



Council Agenda Report

From: Kevin Wells, Assistant Capital Projects Manager

Subject: Approval of a Construction Contract to Kies and Son Construction, Inc. for the Veteran's/ Senior Center Patio Shade Structure Project

CEQA Determination: The City finds that this action is categorically exempt from the California Environmental Quality Act ("CEQA") under the Class 1 exemption, which applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing structures, facilities, mechanical equipment, or topographical features where the project involves negligible or no expansion of existing or former use. (State CEQA Guidelines, § 15301).

Date: September 3, 2024

Facts

1. The Fiscal Year (FY) 2023-24 Operating and Capital Budget includes \$150,000 in the Capital Improvement Program to fund a shade structure located in the grassy area between the Veteran's Memorial Building and the Senior Center.
2. On February 6, 2024, City Council approved the design and authorized preparation of construction documents. As such, plans were prepared and advertised for bids, with an Engineer's estimate of \$105,000.
3. At the bid opening on August 1, 2024, two (2) bids were received:

<u>Construction Company</u>	<u>Bid Amount</u>
Kies and Son Construction, Inc.	107,497.30
Newton Construction	119,000.00

4. After the bid opening, Newton Construction submitted a bid protest against the bid submitted by Kies and Son Construction, Inc. (See Attachment No. 3). City staff, in conjunction with legal counsel, reviewed the protest and determined that it was without merit.
5. Staff reviewed the lowest bid from Kies and Son Construction, Inc. and found it to be a responsive and responsible bid.

Options

1. Take no action;
2. Authorize the City Manager to award a construction contract for the Paso Robles Veteran's Memorial Building Patio Shade Structure to Kies and Son Construction, Inc. for \$107,497.30, and deem that the protest submitted by Newton Construction has no merit; or
3. Provide alternative direction to staff

Analysis and Conclusions

The design for the patio and canopy was presented and approved by City Council and addressed prevalent themes provided by both Senior Advisory Committee and Veterans Center representatives: a large

concrete patio with shade structure; a design that does not conflict with either adjacent building; and the inclusion of elements that could provide lighting in the future. Multiple designs were presented and both constituent groups have expressed enthusiasm for the project.

Fiscal Impact

The total cost of the construction contract to Kies and Son Construction, Inc. is \$107,497.30. This project is already included in the adopted Capital Improvement Program budget, and as such, no other action is required.

CEQA

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Recommendation

Approve Resolution 24-XXX, authorizing the City Manager to award a construction contract for the Paso Robles Veteran's Memorial Building Patio Shade Structure to Kies and Son Construction, Inc. for \$107,497.30; deem that the protest submitted by Newton Construction has no merit; and to authorize the City Manager and City Attorney to make any minor, technical, or non-substantive changes to the contract that are consistent with the Council action.

Attachments

1. Resolution 24-XXX Paso Robles Veteran's Memorial Building Patio and Canopy.
2. Bid Submittal – Kies and Son Construction, inc.
3. Bid Protest - Newton Construction