



CITY OF GLENDALE, CALIFORNIA
REPORT TO THE:

Joint City Council Housing Authority Successor Agency Oversight Board

October 17, 2017

AGENDA ITEM

Report: Police Department Museum

- 1) Resolution rejecting all bids, dispensing with competitive bidding and authorizing the Director of Public Works or his designee to directly negotiate with one or more bidders and the City Manager to execute a Contract in an amount "not-to-exceed" \$260,000 and approving a reserve for contingency in the amount of \$20,000 for the Police Department Museum Project, Specification No. 3641
- 2) Motion accepting Funds from the Glendale Police Foundation in the amount of \$180,000 for the Construction of the Police Department Museum
- 3) Resolution of Appropriation in the amount of \$280,000 for the Construction of the Police Department Museum Project

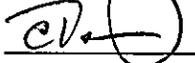
COUNCIL ACTION

| | | | | |
|---|------------------------------------|---|---|--------------------------------------|
| Public Hearing <input type="checkbox"/> | Ordinance <input type="checkbox"/> | Consent Calendar <input type="checkbox"/> | Action Item <input checked="" type="checkbox"/> | Report Only <input type="checkbox"/> |
| Approved for <u>October 17, 2017</u> calendar | | | | |

ADMINISTRATIVE ACTION

Submitted by:
Roubik Golanian, Director of Public Works

Signature _____

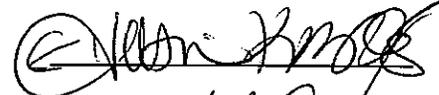

 FR

Robert M. Castro, Chief of Police

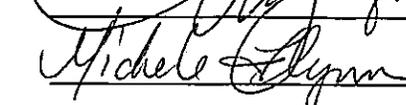
Prepared by:
Kevin Todd, Facilities Management Administrator



Approved by:
Scott Ochoa, City Manager









Reviewed by:
Yasmin K. Beers, Assistant City Manager

Michael J. Garcia, City Attorney

Robert P. Elliot, Director of Finance

RECOMMENDATION

Staff respectfully recommends that City Council approve Resolution rejecting all bids; dispensing with competitive bidding; and authorizing the Director of Public Works or his designee to negotiate with one or more bidders and the City Manager to execute a Contract in an amount not-to-exceed \$260,000 and approving a reserve for contingency in the amount of \$20,000 for the Police Department Museum Project, Specification No. 3641. Furthermore, Staff respectfully recommends that the City Council approve the Motion accepting Funds from the Glendale Police Foundation in the amount of \$180,000 for the Construction of the Police Department Museum. In addition, staff respectfully recommends a Resolution of Appropriation of \$280,000 for the Glendale Police Department Museum Project.

BACKGROUND/ANALYSIS

The Glendale Police Foundation (Foundation) has raised a significant amount of funding for the purpose of constructing a museum within the existing lobby space of the Glendale Police Building. The Foundation has already raised \$155,000 for the construction; and they anticipate raising an additional \$25,000 prior to the execution of the construction contract. The Police Building was initially designed and space was provided for this museum function, but due to the limitations of the original construction budget, this function was never built-out.

To date, the Foundation has hired and paid for an architect to design, engineer, and submit plans for City plan check for the Police Museum Project ("Project").

On April 4, 2017, City Council approved the plans and specifications and authorized the City Clerk to advertise for bids.

On June 28, 2017, the City hosted a job walk and four construction firms attended.

On July 26, 2017, The City received two bids from the following:

| | |
|--|--------------|
| Dorado Design and Construction, Inc. | \$297,828.92 |
| ACE Construction and Maintenance, Inc. | \$485,000 |

Both bids received exceeded the \$125,000 amount anticipated by the Foundation. Staff believes that the discrepancy in the anticipated versus actual bid amount is due to the development of detailed construction plans, plan check adjustments, the inclusion of ancillary museum elements (e.g. wall mural, jail bar display, display cabinets), and the construction market in general. The construction industry is currently extremely healthy and during these times, the City tends to receive bids that are much higher than expected or not receive bids as evidenced by two of the potential bidders opting to not submit a bid.

Article IV, Section 9 of the City Charter authorizes the City Council to reject all bids and have the contract negotiated without further bidding.

Staff believes that a collaborative negotiation with one or more of the contractors that submitted bids would allow the contractor(s) to better understand the project requirements and eliminate excessive contingencies that the contractor(s) may have included in their initial submittals. In addition, it is staff's expectation that a negotiated bid will provide further opportunities for value engineering and partnering with the contractor; both of which will reduce the overall cost and allow the City to construct the best possible improvements within the available funds.

The Museum project currently has significant momentum due to the Foundation's efforts, staff and City Council support. In order to maintain the progress of this project and funding, staff believes it is in the City's best interest to negotiate with one or more of the contractors that submitted responsive bids on July 26, 2017. The Foundation has currently raised \$155,000 and endeavors to raise an additional \$25,000; for a total of \$180,000 prior to contract execution.

Staff has contacted the State of California Contractor's License Board and has found both bidders' licenses to be current, active, and in good standing.

ENVIRONMENTAL REVIEW

This project is Categorically Exempt under the provisions of the California Environmental Quality Act (CEQA) as a Class 1, exemption pursuant to the California Code of Regulations, Title 14, Section 15301.

FISCAL IMPACT

Staff anticipates to negotiate a Contract in an amount not-to-exceed \$260,000 and a reserve for contingency in the amount of \$20,000 for a total of \$280,000 for the Police Department Museum Project.

Staff is requesting a resolution of appropriation in the amount of \$280,000; \$180,000 from the Glendale Police Foundation revenue and up to \$100,000 transfer from the General Fund to the Capital Improvement Fund (this General Fund transfer is a result of anticipated savings in the Police M&O expenditures). In addition, staff is requesting to have the ability to shift appropriation from the Capital Improvement Fund (Fund 401) into the Capital Improvement Reimbursement Fund (Fund 409) in the event that Glendale Police Foundation raises more revenue than what is currently anticipated (\$180,000). In this case, staff is also requesting to have the ability to reverse the transfer from the General Fund to the Capital Improvement Fund to the tune of the additional revenue collected by the Foundation.

ALTERNATIVES

Alternative 1: City Council may approve the attached Resolutions rejecting all bids, dispensing with competitive bidding and authorizing the Director of Public Works or his designee to directly negotiate with one or more contractors that have submitted responsive bids.

Alternative 2: The City Council may reject staff's recommendations, in whole or in part, which would delay the project and possibly compromise the project's funding.

Alternative 3: The City Council may consider any other alternatives not proposed by staff.

EXHIBITS

Exhibit A – Campaign Finance Disclosures

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA, REJECTING ALL BIDS, DISPENSING WITH COMPETITIVE BIDDING, AUTHORIZING THE DIRECTOR OF PUBLIC WORKS OR HIS DESIGNEE TO NEGOTIATE WITH ONE OR BOTH BIDDERS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A CONTRACT FOR THE POLICE DEPARTMENT MUSEUM PROJECT, SPECIFICATION NO. 3641

WHEREAS, on April 4, 2017, Council approved and adopted Specification No. 3641 for the Police Museum Project ("Project"); and

WHEREAS, the Public Works Department received 2 bids for the Project; and

WHEREAS, a detailed review of the bids revealed that all 2 bids exceeded the estimate anticipated by the Glendale Police Foundation; and

WHEREAS, Public Works Department staff believes a collaborative negotiation with one or more of the contractors that submitted bids would allow the contractor(s) to better understand the project requirements and eliminate excessive contingencies that the contractor(s) may have included in their initial submittal; and

WHEREAS, it is staff's expectation that a negotiated bid will provide further opportunities for value engineering and partnering with the contractor; both of which will reduce the overall cost and allow the City to construct the best possible improvement within the available funds; and

WHEREAS, the Project currently has significant momentum due to the Foundation's efforts and in order to maintain the progress of this project and funding, staff believes it is in the City's best interest to negotiate with one or more of the contractors that submitted responsive bids on July 26, 2017.

WHEREAS, the Director of Public Works recommends a streamlined process of meeting directly with one or both bidders, negotiating with them for a price not to exceed \$260,000, and then executing a contract with one of the bidders to perform the work for the Project; and

WHEREAS, Glendale City Charter, Article VI, Sec. 9 provides an exemption to competitive bidding where the Council determines it is in the best interest of the City to dispense with competitive bidding and have the contract negotiated without further bidding;

WHEREAS, a collaborative negotiation with one or more of the contractors will allow contractors to better understand the project requirements, a negotiated bid will provide further opportunities for value engineering, and the Project has significant momentum, it appears that adequate justification exists and it is in the City's best interest - upon recommendation of the City Manager and Director of Public Works - to reject all bids for the Project, dispense with competitive bidding, and authorize the Director of Public Works or his designee to negotiate with one or both bidders for a price not to exceed \$260,000, and then select one of the bidders for award of a Construction Contract for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GLENDALE:

1. The foregoing facts are deemed to be true and correct, and are a basis for rejecting the bids, dispensing with competitive bidding, and authorizing the execution of a Construction Contract with a single firm.

2. The Council hereby:

- A. Rejects all bids for the Project;
 - B. Dispenses with competitive bidding; and
 - C. Authorizes:
 - (1) The Director of Public Works or his designee to negotiate with the one or both bidders for a price close to or less than their current bid, in an amount not to exceed \$260,000, and to select one of the bidders for award of a Construction Contract for the Project.
 - (2) The City Manager or his designee to enter into and execute a Construction Contract - subject to the City Attorney's approval with the bidder whom the Director of Public Works selects.
3. The Council approves a Project contingency in the amount of \$20,000.

Adopted this _____ day of _____, 2017

Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA)
) SS
COUNTY OF LOS ANGELES)

I, Ardashes Kassakhian, City Clerk of the City of Glendale, do certify that the foregoing Resolution No. _____ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2017, by the following vote:

Ayes:

Noes:

Absent:

Abstain:

City Clerk

APPROVED AS TO FORM

SR. ASST. CITY ATTORNEY
DATE 10.13.17

M O T I O N

Moved by Council Member _____, seconded by Council Member _____, that the Council of the City of Glendale hereby accepts funds in the sum of \$180,000 from the Glendale Police Foundation. Said funds will be used for the Police Department Museum Project, Specification No. 3641, as more specifically described in the report to City Council dated October 17, 2017, submitted by the Chief of Police and the Director of Public Works.

The City Manager is hereby authorized to execute the necessary agreements and other documents required to accept the funds.

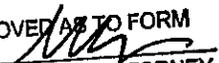
Vote as follows:

Ayes:

Noes:

Absent:

Abstain:

APPROVED AS TO FORM

SR. ASST. CITY ATTORNEY
DATE 10.19.17

**RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE
MAKING AN APPROPRIATION**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE:

SECTION 1: That the sum of \$280,000 is hereby appropriated and/or transferred from the following accounts to the following accounts:

| ACCOUNTS | DESCRIPTION | FROM | TO |
|----------------------|---|-----------|-----------|
| 34301-409 | Local Grants, CIP Reimbursement Fund | \$180,000 | |
| 51200-409-301-G52114 | Construction Services, CIP Reimbursement Fund, Police Projects, Glendale Police Department Museum Project | | \$180,000 |
| 47000-101-302-6301 | Miscellaneous, General Fund, Police Operation, Patrol Program | \$100,000 | |
| 48040-101-195 | Transfer to the Capital Fund, General Fund, Transfer to Other Funds | | \$100,000 |
| 39120-401 | Transfer from General Fund, Capital Improvement Fund | \$100,000 | |
| 51200-401-301-G52114 | Construction Services, Capital Improvement Fund, Police Projects, Glendale Police Department Museum Project | | \$100,000 |

To appropriate funding for the construction of the Police Department Museum Project.

SECTION 2: The Director of Finance is authorized to make such other revisions, individual appropriation line-items, changes in summaries, fund totals, grand totals, and other portions of the budget document as necessary to reflect and implement the changes specified in this resolution.

SECTION 3: The Director of Finance is authorized to shift appropriation from the Capital Improvement Fund (Fund 401) into the Capital Improvement Reimbursement Fund (Fund 409) in the event that Glendale Police Foundation raises more revenue than what is currently anticipated (\$180,000). In such case, the Director of Finance is also authorized to reverse the transfer from the General Fund to the Capital Improvement Fund to the tune of the additional revenue collected by the Foundation.

SECTION 4: The City Clerk shall certify to the adoption of this Resolution.

Adopted this _____ day of _____, 2017.

Mayor

ATTEST:

City Clerk



CITY OF GLENDALE
DATE 10/12/2017
APPROVED AS TO FINANCIAL
PROVISION FOR \$ 280,000

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF GLENDALE)

APPROVED AS TO FORM
M. J. Garcia
CITY ATTORNEY

Michele Flynn
Director of Finance
Bob Elliott

DATE 10/13/17

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I, Ardashes Kassakhian, City Clerk of the City of Glendale, do hereby certify that the foregoing Resolution No. _____ was adopted by the Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2017, and that the same was adopted by the following vote:

Ayes:

Noes:

Absent:

Abstain:

City Clerk

Exhibit G – Campaign Finance Ordinance Disclosure

City of Glendale Disclosure - Campaign Finance Ordinance

In August 2011, City Council adopted Ordinance No. 5744, Campaign Finance Ordinance, which became effective on September 9, 2011 and amended it with Ordinance No. 5768 in February 2011. The Ordinance prohibits campaign contributions from parties who contract/subcontract with the City of Glendale (City), Glendale Redevelopment Agency (GRA), or the Housing Authority (HA) of the City of Glendale and prohibits Council Members from voting on matters pertaining to contracts with persons who have provided campaign contributions.

The Ordinance requires disclosure in staff reports providing the following information for the contractor and it's subcontractor(s) receiving a contract, or a series or combination of contracts, from the City with a total value of \$50,000 or more and \$25,000 or more, respectively, in a fiscal year (July 1-June 30), excluding competitively proposed contracts awarded to the lowest responsible proposer:

- Name of the entity
- Name of the Chief Executive Officer/President
- Chief Operating Officer
- Chief Financial Officer
- Chairperson
- Any member of the board of directors
- Any person or entity that owns more than 10% of the contracting party or any subcontractor
- Name of any campaign committee controlled or sponsored by the contracting party

Please complete the following information for contractors & subcontractors (including Consultants & Sub-consultants):

Contractor(s) *

| Name | | Address | | | |
|--------------------------------------|---------------------------------------|--|-----------------|-------|-------|
| Ace Construction & Maintenance, Inc. | | 13152 Raymer St., Suite A North Hollywood CA 91605 | | | |
| Full Name | Title | Business Address | City | State | Zip |
| Christ Darbidian | Chairperson | 13152 Raymer St. Suite A | North Hollywood | CA | 91605 |
| Christ Darbidian | Chief Executive Officer/ President | 13152 Raymer St. Suite A | North Hollywood | CA | 91605 |
| Karim Estephan | Chief Operating Officer | 13152 Raymer St. Suite A | North Hollywood | CA | 91605 |
| Christ Darbidian | Chief Financial Officer | 13152 Raymer St. Suite A | North Hollywood | CA | 91605 |
| | Board of Directors | | | | |
| | More than 10% interest owner | | | | |

* For purposes of the Ordinance, the Contractor is any "person" who is the party or prospective party to the contract with the City, GRA or HA or any member of that party's Board of Directors, its Chairperson, Chief Executive Office, Chief Financial Officer, Chief Operating Officer, any person with an ownership interest of more than ten percent (10%) in the party, and any campaign committee, that is sponsored or controlled by the party. Please disclose the name and addresses of these persons above.

Subcontractor(s) **

| Name | | Address | | | |
|-----------|-----------------------------------|------------------|------|-------|-----|
| Full Name | Title | Business Address | City | State | Zip |
| N/a | Chairperson | | | | |
| | Chief Executive Officer/President | | | | |
| | Chief Operating Officer | | | | |
| | Chief Financial Officer | | | | |
| | Board of Directors | | | | |
| | More than 10% interest owner | | | | |

** "Subcontractor" means a person who has entered into a contract for the performance of all or a portion of the work undertaken under an agreement with an architect, design professional, engineer, or general or prime contract, usually by a general or prime contractor. For purposes of the "subcontractor", "Person" includes the subcontracting party as well as any member of that party's Board of Directors, its Chairperson, Chief Executive Office, Chief Financial Officer, Chief Operating Officer, any person with an ownership interest of more than ten percent (10%) in the party, and any campaign committee, that is sponsored or controlled by the party. Please disclose the names and addresses of these persons above.

Campaign Committee Controlled/Sponsored by N/a

| Title | Business Address | City | State | Zip |
|-------|------------------|------|-------|-----|
| | | | | |

Certification

I hereby certify, on behalf of the above-named contractor, that the names of all "person" of the contractor and subcontractor under the contract are fully set forth above. I further acknowledge that the applicant has a continuing obligation to update this disclosure form if the applicant selects additional or substitute architects, design professionals, contractor or subcontractors within ten (10) days of the selection or change. I hereby certify that I have been legally authorized by the contractor to submit this disclosure form and certify to the content hereof.

Executed on 07/28/2016 at North Hollywood, California

Contractor's Signature , Print Applicants' Full Name Christ Darbidian

Contractor's Address 13152 Raymer St., Suite A North Hollywood CA 91605

Contractor's Contact Phone Number (866) 294-1992

Contractors' E-mail Address christ@aceconstructionmaint.com

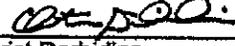
CERTIFICATION

On behalf of the above-named Contractor Subcontractor:

- I acknowledge that I have a continuing obligation to update this disclosure form if I substitute— or if I select additional— architects, design professionals, contractors, or subcontractors within ten (10) days of the selection or change; and
- I hereby certify that:
 - I have identified all persons for which the Ordinance requires disclosure;
 - The information in this disclosure form (and any attachment to this form) is true, accurate, correct, and complete; and
 - I have been legally authorized to submit this disclosure form.

In total, this disclosure form (including attachments) is 3 pages.

Executed on: July 28th, 2016, at: North Hollywood
California.

Signature:  Print Full Name: _____
Christ Darbidian

Address: 13152 Raymer St., Suite A North Hollywood CA 91605

Phone Number: (866) 294-1992 E-mail Address: christ@aceconstructionmaint.com

City of Glendale

DISCLOSURE - CAMPAIGN FINANCE ORDINANCE

The City Council adopted Ordinance No. 5744, "Campaign Finance Ordinance," which became effective on September 9, 2011, and amended it with Ordinance No. 5768, which became effective on March 15, 2012 ("the Ordinance"). The Ordinance prohibits: (1) A contractor* (including a subcontractor**)— who has a contract with the City of Glendale ("City"), Glendale Redevelopment Agency ("GRA"), or the Housing Authority of the City of Glendale ("HA") and that contract is subject to approval by the City Council, GRA, or HA— from making a contribution to a City Council member, GRA member, HA member, City Clerk, or City Treasurer; and (2) Council members, GRA members, and HA members from voting on matters concerning a contract with a person who has provided a campaign contribution.

The Ordinance applies to a contractor whose contract requires the City Council's, GRA's, or HA's approval. A contract with the City, GRA, or HA is known as a "City Contract." The Ordinance also applies to a subcontractor who has a subcontract through a City Contract. The Ordinance excludes a competitively bid contract awarded to the lowest responsible bidder.

To assist members of the City Council, GRA, and HA before they vote on a matter regarding a City Contract, the Ordinance requires City staff to prepare this report which discloses certain information about: the contractor receiving the City Contract, and the subcontractor(s) working under the City Contract.

| A contractor must provide the information listed below when: | A subcontractor must provide the information listed below when: |
|---|---|
| <ul style="list-style-type: none"> • The City Contract has a <i>total anticipated</i> or <i>actual</i> value of \$50,000 or more; or | <ul style="list-style-type: none"> • The subcontract through a City Contract has a <i>total anticipated</i> or <i>actual</i> value of \$25,000 or more; or |
| <ul style="list-style-type: none"> • A combination or series of City Contracts have a value of \$50,000 or more. | <ul style="list-style-type: none"> • A combination or series of subcontracts, for the same or different projects, have an aggregate value of \$25,000 or more. |

- Information that must be disclosed:**
- Name of the person, entity, or organization (i.e., the Contractor or Subcontractor)
 - Name of the Chief Executive Officer/President
 - Chief Operating Officer
 - Chief Financial Officer
 - Chairperson
 - All members of the Board of Directors
 - All persons who own more than 10% of the person, entity, or organization
 - Name of any campaign committee owned or controlled by the person, entity, or organization

Please complete the following disclosure form:

Contractor(s)*:

| Name | | Address | | | |
|------------------------------------|-------------------------------------|--|-------------|--------------|------------|
| Dorado Design & Construction, Inc. | | 1607 E. Walnut St., Pasadena, CA 91106 | | | |
| Full Name | Title | Business Address | City | State | Zip |
| | Chairperson | | | | |
| Gabriel Sanchez | Chief Executive Officer / President | (Same as above) | | | |
| Derek Belicove | Chief Operating Officer / V.P. | (Same as above) | | | |
| | Chief Financial Officer | | | | |
| | Board of Directors | | | | |
| | More than 10% interest owner | | | | |

* "Contractor" is the person, entity, or organization that is the party, or prospective party, to the contract with the City, GRA, or HA or any member of that person's, entity's, or organization's Board of Directors, its Chairperson, Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, any person with an ownership interest of more than ten percent (10%) in that person, entity, or organization, and any campaign committee that is owned or controlled by that person, entity, or organization. Above please disclose these persons' name and business address.

Subcontractor(s):**

| Name | | Address | | | |
|-----------|-------------------------------------|------------------|------|-------|-----|
| Full Name | Title | Business Address | City | State | Zip |
| | Chairperson | | | | |
| | Chief Executive Officer / President | | | | |
| | Chief Operating Officer | | | | |
| | Chief Financial Officer | | | | |
| | Board of Directors | | | | |
| | More than 10% interest owner | | | | |

** "Subcontractor" is the person, entity, or organization that has entered into a contract for the performance of all or a portion of the work undertaken under an agreement with an architect, design professional, engineer, or general or prime contract, usually by a general or prime contractor. Subcontractor includes any member of that person's, entity's, or organization's Board of Directors, its Chairperson, Chief Executive Officer, Chief Financial Officer, Chief Operating Officer, any person with an ownership interest of more than ten percent (10%) in that person, entity, or organization, and any campaign committee that is owned or controlled by that person, entity, or organization. Above please disclose these persons' name and business address.

Campaign Committee owned or controlled by: N/A

| Title | Business Address | City | State | Zip |
|-------|------------------|------|-------|-----|
| | | | | |

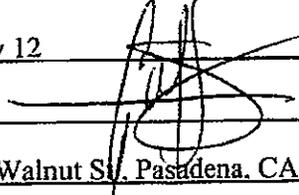
CERTIFICATION

On behalf of the above-named Contractor Subcontractor:

- I acknowledge that I have a continuing obligation to update this disclosure form if I substitute— or if I select additional— architects, design professionals, contractors, or subcontractors within ten (10) days of the selection or change; and
- I hereby certify that:
 - I have identified all persons for which the Ordinance requires disclosure;
 - The information in this disclosure form (and any attachment to this form) is true, accurate, correct, and complete; and
 - I have been legally authorized to submit this disclosure form.

In total, this disclosure form (including attachments) is 02 pages.

Executed on: July 12, 2017, at: Pasadena, California.

Signature:  Print Full Name: Gabriel Sanchez

Address: 1607 E. Walnut St. Pasadena, CA 91106

Phone Number: (818) 557-1225

E-mail Address: gabriel@doradodc.com