




**October 8, 2020**

**To:** Transit Committee

**From:** Darrell E. Johnson, Chief Executive Officer 

**Subject:** Agreement for Fullerton Transportation Center Stair Replacement Project

### **Overview**

The Orange County Transportation Authority, in coordination with the City of Fullerton, is replacing the Fullerton Transportation Center stairs that serve the station overcrossing. On June 22, 2020, an invitation for bids was released. Bids were received in accordance with the Orange County Transportation Authority's public works procurement procedures. Board of Directors' approval is requested to execute the agreement.

### **Recommendations**

- A. Find A2Z Construct, Inc., the apparent low bidder and Metro Building and Engineering Group, Ltd., the apparent third low bidder, as non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation; and find AP Construction, Inc., the apparent second low bidder, as non-responsive for failure to sign the Disclosure of Lobbying Activities form as required by the bid instructions and the Federal Transit Administration.
- B. Authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2267 between the Orange County Transportation Authority and Golden Gate Construction, the lowest responsive, responsible bidder, in the amount of \$705,300, for the Fullerton Transportation Center Stair Replacement Project.

### **Discussion**

The City of Fullerton (City), in coordination with the Orange County Transportation Authority (OCTA), has completed plans, specifications, and estimates (PS&E) for the Fullerton Transportation Center (FTC) Stair Replacement Project (Project). The stairs are part of the existing pedestrian

overpass and were recently inspected by a structural engineer from Ficcadenti, Waggoner, and Castle. It was determined that the treads and risers have considerable structural degradation and need to be replaced. The existing stringer and railing will remain and be repainted.

On June 22, 2020, the Board of Directors (Board) approved a cooperative agreement with the City that defined roles and responsibilities for the Project. The City is the lead on the design and will provide inspection services, design support during construction, and all right-of-way needed for the Project. OCTA is the lead on the construction phase and programmed funding, in the amount of \$1,295,000, in fiscal year 2019-20 Federal Transit Administration Section 5337 funds for the construction phase of the Project.

### ***Procurement Approach***

This procurement was handled in accordance with OCTA's Board-approved procedures for public works projects. These procedures, which conform to both federal and state requirements, require that contracts are awarded to the lowest responsive, responsible bidder after a sealed bidding process.

Invitation for Bids (IFB) 0-2267 was electronically released on June 22, 2020, through OCTA's CAMM NET system. The Project was advertised on June 23 and 29, 2020, in a newspaper of general circulation. A pre-bid conference was held on June 30, 2020, and was attended by 12 firms. Four addenda were issued to provide the pre-bid conference registration sheets and handle administrative issues related to the IFB. On July 23, 2020, eight bids were received and publicly opened.

One bid was no longer considered for award after being withdrawn by the bidder. The remaining seven bids were reviewed by staff from both the Contracts Administration and Materials Management and Rail Programs departments to ensure compliance with the contract terms and conditions, and technical specifications. The list of bidders and bid amounts is presented below:

<u>Firm and Location</u>	<u>Bid Amount</u>
A2Z Construct, Inc. Rancho Santa Margarita, California	\$520,000
AP Construction, Inc. Gardena, California	\$529,000

Metro Builders & Engineers Group, Ltd. Newport Beach, California	\$616,815
Golden Gate Construction Norwalk, California	\$705,300
Fast-Track Construction Corporation Culver City, California	\$862,000
LJB Construction Inc. Norwalk, California	\$870,000
Caliagua Inc. Yorba Linda, California	\$949,787

A2Z Construct, Inc., and Metro Builders & Engineers Group, Ltd., were deemed non-responsive for failure to meet the federal requirement for Disadvantaged Business Enterprise participation or demonstrate sufficient good faith efforts as required by the United States Department of Transportation, which is providing funding for this Project.

AP Construction, Inc., was deemed non-responsive for failure to sign the Disclosure of Lobbying Activities form as required by the bid instructions and the Federal Transit Administration, which is providing funding for this Project.

State law requires award to the lowest responsive, responsible bidder. As such, staff recommends award to Golden Gate Construction, the lowest responsive, responsible bidder, in the amount of \$705,300, for the Project.

The engineer's estimate for the Project was \$650,000. The recommended firm's bid is eight percent above the engineer's estimate and is considered by staff to be fair and reasonable.

#### Fiscal Impact

Funding for the Project is approved in OCTA's Fiscal Year 2020-21 Budget, Capital Programs Division, Account 0018-9084-C5069-0Z5, and is funded with Federal Transit Administration Section 5337 funds.

***Summary***

Based on the information provided, staff recommends the Board of Directors authorize the Chief Executive Officer to negotiate and execute Agreement No. C-0-2267 between the Orange County Transportation Authority and Golden Gate Construction, the lowest responsive, responsible bidder, in the amount of \$705,300, for the Fullerton Transportation Center Stair Replacement Project.

***Attachment***

None.

**Prepared by:**



Lora Cross  
Project Manager  
(714) 560-5788

**Approved by:**



James G. Beil, P.E.  
Executive Director, Capital Programs  
(714) 560-5646



Pia Veasapen  
Interim Director, Contracts  
Administration and Materials  
Management  
(714) 560-5619