

## SPECIAL MEETING

Date: August 21, 2017 (Monday)

Time: 6:30 p.m.

Place: City Council Chambers  
350 North Valencia Blvd.  
Woodlake, CA 93286

In compliance with the Americans with Disabilities Act and the California Ralph M. Brown Act, if you need special assistance to participate in this meeting, including auxiliary aids, translation requests, or other accommodations, or to be able to access this agenda and documents in the agenda packet, please contact City Hall at 559-564-8055 at least 3 days prior to the meeting.

The full agenda including staff reports and supporting materials are available at City Hall.

### I. CALL TO ORDER & WELCOME

### II. PLEDGE OF ALLEGIANCE

### III. PUBLIC COMMENTS

This portion of the meeting is reserved for persons wishing to address the Council on items within its jurisdiction but not on this agenda. NOTE: Prior to action by the Council on any item on this agenda, the public may comment on that item. Unscheduled comments may be limited to 3 minutes.

All items on the Consent Agenda are considered to be routine and non-controversial by City staff and will be approved by one motion if no member of the Council or public wishes to comment or ask questions. Items pulled from the Calendar will be considered separately.

### IV. ACTION/DISCUSSION ITEMS

- A. Action: Adoption of Resolution: Award the Construction of the City of Woodlake Community Center to the Lowest Responsive Bidder, Klassen Corporation (Pages 1-6)

## NOTICE TO THE PUBLIC

As provided in the Ralph M. Brown Act, Government Code sections 54950 et seq., the Governing Board may meet in closed session with members of its staff and its attorneys. These sessions are not open to the public and may not be attended by members of the public. The matters the Council will meet on in closed session are identified below or are those matters appropriately identified in open session as requiring immediate attention and arising after the posting of the agenda. Any public reports of action taken in the closed session will be made in accordance with Government Code sections 54957.1

“Documents: If distributed to the Council less than 72 hours before a regular meeting, any public records which are subject to public inspection and pertain to an open-session item on the regular meeting agenda shall be available at the following address at the time they are distributed to a majority of the Council: 350 North Valencia Boulevard, Woodlake, California 93286. Public records distributed to the Council at a public meeting will be available to the public at such meeting if they were prepared by the City. Exemptions and details in Government Code§ 54957.5 (a) shall apply.”

## V. ADJOURN

The next scheduled City Council meeting will be held on Monday, August 28, 2017 at 6:30 p.m. at City Council Chambers located at 350 North Valencia Boulevard, Woodlake, CA 93286.

City Council:

Rudy Mendoza - Mayor  
Frances Ortiz - Vice Mayor  
Louie Lopez - Councilmember  
Greg Gonzalez Jr. - Councilmember  
Jose L. Martinez - Councilmember

# City of Woodlake

## AGENDA ITEM V-A

August 21, 2017

Prepared by Jason Waters, City Staff

### SUBJECT:

**Action:** Adoption of Resolution: Award the Construction of the City of Woodlake Community Center to the Lowest Responsive Bidder, Klassen Corporation

### BACKGROUND:

At the April 27, 2015 City Council Meeting, Council authorized staff to enter into an agreement with the Woodlake Lions Club which allowed the City to acquire property that would allow the City to build the Woodlake Plaza and the Woodlake Community Center. Staff received authorization from Council to apply for a USDA loan to build the Community Center at the August 10, 2015 City Council Meeting. Council authorized Staff to put the project out to bid on May 22, 2017.

### DISCUSSION:

On May 22, 2017 by Resolution No. 17-53, Council authorized staff to put out to bid the construction of the City of Woodlake Community Center Project. The project will be funded with a USDA loan to be paid by with local funds. The project will be used as a senior center, recreational facility, chambers and water/sewer staff offices.

The bid opening for the project was held August 8, 2017, in the Council Chambers. Below are the base bids in order from lowest to highest:

• Klassen Corporation	\$ 3,914,872.00
• Marko Construction Inc.	\$ 4,046,737.00
• Bush Construction	\$ 4,140,000.00
• Oral E Micham Inc.	\$ 4,284,243.00
• Simile Construction	\$ 4,358,000.00

The amounts listed above are the base bids for the project and do not include additional work that the City may choose to include. The cost of any additional work will be negotiated with the consultant.

The City received a formal protest from Oral E Micham Inc. regarding incomplete information on other bids submitted for the project. Klassen Corporation and some of the other bidders did not submit their subconsultant license and DIR numbers for their subcontractors and/or did not list the percentage of work that each subcontractor would complete.

The City Attorney reviewed the protest and determined the acceptability of the bids. Klassen Corporation's bid was deemed acceptable due to the following rules:

1. **Lack of Contractor ID Finding:** Public Contract Code 4104(a), which allows contractors to submit correct subcontractor license numbers, registration numbers and other information concerning listed subcontractors within 24 hours after the bid opening. City staff found that Klassen Corporation submitted the licensing and DIR numbers as well as percentages within 24 hours.

Instruction to Bidders, Article 19, which allows the City to “waive all formalities not involving price, time, or changes in work...”. Information consisting of licensing number, DIR number and percentage of subconsultant work does not have any material impact upon the price, time, or scope of work in the project which will remain the same.

2. **Lack of Sub-Consultant Percentage of Work Finding:** Klassen Corporation provided the percentage of work within 24 hours and 3. USDA subsequently advised the City that USDA regulations do not require the submission of percentages of work for the Rural Housing Service (RHS) Community Facilities program, which funds the project, rendering that information immaterial to the project, and hereby waived by the City.

Instruction to Bidders, Article 19, which allows the City to “waive all formalities not involving price, time, or changes in work...”. Information consisting of licensing number, DIR number and percentage of subconsultant work does not have any material impact upon the price, time, or scope of work in the project which will remain the same.

## **RECOMMENDATIONS:**

Staff recommends that Council award the Construction of the City of Woodlake Community Center to the lowest responsive bidder, Klassen Corporation.

## **FISCAL IMPACT:**

The project will be funded via the General Fund, Water Fund, Sewer Fund, and a \$3,000,000 USDA loan to be repaid via the General Fund.

## **ATTACHMENTS:**

1. Resolution: Award the Construction of the City of Woodlake Community Center to the Lowest Responsive Bidder, Klassen Corporation.
2. Attachment No. 1 – City of Woodlake Community Center Project Bid Summary
3. Attachment No. 2 – Engineer’s Bid Award Recommendation

BEFORE THE CITY COUNCIL  
OF THE CITY OF WOODLAKE  
COUNTY OF TULARE  
STATE OF CALIFORNIA

In the matter of:

AWARD THE CONSTRUCTION OF THE )	Resolution No.
CITY OF WOODLAKE COMMUNITY )	
CENTER PROJECT TO THE LOWEST )	
RESPONSIVE BIDDER, KLASSEN )	
CORPORATION )	

Councilmember., offered the following resolution and moved its adoption. Award the construction of the City of Woodlake Community Center Project to the lowest responsive bidder, Klassen Corporation.

WHEREAS, the City Council of the City of Woodlake wishes to provide adequate amenities to the residents of the City of Woodlake in the form of a City of Woodlake Community Center; and,

WHEREAS, the City of Woodlake Community Center Project is funded with the General Fund, Water Fund, Sewer Fund, and a \$3,000,000 USDA loan to be repaid via the General Fund; and,

WHEREAS, the City of Woodlake received a protest regarding incomplete information from the lowest bidder due to the lack of subconsultant license and registration numbers and percentage of work to be completed by the subconsultant; and;

WHEREAS, Klassen Corporation's bid was responsive and acceptable due to:

1. Public Contract Code 4104(a), which allows contractors to submit correct subcontractor license numbers, registration numbers and other information concerning listed subcontractors within 24 hours after the bid opening. City staff found that Klassen Corporation submitted the licensing and DIR numbers as well as percentages within 24 hours.
2. Instruction to Bidders, Article 19, which allows the City to "waive all formalities not involving price, time, or changes in work...". Information consisting of licensing number, DIR number and percentage of subconsultant work does not have any material impact upon the price, time, or scope of work in the project which will remain the same.
3. USDA subsequently advised the City that USDA regulations do not require the submission of percentages of work for the Rural Housing Service (RHS) Community Facilities program, which funds the project, rendering that information immaterial to the project, and hereby waived by the City.

WHEREAS, the City of Woodlake Community Center project has reached the necessary environmental, design and right-of-way stages to go out to bid as approved by the City of Woodlake City Council on May 22, 2017 by Resolution No. 17-53.

NOW, THEREFORE, THE CITY OF WOODLAKE DOES RESOLVE to: (1) find the foregoing recitals to be true; and (2) award the construction of the City of Woodlake Community Center to the lowest responsible bidder, Klassen Corporation in the amount of three million nine hundred and fourteen thousand eight hundred and seventy-two dollars (\$3,914,872.00). Any additional add-ons or change orders will be negotiated with Klassen Corporation by City Staff and will be brought to City Council for approval.

The foregoing resolution was adopted upon a motion of Councilmember, and seconded by Councilmember, and carried by the following vote at the City Council meeting held on August 21, 2017.

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Rudy Mendoza, Mayor

ATTEST:

\_\_\_\_\_  
Irene Zacarias, City Clerk

City of Woodlake  
2017 Community Center Project

BIDDER				NAME & ADDRESS OF		Klassen Corporation 2021 Westweind Dr. Bakersfield, CA 93301		Marko Construction, Inc. 3675 E. Jensen Blvd. Fresno, CA 93725		Bush Construction 518 N. Redington St. Hanford, CA 93530		Oral E Micham Inc. PO Box 745 Woodlake, CA 93286		Simile Construction 4725 Enterprose Way #1 Modesto, cA 95356	
Item	Approx Qty	Unit	Description	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$
1.		L.S.	Construction of Community Center Building and site work	3914872	\$ 3,914,872.00	4046737	\$ 4,046,737.00	4140000	\$ 4,140,000.00	4284243	\$ 4,284,243.00	4358000	\$ 4,358,000.00		
TOTAL BASE BID					\$ 3,914,872.00		\$ 4,046,737.00		\$ 4,140,000.00		\$ 4,284,243.00		\$ 4,358,000.00		
ADD ALTERNATES															
Item	Approx Qty	Unit	Description	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$	Unit Price	Total \$
1.		L.S.	Robbins Pulastic Classic 60 flooring in Gym 121 in lieu of sealed concrete base bid	80000	\$ 80,000.00	57000	\$ 57,000.00	79000	\$ 79,000.00	79207	\$ 79,207.00	70000	\$ 70,000.00		
2.		L.S.	BASF Building Systems UCRETE HP/Q and WR flooring in kitchen in lieu of concrete base bid	60000	\$ 60,000.00	30000	\$ 30,000.00	10800	\$ 10,800.00	22670	\$ 22,670.00	16000	\$ 16,000.00		
3.		L.S.	Folding basketball backboard at Gym	45000	\$ 45,000.00	25000	\$ 25,000.00	24000	\$ 24,000.00	22537	\$ 22,537.00	23000	\$ 23,000.00		
4.		L.S.	Kitchen equipment and finishes	425000	\$ 425,000.00	255500	\$ 255,500.00	273000	\$ 273,000.00	263895	\$ 263,895.00	290000	\$ 290,000.00		
5.		L.S.	Six (6) stanchions for volleyball pole inserts at Gym 121	25000	\$ 25,000.00	5000	\$ 5,000.00	5000	\$ 5,000.00	7537	\$ 7,537.00	6000	\$ 6,000.00		
6.		L.S.	Additional 200A panel, transformer, meter and feeder serving existing outdoor stage	75000	\$ 75,000.00	46500	\$ 46,500.00	43000	\$ 43,000.00	47387	\$ 47,387.00	45000	\$ 45,000.00		
7.		L.S.	Gerflor Traaflex Sport M Plus Dry-Tex flooring at Gyne 121 in lieu of sealed concrete under base bid	98000	\$ 98,000.00	75000	\$ 75,000.00	74000	\$ 74,000.00	75467	\$ 75,467.00	80000	\$ 80,000.00		
TOTAL ADD ALTERNATES					\$ 808,000.00		\$ 494,000.00		\$ 508,800.00		\$ 518,700.00		\$ 530,000.00		
DEDUCTIVE ALTERNATES															
8.		L.S.	Kawneer AA3200 Thermal Sliding Door in XOOX pattern in lieu of Sliding Glass Wall System at Door mark 111A	-5000	\$ (5,000.00)	-15000	\$ (15,000.00)	-38000	\$ (38,000.00)	0	\$ -	-8000	\$ (8,000.00)		
9.		L.S.	Delete all trellises and related support columns / pilasters.	-17500	\$ (17,500.00)	-20000	\$ (20,000.00)	-32000	\$ (32,000.00)	-38441	\$ (38,441.00)	-44000	\$ (44,000.00)		
10.		L.S.	Exterior cement plaster system in lieu of simulated masonry bulkhead	-14500	\$ (14,500.00)	-15000	\$ (15,000.00)	-14000	\$ (14,000.00)	-12602	\$ (12,602.00)	-4000	\$ (4,000.00)		
TOTAL DEDUCTIVE ALTERNATES					\$ (37,000.00)		\$ (50,000.00)		\$ (84,000.00)		\$ (51,043.00)		\$ (56,000.00)		



August 15, 2017

City Council  
City of Woodlake  
350 No. Valencia Blvd.  
Woodlake, California 93286

Attention: Ramon Lara, City Administrator

**Re: Bid Award, Woodlake Community Center Project**

The low bid received for the subject project was \$3,914,872.00, submitted by Klassen Corporation. Bids received ranged upwards from this amount as follows:

Marko Construction	\$4,046,737.00
Bush Construction	\$4,140,000.00
Oral E Micham, Inc.	\$4,284,243.00
Simile Construction	\$4,358,000.00

We have reviewed the bid package for Klassen Corporation, and find it to be complete and responsive. The Contractor and his subcontractors hold valid and current licenses and are registered with the DIR. It is our recommendation that the Council award the project to the lowest responsible bidder, Klassen Corporation, in the amount of \$3,914,872.00.

Sincerely,

A handwritten signature in black ink, appearing to read 'Monique C. Mello', with a stylized flourish at the end.

Monique C. Mello, R.E.  
City Engineer

W150200  
MCM/wbe