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Title: RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2018-03 TO DICK MILLER, INC. IN THE AMOUNT OF \$7,999,999.99 FOR THE DEMOLITION AND SITE IMPROVEMENTS OF TRANSIT SHED 2 AND RAIL IMPROVEMENTS AT TENTH AVENUE MARINE TERMINAL - TIGER GRANT PROJECT, AS AUTHORIZED AND FUNDED BY THE BOARD IN THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM

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Attachments: 1. 4. 2018-0565 Attachment A, 2. 4. 2018-0565 Draft Resolution

Date	Ver.	Action By	Action	Result
2/12/2019	1	Board of Port Commissioners	adopted	

DATE: February 12, 2019

SUBJECT:

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AWARDED CONTRACT NO. 2018-03 TO DICK MILLER, INC. IN THE AMOUNT OF \$7,999,999.99 FOR THE DEMOLITION AND SITE IMPROVEMENTS OF TRANSIT SHED 2 AND RAIL IMPROVEMENTS AT TENTH AVENUE MARINE TERMINAL - TIGER GRANT PROJECT, AS AUTHORIZED AND FUNDED BY THE BOARD IN THE FY 2019-2023 CAPITAL IMPROVEMENT PROGRAM

EXECUTIVE SUMMARY:

This action recommends that the San Diego Unified Port District (District) Board of Port Commissioners (Board) approve the plans and specifications and authorize the award of a Capital Improvement Program (CIP) construction contract to Dick Miller, Inc. in the amount of \$7,999,999.99 for the Demolition and Site Improvements of Transit Shed 2 and Rail Improvements at Tenth Avenue Marine Terminal Project. Funding for the project will come from two sources: The District’s CIP and the U.S. Department of Transportation Maritime Administration’s Transportation Investment Generating Economic Recovery (TIGER) Grant Program.

The plans and specifications define the contract work including the demolition of an obsolete and underutilized transit shed and headhouse adjacent to three of the terminal’s eight primary vessel berths, disposal and salvage of the transit shed building and components, the excavation, grading and compaction of the areas under the demolished buildings to support a finished pavement system, site utility improvements, stormwater improvements, and rail improvements consisting of a rail lubricator system and air compressor assemblies.

The engineer's base bid construction cost estimate was \$7,400,000.00. On December 11, 2018, the District received seven (7) bids ranging from \$6,903,839.99 to \$16,128,479.69. The lowest responsive and responsible bid was submitted by Dick Miller, Inc. in the amount of \$6,903,839.99. In addition, Dick Miller's total bid including additive items is within the Project budget and allows award of the entire Project including all additive alternatives. Award to this bidder in the full contract amount of \$7,999,999.99, which includes all additive alternates is recommended.

RECOMMENDATION:

Adopt a resolution approving plans and specifications and awarding Contract No. 2018-03 to Dick Miller, Inc. in the amount of \$7,999,999.99 for the construction of Demolition and Site Improvements of Transit Shed 2 and Rail Improvements at Tenth Avenue Marine Terminal - TIGER Grant project, as authorized and funded by the Board in the FY 2019-2023 Capital Improvement Program.

FISCAL IMPACT:

The Tenth Avenue Marine Terminal Transit Shed Demolition & Initial Rail Component - TIGER Grant Project has a budget of \$24M, consisting of the \$10M TIGER Grant and the District's match of \$14M. Contract 2018-03 Demolition and Site Improvements of Transit Shed 2 and Rail Improvements at Tenth Avenue Marine Terminal is the second of two (2) contract packages that are under the overall Tenth Avenue Marine Terminal Transit Shed Demolition & Initial Rail Component - TIGER Grant Project. The first construction contract, Contract 2017-03R, was awarded at the October 2017 BPC Meeting. Contract 2017-03R addressed the demolition of transit shed 1 and will be completed March 2019.

This multi-year project is included in the approved FY 2019-2023 CIP with a total project budget of \$24,000,000. Approval of this agenda item will authorize the expenditure of \$7,999,999.99. All funds required for future Fiscal Years will be budgeted in appropriate Fiscal Year, subject to Board Approval upon adoption of each FY budget.

COMPASS STRATEGIC GOALS:

Award of this construction contract will implement the CIP, approved by the Board to be in alignment with the District's vision, mission and strategic goals.

This agenda supports the following Strategic Goal(s):

- A thriving and modern maritime seaport.
- A Port with a comprehensive vision for Port land and water uses integrated to regional plans.
- A financially sustainable Port that drives job creation and regional economic vitality.

DISCUSSION:

The scope of the Demolition and Site Improvements of Transit Shed 2 and Rail Improvements at Tenth Avenue Marine Terminal consists of the demolition of an obsolete and underutilized transit shed and head house located adjacent to three of the terminal's eight primary vessel berths, disposal and salvage of the transit shed building and components, the excavation, grading and compaction of the areas under the demolished buildings to support new pavement, site utility improvements, stormwater BMP improvements, and rail improvements consisting of a rail lubricator system and air

compressor assemblies.

To avoid the possibility of receiving bids higher than the remaining budget within the TIGER Grant Project, this contract was designed with two potential pavement systems. This additive alternate contract structure allowed the District to award scope within budget. The base contract work includes a pavement system capable of withstanding H-20 loading throughout the Transit Shed footprint, limiting traffic to large semi-trucks and trailers. The additive alternate scope consists of a thicker pavement system which enhances maritime operational goals of supporting heavy truck traffic, rubber-tired gantry cranes, or top loader traffic throughout the Transit Shed footprint.

The Contract Documents including plans TA-2018-03 and specifications 2018-03 were issued for advertisement on October 30, 2018. On December 11, 2018, seven (7) base bids were received ranging from \$6,903,839.99 to \$16,128,479.69. The bid amounts are as shown in the table below.

Company	Location	Base Bid for Contract	Total Bid (Including Additives)
Dick Miller, Inc.	San Marcos, CA	\$6,903,839.99	\$7,999,999.99
Bilbro Construction Company	Escondido, CA	\$8,141,888.00	\$9,308,866.00
Whillock Construction Inc.	La Mesa, CA	\$9,315,326.00	\$10,503,484.00
Reyes Construction Inc.	Pomona, CA	\$9,649,900.00	\$10,824,780.00
CJW Construction, Inc.	Santa Ana, CA	\$9,766,954.00	\$10,922,734.00
West Coast General Corporation	Poway, CA	\$12,654,006.90	\$13,963,841.90
AMPCO Contracting, Inc.	Anaheim, CA	\$16,128,479.69	\$18,326,405.49

Based on a review of the bids, the lowest responsive and responsible bid was determined to be submitted by Dick Miller, Inc. at \$6,903,839.99. The engineer's base bid construction cost estimate was \$7,400,000.00. Current budget allows for the award of full contract work including additive alternate scope consisting of a thicker pavement system which will support heavy truck traffic, rubber-tired gantry cranes, and top loader traffic throughout the Transit Shed footprint, in the amount of \$7,999,999.99.

Staff recommends that the Board approve the plans and specifications and award Contract No. 2018-03 to Dick Miller, Inc. in the full contract amount of \$7,999,999.99 consisting of all additive alternates for the construction of the Demolition and Site Improvements of Transit Shed 2 and Rail Improvements at Tenth Avenue Marine Terminal project.

Upon Board authorization, construction is expected to commence in April 2019 and be completed by April 2020, over a 12-month period.

General Counsel's Comments:

The Office of the General Counsel has reviewed and approved this agenda as to form and legality.

Environmental Review:

The proposed Board action, including without limitation, a resolution approving plans and specifications and awarding a contract for the demolition of Transit Shed 2 and rail improvements at Tenth Avenue Marine Terminal, was adequately covered in the Final Environmental Impact Report (FEIR) for the TAMT Redevelopment Plan and Demolition and Initial Rail Component (UPD No. EIR-2015-39, SCH No. 2015-021046), prepared and adopted/certified by the District on December 13,

2016 (Resolution No. 2016-199). The proposed project is not a separate “project” for CEQA purposes but is a subsequent discretionary approval related to a previously approved project. (CEQA Guidelines § 15378(c); Van de Kamps Coalition v. Board of Trustees of Los Angeles Comm. College Dist. (2012) 206 Cal.App.4th 1036.) Additionally, pursuant to CEQA Guidelines Sections 15162 and 15163, and based on the review of the entire record, including without limitation, the FEIR, the District finds and recommends that the approval of the plans and specifications and awarding of the contract do not require further environmental review as: 1) no substantial changes are proposed to the project and no substantial changes have occurred that require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in severity of previously identified significant effects; and 2) no new information of substantial importance has come to light that (a) shows the Project will have one or more significant effects not discussed in the FEIR, (b) identifies significant impacts would not be more severe than those analyzed in the FEIR, (c) shows that mitigation measures or alternatives are now feasible that were identified as infeasible and those mitigation measures or alternatives would reduce significant impacts, and (d) no changes to mitigation measures or alternatives have been identified or are required. Because none of these factors have been triggered the District has the discretion to require no further analysis or environmental documentation (CEQA Guidelines §15162(b)). Pursuant to CEQA Guidelines §15162 (b), the District finds and recommends that no further analysis or environmental documentation is necessary. Accordingly, the proposed Board action is merely a step-in furtherance of the original project for which environmental review was performed and no supplemental or subsequent CEQA has been triggered, and no further environmental review is required.

In addition, the proposed Board action complies with Section 87 of the Port Act, which allows for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures, and appliances incidental, necessary, or convenient, for the promotion and accommodation of commerce and navigation. The Port Act was enacted by the California Legislature and is consistent with the Public Trust Doctrine. Consequently, the proposed Board action are consistent with the Public Trust Doctrine.

Finally, the project was covered in the non-appealable Coastal Development Permit (CDP) (CDP-2016-09) for the Demolition and Initial Rail Component Project approved by the District on December 13, 2016. The proposed Board action is consistent with the project in that CDP. No additional action under the California Coastal Act is required at this time.

Equal Opportunity Program:

A 12% SBE goal was established for this opportunity. Dick Miller, Inc., is an SBE and identified three SBE sub participants for a total of 58.6% SBE participation.

PREPARED BY:

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Attachment(s):
Attachment A: Tabulation of Bids