

RESOLUTION NO. 17-94

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COMMERCE, CALIFORNIA, CONTINGENT ON FUNDING APPROVAL PER THE CIP BUDGET BY THE CITY COUNCIL: (1) AWARD THE CONSTRUCTION CONTRACT TO PALP, INC. DBA EXCEL PAVING COMPANY PER ITS BASE BID ONLY; OR (2) AWARD THE CONSTRUCTION CONTRACT TO PALP, INC. DBA EXCEL PAVING COMPANY PER ITS BASE AND ADDITIVE BID(S); (3) AUTHORIZE TRANSTECH, INC. TO PROVIDE CONSTRUCTION AND PROJECT MANAGEMENT SERVICES PER ITS “ON-CALL” SERVICES CONTRACT; AND (4) AUTHORIZE A CONSTRUCTION CONTINGENCY OF 15% FOR THE MALT AVENUE STREET RACING MITIGATION IMPROVEMENT PROJECT**

WHEREAS, the Traffic Commission, on June 8, 2016, approved implementing mitigation measures through a “pilot program” on Malt Avenue, so as to discourage drivers from speeding on this street due to perceived street racing along Malt Avenue from Garfield Avenue to Telegraph Road; and

WHEREAS, the City Council on May 2, 2017, approved the project plans and specifications for the Malt Avenue Street Racing Mitigation Improvement Project and directed staff to advertise for bids; and

WHEREAS, the bid opening was conducted on July 6, 2017, and the City Clerk opened and announced the bids in a public setting, in which there were a total of two (2) bids submitted; and

WHEREAS, the apparent lower responsible bidder, E.C. Construction, Inc. was rejected due to its submittal of an “unresponsive” bid; and

WHEREAS, PALP, Inc. dba Excel Paving Company (Excel Paving Company) was the sole responsible bidder at a cost of \$91,965 for the base bid, \$3,575 for additive alternative #1, and \$11,000 for additive alternative #2; and

WHEREAS, City Council will need to supplement additional funds to cover the shortfall of funding, pending the approval of the CIP budget; and

WHEREAS, the City Council may award to Excel Paving Company per the options given in the staff report; and

WHEREAS, the City Council authorize Transtech, Inc. in the amount of \$9,750 to provide construction and project management, inspections, and overall project administration per its “on-call” services contract; and

WHEREAS, the City Council authorize a contingency of 15% for construction-related purposes.

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

Section 1. The City Council award the construction contract to Excel Paving Company per any one of the options outline in the staff report.

Section 2. The City Council will authorize supplemental additional funds to cover the shortfall of funding, pending the approval of the CIP budget.

Section 2. The City Council authorize Transtech, Inc. in the amount of \$9,750 to provide construction and project management, inspections, and overall project administration per its "on-call" services contract.

Section 3. The City Council authorize a contingency of 15% for construction-related purposes.

PASSED, APPROVED and ADOPTED this 19th day of August 2017.

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Oralia Rebollo, Mayor

ATTEST:

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Lena Shumway, City Clerk