



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution to Approve Project Plans and Specifications, Award Construction Contract to Gizmo Art Productions, Inc.; and Authorize Consulting Services Agreement Amendment No. 4 with Page & Turnbull, Inc., for the Alviso Adobe Renovation, (Phase V – Exhibits), Project No. 5055.
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	4/20/2021
Staff Contact:	Steve Erickson, (408) 586-3301
Recommendation:	(1) Adopt a Resolution to approve project plans and specifications; (2) award the construction contract to the lowest responsible bidder submitting a responsive bid Gizmo Art Productions in the amount of \$792,573; (3) authorize the City Manager to execute the construction contract with Gizmo Art Productions; (4) authorize the Engineering Director/City Engineer to negotiate and execute contract change orders in an aggregate amount not to exceed \$198,000 for the Alviso Adobe Renovation (Phase V – Exhibits), Project No. 5055; and (5) approve and authorize the City Manager to execute Amendment No. 4 to the Consulting Services Agreement with Page & Turnbull, Inc. to increase compensation by \$10,000 for construction support services.

Background:

The City purchased the historic Alviso Adobe property, located at 2087 Alviso Adobe Court, in 1997 with the intention of renovating the buildings and constructing a new City park. Capital Improvement Project No. 5055 was started in 1999 to construct the two-acre Alviso Adobe Park, and to restore the historic buildings which were originally constructed in the 1850s.

Park construction was to be completed in five phases over several years. Project phases include:

- Phase 1: Replacement of the Adobe building's roof – completed in 1999;
- Phase 2: Site and drainage improvements – completed in 2008;
- Phase 3: Adobe Building exterior renovation and seismic upgrade – completed in 2010;
- Phase 4: Park construction, out building restoration – completed in 2013;
- Phase 5A (Interior Restoration): Restore interior of the Adobe – completed in fall 2020;
- Phase 5B (Exhibits) Furnishings, exhibits, and visual media installation - to be completed by winter 2022.

Phase 5A & B of the Alviso Adobe Renovation Project, Project No. 5055 ("Project") are included in the adopted 2020-25 Capital Improvement Program. This Project represents the final phase of the Project (Phase 5B) and provides for the installation of period correct furnishings, exhibits, signage, and visual media to replicate the experiences of an original Spanish-Mexican Era Adobe home. The interior restoration work was completed in fall 2020 by a separate contract and included building code upgrades to allow public visitation, stabilization and restoration of existing finishes and fixtures such as wallpaper, fireplaces, wainscoting, wood ceilings, and furniture. The installation of the furnishings, exhibits, interpretive signage, and visual media will be completed by this Project and the work is expected to be completed by winter of 2022.

On May 16, 2017, the City Council approved the concept design for the interior restorations, exhibits and visual media. The Project Plans and Specifications are now complete and ready for City Council approval and the Project title sheet (**Attachment 2**) is included in the Council's agenda packet. The complete full-size set of plans and specifications are available electronically upon request to the City Engineer.

The Project Bid Schedule includes the work for the installation of the furnishings, exhibits, interpretive signage, and visual media. The Engineer's Construction Estimate for the work is \$727,247. The Project specifications require the determination of the lowest bid to be solely based on the base bid amount.

The Project was advertised on digital construction trade publications on February 5, 2021, and in the Milpitas Post on February 5 and February 12, 2021, in accordance with the bidding requirements under the Uniform Public Construction Cost Accounting Act. Bid opening was on March 17, 2021, and three sealed bid proposals were received.

Analysis:

The following is a tabulation of bidders and the bids received. The Summary of Bid Results is shown as follows and is included in the agenda as **Attachment 3**.

Bidder	Location	Total Base Bid
Engineer's Estimate		\$727,247.00
Castillo Plumbing, Inc.	Burlingame, CA	\$689,595.00
Pacific Studios	Seattle, WA	\$738,451.29
Gizmo Art Productions, Inc.	San Francisco, CA	\$792,573.00

The bid pricing submitted varies between 15% under and 10% over the Engineer's Estimate. The range of variation in bid pricing from the Engineer's Estimate is likely due to the current construction market which has slowed as a result of the COVID-19 pandemic; the specialized nature of this type of construction; and small pool of bidders.

Staff has reviewed all three bid packages and has determined that the apparent low and second low bid proposals received from Castillo Plumbing and Pacific Studios were non-responsive. The apparent low bid submitted by Castillo Plumbing, Inc. did not meet the project experience requirements specified in the Contract Documents. The bid proposal submitted by Pacific Studios did not include current state contractor's license information as required by the Public Contract Code at the time of bid opening. Staff informed both bidders in writing of their non-responsive bid and no bid protests were filed with the City in regard to this project.

The bid proposal submitted by Gizmo Art Productions, Inc. was found to be responsive and Staff recommends awarding the Project construction contract to Gizmo Art Productions, Inc., for amount of \$792,573.

The construction contingency established for this Project is \$198,000, which is 25% of the total contract value due to the specialized nature of this work, potential procurement of additional artifacts and exhibits, and potential unknowns in working on a historic building. As previously approved for the successful completion of recent projects with tight completion schedules, staff is requesting the use of the same change order policy (**Attachment 4**). This policy allows for a timely completion of the Project, while addressing the need to respond swiftly to construction conditions and approve necessary change orders in order to limit potential claims or risks to the City. This contingency amount will not be exceeded without City Council approval.

Staff also recommends the approval of Amendment No. 4 to the Design Services Agreement with Page & Turnbull, Inc. (**Attachment 5**) to provide additional compensation for construction support services. Construction support services would include assistance in reviewing the contractor's schedule, responding to questions from the contractor, and to address minor design changes required during the fabrication and installation of the furnishings, exhibits, interpretative signage, and visual media. Staff has negotiated a scope and fee for Amendment No. 4 for a price not to exceed \$10,000, which is considered reasonable for the scope of services. No additional funding appropriation is required for Amendment No. 4 to the Design Services Agreement with Page & Turnbull, Inc.

Policy Alternatives:

Alternative 1: Deny approval of Project plans and specifications and not award the construction contract for the installation of the furnishings, exhibits, interpretative signage, and visual media.

Pro: None.

Con: A denial would cause delay of the installation of furnishings, exhibits, interpretative signage, and visual media necessary to open the Adobe for public visitations and delay the completion of the Alviso Adobe Park.

Reason for not recommending: Staff believes the bid pricing received is reasonable for the work to be completed and recommends awarding the contract for and completing the final phase of the Project.

Fiscal Impact: Adequate funds are available in the Project budget to complete the Project and no additional funding appropriation is required.

Alviso Adobe Renovation (Project 5055) is funded by the Park Fund (\$5,688,362), General Government CIP Fund (\$1,360,000), Grants/Reimb./Developer Fees (\$848,868), and the Midtown Park Fund (\$262,042). Total funding source is \$8,159,272 and the available balance is \$1,187,106 as of April 1, 2021.

Summary of Estimated Construction Cost:

Lowest Responsive Bid	\$792,574
25% Construction Contingency	\$198,000
Administration and Inspection	\$170,000
Design Services Agreement – Amendment No. 4	\$10,000
Total Construction Cost	\$1,170,574

The estimated annual maintenance cost for the improvements at the Alviso Adobe is \$7,500, and it is recommended the Public Works Facilities Maintenance Budget be adjusted to account for this additional cost upon completion of the Project.

California Environmental Quality Act: The Project has an approved Mitigated Negative Declaration.

Recommendation:

(1) Adopt a Resolution to approve Project plans and specifications; (2) award the construction contract to the lowest responsible bidder submitting a responsive bid Gizmo Art Productions in the amount of \$792,573; (3) authorize the City Manager to execute the construction contract with Gizmo Art Productions; (4) authorize the Engineering Director/City Engineer to negotiate and execute contract change orders in an aggregate amount not to exceed \$198,000 for the Alviso Adobe Renovation (Phase V – Exhibits), Project No. 5055; and (5) approve and authorize the City Manager to execute Amendment No. 4 to the Consulting Services Agreement with Page & Turnbull, Inc. to increase compensation by \$10,000 for construction support services.

Attachments:

Attachment 1: Resolution

Attachment 2: Construction Plan

Attachment 3: Bid Summary

Attachment 4: Change Order Policy

Attachment 5: Agreement Amendment #4

Attachment 6: Exhibit A-4 & B-4