



# CITY COUNCIL STAFF REPORT



October 8, 2024

## ITEM TITLE

CIP Contract: Accept Bids and Award a Contract to Flatiron West, Inc for the Heritage Road Bridge Replacement (STM0386) & Main Street Widening Projects (STM0388)

**Report Number:** 24-0262

**Location:** Heritage Road and Main Street between Entertainment Circle North and Nirvana Avenue

**Department:** Engineering

**G.C. § 84308:** No

**Environmental Notice:** The Project was adequately covered in previously adopted Mitigated Negative Declaration (MND) IS-17-001 (SCH No. 2017021078) and Mitigation Monitoring and Reporting Program (MMRP), and any addenda for the Heritage Road Bridge Replacement Project. Under NEPA, the California Department of Transportation (Caltrans) has determined that the Project is a Categorical Exclusion under 23 USC 327.

## Recommended Action

Adopt a resolution awarding a public works contract to Flatiron West, Inc. for the “Heritage Road Bridge Replacement & Main Street Widening (STM0386 & STM0388)” project in the amount of \$48,853,898.00.

## SUMMARY

The “Heritage Road Bridge Replacement & Main Street Widening (STM0386 & STM0388)” project (Project) proposes to replace the existing interim timber deck bridge over the Otay River along Heritage Road, widen Heritage Road between Entertainment Circle North to Main Street, and widen Main Street between Nirvana Avenue and Heritage Road. The Department of Engineering and Capital Projects advertised the project through a competitive bidding process and on September 4, 2024, the Project received four (4) sealed bids. After review of the bids, staff recommends awarding a public works contract to the lowest responsive and responsible bidder, Flatiron West, Inc. in the amount of \$48,853,898.00.

## ENVIRONMENTAL REVIEW

The City’s Director of Development Services has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project was adequately covered in previously adopted Mitigated Negative Declaration (MND) IS-17-001 (SCH No. 2017021078) and Mitigation

Monitoring and Reporting Program (MMRP), and any and all addenda for the Heritage Road Bridge Replacement Project. Under NEPA, the California Department of Transportation (Caltrans) has determined that the Project is a Categorical Exclusion under 23 USC 327.

## **BOARD/COMMISSION/COMMITTEE RECOMMENDATION**

Not applicable.

## **DISCUSSION**

The Project includes replacement of an existing timber deck bridge crossing the Otay River on Heritage Road with a 454-foot bridge designed with 6 through-lanes, 2 left-turn lanes, 2 shoulder/bike lanes, sidewalks, railings and a median. The project also includes roadway widening improvements along Heritage Road between Entertainment Circle North and Main Street with roadway widening improvements along Main Street between Nirvana Avenue and Heritage Road.

The Project aims to improve Heritage Road and Main Street along this corridor to meet future traffic demands and accommodate the 100-year flood elevation within the bridge. These improvements are designed in accordance with the City's General Plan build-out conditions for the City.

The Project major improvements are summarized as follows:

- Bridge replacement,
- Road realignment and widening,
- Traffic improvements,
- City storm drain infrastructure improvements,
- Potable waterline improvements,
- Gas line supports through bridge structure, and
- Accommodation of new and relocated utility company conveyances through bridge structure,
- Landscaping and irrigation upgrades, and
- Environmental mitigation.

## **Project History**

Heritage Road Bridge over the Otay River was originally constructed by the County of San Diego in 1993, primarily using federal and state disaster relief funds. The interim steel pile and timber deck bridge replaced culverts that were washed-out during the previous year's storms. The bridge was widened shortly thereafter to accommodate traffic related to near-term development. The existing 52 feet-wide bridge has two travel lanes and a wide center median; the median is converted to two additional travel lanes during major events at the North Island Credit Union Amphitheater.

The City secured federal funds to begin the environmental phase of work for this Project in 2009 which initiated the Project and committed the City to coordinate with the California Department of Transportation (Caltrans) at every milestone phase of work. Caltrans provided approval to begin Design in 2017 and gave the City final approval for the Bridge design in 2021. Today, the City has secured right of way certification, environmental permits, and construction funding approval from Caltrans to begin construction this Fall.

## Bidding Process

On July 5, 2024, Engineering and Capital Projects' staff advertised the Project through a competitive bidding process in accordance with Chula Vista Municipal Code 2.56.160. Four (4) sealed bids were received on September 4, 2024. The submitted base bid totals from the prime contractors were as follows:

| <u>Ranking</u> | <u>Contractor</u>                               | <u>Submitted Base Bid Amount</u> |
|----------------|---|----------------------------------|
| 1              | Flatiron West, Inc.                             | \$48,853,898.00                  |
| 2              | Griffith Company, a Corporation                 | \$50,250,250.00                  |
| 3              | Skanska USA Civil West California District Inc. | \$53,526,772.00                  |
| 4              | Walsh Construction Company II, LLC              | \$57,878,929.00                  |

The low bid of \$48,853,898.00, which is approximately 5.6% below the Engineer's estimate, was submitted by Flatiron West, Inc. Flatiron West, Inc. is currently an active licensed contractor (License No. 772589).

A formal bid protest was received from second apparent low bidder. The basis of protest stems from Flatiron West, Inc's subcontractor listing not including a subcontractor, Golden West, that was listed on their DBE commitment form. The bid protest was received eight (8) days after bid opening, which was untimely as contract requirements specify "all bid protest must be presented... within five (5) consecutive working days after the bid submission deadline..." however, staff reviewed the basis of the protest and determined that Golden West is a second tier subcontractor to Flatiron West, Inc. and per Public Contracting Code Section 4104, Flatiron West, Inc. is only required to list first tier subcontractors on the project subcontractor listing form which makes the basis of protest invalid.

Staff recommends accepting bids, awarding the public works contract for "Heritage Road Bridge Replacement & Main Street Widening (STM386 and STM388)" project to the lowest responsive and responsible bidder, Flatiron West, Inc.

## Disclosure Statement

Attachment 3 is a copy of the Contractor's Disclosure Statement.

## Wage Statement

The Contractor that is awarded the contract and its subcontractors are required to pay prevailing wage to persons employed by them for work under the contract. The prevailing wage rates scales are those determined by the U.S. Department of Labor and those determined by the Director of Industrial Relations, State of California (DIR). The contractor is obligated to pay the higher of the two (hourly rate plus fringe benefits) for each applicable craft or classification.

## **DECISION-MAKER CONFLICT**

Staff has reviewed the property holdings of the City Council members and has found no property holdings within 1,000 feet of the boundaries of the property which is the subject of this action. Consequently, this item does not present a disqualifying real property-related financial conflict of interest under California Code of Regulations Title 2, section 18702.2(a)(7) or (8), for purposes of the Political Reform Act (Cal. Gov't Code §87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision-maker conflict of interest in this matter.

**CURRENT-YEAR FISCAL IMPACT**

Sufficient funding to cover this contract and City staff costs is included in capital improvement projects STM0386 & STM0388. Therefore, there is no additional fiscal impact to the Highway Bridge Program and Transportation Development Fund as a result of this action. Project costs are summarized below:

| <b>FUNDS REQUIRED FOR CONTRACT (STM0386 &amp; STM0388)</b> |                        |
|--|------------------------|
| Contract Amount  | \$48,853,898.00        |
| Contract Contingency (5%)                                  | \$2,442,694.91         |
| Staff Time   | \$1,038,000.00         |
| <b>Total Funds Required to Complete Project</b>            | <b>\$52,334,592.91</b> |

| <b>AVAILABLE FUNDING FOR CONTRACT (STM0386 &amp; STM0388)</b> |                        |
|---|------------------------|
| Highway Bridge Program – STM0386                              | \$31,390,777.09        |
| TDIF – STM0386  | \$14,637,885.25        |
| TDIF – STM0388  | \$6,305,930.57         |
| <b>TOTAL FUNDS AVAILABLE FOR CONSTRUCTION</b>                 | <b>\$52,334,592.91</b> |

**ONGOING FISCAL IMPACT**

Upon completion of the project, the improvements will require routine street maintenance.

**ATTACHMENTS**

1. CIP Plan Title Sheet (STM0386 & STM0388)
2. STM0386 & STM0388 Contract Bid List
3. Contractor Disclosure Statement

*Staff Contact: Matthew Little, PE, Deputy City Manager/Director of Engineering & Capital Projects  
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