 5.** Authorize Construction Management and Inspection Services for up to \$298,899.26 (10% of the total Construction Contract and Contingencies).

**Section 6.** Authorize Transtech Engineers, Inc. to proceed with Construction Management and Inspection pursuant to their existing on-call agreement for consultant services.

**Section 7.** Make a finding and determination that the Project is exempt from further CEQA review pursuant to Administrative Code, Title 14, Chapter 3, Section 15301, Class 1, because the Project consists of Restoration or rehabilitation of deteriorated or damaged structures or facilities to meet current standards of public health and safety.

**Section 8.** Authorize the Mayor to execute this Resolution for and on behalf of the City of Commerce.

**Section 9.** This Resolution shall take full force and effect immediately upon adoption by the City Council.

**PASSED, APPROVED and ADOPTED this 22<sup>nd</sup> day of April 2025.**

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Ivan Altamirano, Mayor

ATTEST:

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Lena Shumway, City Clerk