



AGENDA REPORT

CITY OF SAN CLEMENTE

CITY COUNCIL MEETING

910 Calle Negocio
2nd Floor
San Clemente, California
www.san-clemente.org

Meeting Date: September 17, 2024

Agenda Item: 11D

Submitted By: Public Works

Prepared By: Belgin Cuhadaroglu, Senior Civil Engineer

Subject:

CONSIDERATION OF A RESOLUTION REJECTING ALL BIDS FOR THE LIFEGUARD TOWERS REPLACEMENT (2024), CIP PROJECT NO. 22104

Fiscal Impact:

If bids are rejected as proposed, there would be no fiscal impact with the exception of the nominal costs of modifying and reissuing the bid documents based on a revised scope of work.

Summary:

Before the City Council is the Resolution 24-145 rejecting all bids for the Lifeguard Towers Replacement. This will allow re-scoping the bid package and re-bidding the project with a scope of work that will better fit City lifeguard and public safety needs.

Background:



The beaches in San Clemente accommodate approximately 2.6 million visitors each year. The Marine Safety Department is responsible for the provision of visitor safety and water related lifeguard services. To maintain and enhance emergency responses, Lifeguard Towers are utilized by staff for improved visibility and containment of safety equipment. Currently, lifeguards utilize 11 towers, ten wooden and one fiberglass, of which, nine are nearing the end of their useful life.



Staff prepared a bid package for the replacement of four Lifeguard Towers plus three alternate towers, notified local contractors, and advertised the project for competitive bidding on the PlanetBids website and in the SC Times. Five bids were received on November 28, 2023, ranging from \$141,200 to \$749,405, as shown below:

Vendor Name	City	State	Bid Amount	Alternate Bid Amount
Tony Cossi Construction	San Diego	CA	\$141,200.00	\$98,250.00
U.S. Builders & Consultants	Irvine	CA	\$288,800.00	\$220,000.00
At Your Service Construction & Energy Inc	Encino	CA	\$330,000.00	\$185,000.00
Thompson General Construction	Carlsbad	CA	\$432,000.00	\$302,000.00
Kaptive Construction & Preservation	Los Angeles	CA	\$749,404.80	\$471,811.20

Shortly after the bid opening, on December 3, 2023, Tony Cossi Construction notified the City that it was withdrawing its bid pursuant to Public Contract Code section 5103 because of a mistake that they made while filling out the bid forms (they had transposed numbers from the estimate to the bid sheet).

On February 20, 2024, the City Council was presented with agenda materials to consider the approval of a construction contract with the lowest responsible bidder (i.e., U.S. Builders and Consultants, Inc.) for the replacement of four Lifeguard Towers at an estimated total construction cost of \$340,800. However, staff requested the item to be continued to a future date for further evaluation regarding the project's scope of work and the City Council granted staff's request and continued the item.

After further evaluation, staff is recommending a different scope of work: building adequately sized lifeguard towers to accommodate current needs versus smaller towers is recommended and a work area near the Marine Safety HQ Building should be identified to allow contractors to build the lifeguard towers on site eliminating transportation challenges and costs. Therefore, City staff recommends rejecting all bids, modifying the scope of work, and re-bidding the project.

Council Options:

- Adopt Resolution No. 24-145, rejecting all bids.
- Modify and adopt Resolution No. 24-145.
- Continue the item with direction to provide additional information.
- Do not adopt Resolution No. 24-145 and put the project on hold.

Environmental Review/Analysis:

Rejecting bids is not a "project" under the California Environmental Quality Act (CEQA). The original project was previously determined to be categorically exempt from CEQA under Class 2 of the State CEQA Guidelines, Section 15302 – Replacement of Existing Facilities, since it consists of replacement of existing lifeguard towers where the new towers will be located on the

same site as the towers replaced and will have substantially the same purpose and capacity. Staff anticipates that the revised project will also be categorically exempt.

Recommended Actions:

Staff Recommendation

Staff recommends that the City Council adopt Resolution No. 24-145, which will:

1. Reject all bids received on November 16, 2023 for the Lifeguard Towers Replacement Project, CIP Project No. 22104, pursuant to Section 20166 of the Public Contract Code; and
2. Authorize staff to re-scope the bid package and re-bid the Lifeguard Towers Replacement Project, CIP Project No. 22104, with a revised project scope.

Attachment:

1. Resolution No. 24-145

Notification:

All bidders.

RESOLUTION NO. 24-145

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SAN CLEMENTE, CALIFORNIA, REJECTING ALL BIDS
FOR THE LIFEGUARD TOWERS REPLACEMENT (2024),
CIP PROJECT NO. 22104

WHEREAS, the City beaches are served from 11 lifeguard towers that are near the end of their useful life and are in need of repairs; and

WHEREAS, staff prepared a bid package for the replacement of the four Lifeguard Towers, notified local contractors, and advertised the project for competitive bidding on the PlanetBids website and in the SC Times; and

WHEREAS, on November 28, 2023, the City received five bids ranging from \$141,200 to \$749,405 for the Project; and

WHEREAS, on February 20, 2024, on staff's request, the City Council continued the consideration of awarding a construction contract to the lowest responsible bidder for the replacement of four Lifeguard Towers to enable staff later to further evaluate the project; and

WHEREAS, after further evaluation, staff recommends a different scope of work: building large lifeguard towers versus small towers and inclusion of a work area near Marine Safety HQ Building for contractors to build the lifeguard towers on site, thus eliminating the transportation challenges and costs.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby find, determine and resolve as follows:

SECTION 1. That the above recitations are true and correct and incorporated fully herein.

SECTION 2. That all bids received on November 28, 2023 for the Lifeguard Towers Replacement Project, CIP Project No. 22104, are hereby rejected.

SECTION 3. That staff is authorized and directed to re-scope the bid package and re-bid the Lifeguard Towers Replacement Project, CIP Project No. 22104 with a revised scope of work.

SECTION 4. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this ____ day of _____, 2024.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

STATE OF CALIFORNIA)
COUNTY OF ORANGE) §
CITY OF SAN CLEMENTE)

I, LAURA CAMPAGNOLO, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 24-145 was adopted at a regular meeting of the City Council of the City of San Clemente held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, _____.

CITY CLERK of the City of
San Clemente, California

Approved as to form:

Elizabeth A. Mitchell, City Attorney