



**SAN RAFAEL**  
THE CITY WITH A MISSION

Agenda Item No: 3.d

Meeting Date: July 10, 2023

**SAN RAFAEL CITY COUNCIL AGENDA REPORT**

Department: Public Works  
April Miller, Director of Public Works/City Engineer

Prepared by: Theo Sanchez,  
Associate Civil Engineer

City Manager Approval: \_\_\_\_\_

**TOPIC: ROTARY MANOR CULVERT REPLACEMENT**

**SUBJECT: AUTHORIZE THE CITY MANAGER TO AWARD AND EXECUTE THE CONSTRUCTION AGREEMENT FOR THE ROTARY MANOR CULVERT REPLACEMENT PROJECT, CITY PROJECT NO. 11371, TO MAGGIORA & GHILOTTI IN THE AMOUNT OF \$778,700 AND AUTHORIZE CONTINGENCY FUNDS IN THE AMOUNT OF \$121,300 FOR A TOTAL CONTRACT APPROPRIATION OF \$900,000**

**RECOMMENDATION:**

Staff recommends that the City Council authorize the City Manager to award and execute the construction agreement for the Rotary Manor Culvert Replacement project, City Project No. 11371, to Maggiora & Ghilotti in the amount of \$778,700 and authorize contingency funds in the amount of \$121,300 for a total contract appropriation of \$900,000.

**BACKGROUND:**

Rotary Manor, located at 1821 Fifth Avenue, is a senior community housing facility. A reinforced concrete box culvert exists underneath this property and conveys flows along a historic waterway representing the upper reaches of present-day San Rafael Creek. This culvert transitions from a reinforced concrete box to a corrugated metal pipe (CMP) and outlets into an open creek, all within the Rotary Manor property.

In January 2016, the Department of Public Works (DPW) was notified of a sinkhole on the Rotary Manor property. Upon inspection, it was identified that the CMP portion of the culvert is in need of replacement. On December 16, 2019, Council awarded the professional services agreement for the design of this culvert replacement to Coastland Civil Engineering, Inc. The proposed design included a full replacement of the culvert as well as restoration of the above ground landscape and decorative features on the Rotary Manor property. On December 5, 2022, City Council adopted the CEQA Initial Study/Mitigated Negative Declaration for this project and authorized staff to proceed with the final design and procurement of regulatory environmental permits.

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**FOR CITY CLERK ONLY**

**Council Meeting:**

**Disposition:**

**ANALYSIS:**

On May 26, 2023, the project was advertised in accordance with San Rafael’s Municipal Code. On June 28<sup>th</sup>, 2023, the following bids were received and read aloud:

<b><u>NAME OF BIDDER</u></b>	<b><u>AMOUNT</u></b>
<b>Maggiora &amp; Ghilotti, Inc.</b>	<b>\$778,700.00</b>
<b>LVI Engineering, Inc.</b>	<b>\$895,597.50</b>
<b>Ghilotti Construction Company, Inc.</b>	<b>\$1,165,780.00</b>

The construction bids were reviewed by DPW staff, with the low bid of \$778,700 from Maggiora & Ghilotti, Inc., found to be responsive and responsible. Staff recommends the contract be awarded to Maggiora & Ghilotti, Inc. at the base bid amount of \$778,700 and recommends a 15% contingency of \$121,300 for a total contract appropriation of \$900,000.

**FISCAL IMPACT:**

Staff recommends a total appropriation of \$900,000 consisting of the Maggiora & Ghilotti, Inc. base bid of \$778,700 and an additional 15% contingency of \$121,300. This appropriation would be made from the Liability Insurance Fund (#605) because the City is required to repair the culvert under a settlement agreement with Rotary Manor to resolve an inverse condemnation lawsuit.

**OPTIONS:**

1. Authorize contract award to Maggiora & Ghilotti
2. Reject bids and readvertise construction for this project. If this option is chosen, rebidding the project will delay construction start to the rainy season which complicates the project and will delay the culvert repairs that are required under the lawsuit settlement.
3. Do not authorize contract award and provide further direction to staff.

**RECOMMENDED ACTION:**

Staff recommends that the City Council authorize the City Manager to award and execute the construction agreement for the Rotary Manor Culvert Replacement project, City Project No. 11371, to Maggiora & Ghilotti in the amount of \$778,700 and authorize contingency funds in the amount of \$121,300 for a total contract appropriation of \$900,000.