



## REPORT TO CITY COUNCIL

**To:** Honorable Mayor and Members of the City Council

**From:** Jason Simpson, City Manager

**Prepared by:** Shannon Buckley, Assistant City Manager

**Date:** December 10, 2024

**Subject:** Public Works Construction Agreement for Endresen Development Inc. Bid Set 'E' and 'F' Cement Plaster and Exterior Brick Walls on the New City Hall Project (CIP Project #Z20006)

### **Recommendation**

Approve and authorize the City Manager to execute a Public Works Construction Agreement with Endresen Development Inc. in an amount not to exceed \$960,000.00 for Bid set 'E' and 'F' Cement Plaster and Exterior Brick Walls on the new City Hall Project (CIP Project #Z20006) in such final form as approved by the City Attorney.

### **Background**

On September 10, 2024, the City posted on PlanetBids the notice inviting bids for the City Hall, Bid Set 'E' and 'F,' Cement Plaster and Exterior Brick Walls. During the open bid time frame, seven prospective contractors reviewed the bid document; however, on the bid date deadline of October 9, 2024, no bids were submitted. Although several of the prospective bidders were contractors that have provided bids and were awarded contracts with the City in the past, it was determined through discussions with them that these contractors are currently heavily committed and unable to take on additional work of this scale.

### **Discussion**

Following these efforts to receive competitive bidding, the City engaged and negotiated an agreement amount to satisfy all of the requirements in Bid Set 'E' and 'F', Cement Plaster and Exterior Brick Walls on the new City Hall Project (CIP Project #Z20006). If no bids are received, the California Contract Code Chapter 22038 provides exceptions to notices inviting bids. Stated, "If no bids are received through the formal or informal procedure, the project may be performed by the employees of the public agency by force account or negotiated contract without further complying with this contract code article." Therefore, the City has negotiated a change order for the entire scope. This negotiated amount is well within the designed architectural anticipated cost and stucco, as well as masonry standards for comparable work.

In this negotiated agreement, all the scope of work elements in the notice inviting bid, Bid Set 'E' and 'F,' Cement Plaster and Exterior Brick Walls, are sustained. The Lake Elsinore City Hall Complete Bid Set 'E' and 'F', Cement Plaster, and Exterior Brick Walls is available upon request. Due to its large size, it will not be attached. It is further understood that the Contractor, Endresen Development Inc., will provide a fully bonded (Labor, Material, and Performance bonds) agreement from a California-admitted surety for the additional scope of work.

### **Fiscal Impact**

The City Hall Project (CIP Project Z20006) is included in the Fiscal Year 24/25 – 28/29 Capital Improvement Plan (CIP) budget.

### **Attachments**

Attachment 1 - Agreement  
Exhibit A - Negotiated Proposal Dated November 7, 2024

City Manager's Office