



CITY OF MENIFEE

SUBJECT: Central Park Amphitheater Construction Project, Capital Improvement Project Bid Rejection

MEETING DATE: September 6, 2023

TO: Mayor and City Council

PREPARED BY: Nancy Rodriguez, Management Analyst

REVIEWED BY: Jonathan Nicks, Deputy City Manager

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Reject all responsive bids submitted for the Central Park Amphitheater Construction Project, Capital Improvement Project No. CIP 19-15.

DISCUSSION

On June 2, 2021, the City Council authorized a professional services agreement with TYLin International for the design, engineering, and architectural services of the Central Park Amphitheater Project. Taking into consideration the conceptual design previously approved by City Council, TYLin was able to complete the comprehensive final design allowing staff to proceed with the construction phase of the project.

On June 26, 2023, staff solicited bids for the construction of the Central Park Amphitheater through PlanetBids. The work would consist of the construction and installation of an amphitheater that would include an audio system as well as stage lighting. The structure would be built over the top of the existing Central Park stage with a separate rear 2,080 sq. ft. building available as a preparation room for performers and storage of equipment.

The construction bid was advertised for 46 days with a bid opening date of August 11, 2023. The city received a total of four bids with only three bids being considered responsive bids. The nonresponsive bid did not meet all City requirements for the solicitation having missing documents. All four bids are summarized in Table 1 on the following page.

Table 1 – Bid Results Summary

Bidders	Total Bid
Optima RPM, Inc. (<i>Non -Responsive</i>)	\$5,098,247.98
Pub Construction, Inc.	\$6,981,003.50
Act 1 Construction, Inc.	\$6,992,914.60
Green Building Corporation	\$11,478,913.48

CIP No. 19-15 was funded at \$3,973,729 with current expenditures of \$543,657 leaving an available balance of \$3,430,072. Given the higher-than-expected construction costs in the bid using the lowest responsive bid amount, an additional \$3,550,932 would be required to move forward with the project.

Public Contract Code § 20166 allows a legislative body in its discretion to reject any bids and readvertise. In an effort to accommodate the project's current available funding, the City must reject the submitted bids, and re-bid the project. After further review, staff concluded that there are specific bid items listed on the bid documents that could be adjusted and/or removed to lower the cost of the project. These items include sound and lighting features that would not be integral to the construction of the structure. By re-bidding the project, staff is hopeful that it will be able to obtain a cost closer to the project's approved budget.

If the re-bidding process produces responsive bids closer to the project's approved budget, staff will present a recommendation to City Council to award a construction contract. Below is a tentative schedule reflecting the proposed re-bid of the project:

Anticipated Construction Start Date: March 2024
Estimated Council Acceptance Date: October 18, 2023
Estimated Construction Completion Date: March 2025

**Assumes no delays due to weather or unforeseen conditions.*

STRATEGIC PLAN OBJECTIVE

Safe and Vibrant Community

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

ATTACHMENTS

1. Notice of Intent to Reject All Bids