



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
March 17, 2010**

TO: Mayor and City Council
FROM: Tim Tucker, City Engineer
SUBJECT: Tree Replacement at Highland and Nancy Boyd Parks
DATE: March 4, 2010

RECOMMENDATION:

Adopt resolution accepting the lowest responsible bid for the Tree Replacement Project at Highland and Nancy Boyd Parks and awarding the construction contract to LaBat’s Tree Care and allocating \$15,000 of Gas Tax funds to Account No. C5013.

BACKGROUND:

This project will remove 29 hazardous eucalyptus trees at Highland and Nancy Boyd parks and replace them with redwood trees. Removal of the trees is identified in the adopted Park System Master Plan (2007-12) and listed as a high priority when the initial Measure H funded projects were selected. A large tree recently fell down at Nancy Boyd Park and several limbs have fallen at Highlands Park. These trees are also a fire hazard, especially those adjacent to the refinery property. Ten trees identified to be removed on Highland Avenue are south of the park frontage. Removal of these trees is an eligible expense of gas tax funds.

Prior to construction the City will have a pre-construction survey performed by a qualified biologist to check for nests of raptors or other special-status birds during the breeding season (February 1 through August 31). If nests are found in the work zone, a Notice to Proceed will not be issued until September 1, 2010 or earlier if it has been determined that all the young have fledged.

Seven bids were opened at 2:00 p.m. on Wednesday, February 17, 2010 for this construction project. The bids ranged from \$48,970 to \$120,650. The Engineer’s Estimate was \$52,000. LaBat’s Tree Care of Martinez, California, is the lowest responsible bidder. The following is a summary of the bid results:

<u>Bidder</u>	<u>Amount</u>
La Bat’s Tree Care	\$48,970.00
Engineer’s Estimate	\$52,000.00
Waraner Tree Experts	\$64,735.00
Cleary Brothers Landscape, Inc.	\$65,620.00
	\$84,968.15

Del conte’s Landscaping, Inc.

The Professional Tree Care Company	\$92,980.00
McNabb Construction, Inc.	\$112,840.00
Kingsborough Atlas Tree Surgery, Inc.	\$120,650.00

LaBat's Tree Care has successfully completed similar project for other Bay Area agencies. A check of their references provided favorable responses. They are also a Caltrans certified disadvantaged business enterprise (DBE) firm.

FISCAL IMPACT:

The project is budgeted under Account No. C5013 and is currently funded with \$50,000 of Measure H funds. A portion of the work at Highland Park site is beyond the frontage of the park. Staff recommends allocating \$15,000 of Gas Tax funds to cover the costs associated with this work.

The project budget and funding are listed below:

<u>Budget</u>	<u>Amount</u>
Design Phase	\$5,000
Construction	\$48,970
Contingency (10% +/-)	\$5,030
Wildlife Biology Survey	\$2,500
Construction Mgmt./Inspection	<u>\$3,500</u>
TOTAL BUDGET	\$65,000

<u>Funding</u>	<u>Amount</u>
Gas Tax (proposed allocation)	\$15,000
Measure H (existing allocation)	<u>\$50,000</u>
TOTAL FUNDING	\$65,000

ACTION:

Adopt resolution accepting the lowest responsible bid for the Tree Replacement Project at Highland and Nancy Boyd parks and awarding the construction contract to LaBat's Tree Care and allocating \$15,000 of Gas Tax funds to Account No. 5013.

Attachments:

1. Location Map
2. Resolution

APPROVED BY:



City Manager

RESOLUTION NO. -10

ACCEPTING BIDS FOR THE TREE REPLACEMENT AT HIGHLAND AND
NANCY BOYD PARKS PROJECT AND AWARDING THE CONSTRUCTION CONTRACT
TO LABAT'S TREE CARE AND ALLOCATING \$15,000 OF
GAS TAX FUNDS TO ACCOUNT NO. C5013

WHEREAS, the Council allocated funds for the Measure H Park projects on February 4, 2009 as part of the Five-Year Capital Improvement Program for Fiscal Years 2009/10 to 2014/15; and

WHEREAS, the Project is identified in the adopted Park System Master Plan (2007-2012); and

WHEREAS, the Project is listed as a priority Measure H project; and

WHEREAS, the City advertised for bids from general engineering, landscaping and tree removal contractors; and

WHEREAS, on February 17, 2010, seven (7) bids were publicly opened; and

WHEREAS, an additional \$15,000 in funds is required to fund the project for work adjacent to Highland Park; and

WHEREAS, staff recommends allocating \$15,000 of Gas Tax funds and to CIP Account C5013; and

WHEREAS, it is deemed in the best interest of the public and the City to implement the Tree Replacement project.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Martinez that:

- A) The bid of LaBat's Tree care is hereby accepted in an amount of \$48,970.00 when the required performance bond, labor and materials bond, insurance and other contract documents have been reviewed and approved by the City Attorney, and the City Manager is hereby authorized to execute a contract for said project with the contractor.
- B) Should LaBat's Tree Care fail to deliver all contract documents, fully executed and filled out, so that they are in the hands of the City within ten calendar days after receipt of notice from the City of the City's acceptance of their bid, then the bid shall be deemed in violation of the contract documents and the bid shall be deemed non-responsive and rejected and the second lowest responsible bidder shall be awarded the contract to complete the project.

BE IT FURTHER RESOLVED, that The City Council allocates \$15,000 of Gas Tax funds and to Account C5013.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 17th day of March, 2010, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ



CITY OF MARTINEZ

COMMUNITY DEVELOPMENT DEPARTMENT

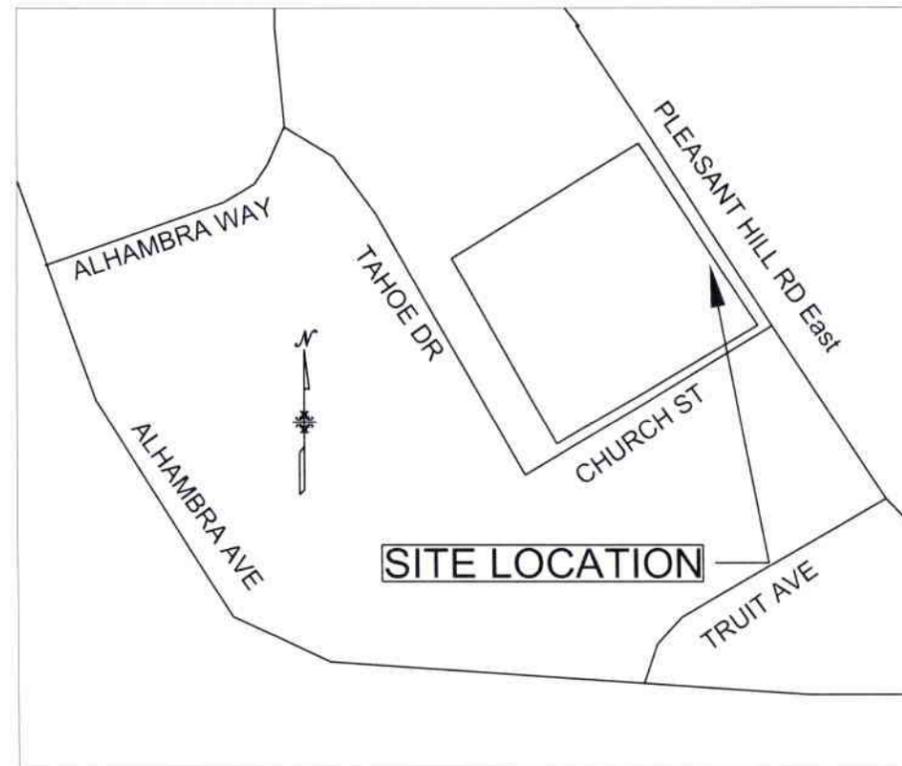
TREE REPLACEMENT PROJECT HIGHLAND AND NANCY BOYD PARKS

January 2010
PROJECT No. C5013

LEGEND	
	Eucalyptus Tree to Remove size as noted
	Stump to Remove
	15 gal. Redwood Tree to Plant



HIGHLAND PARK



NANCY BOYD PARK

SHEET INDEX
1. Title Sheet
2. Highland Park Plan
3. Highland Park Irrigation
4. Nancy Boyd Park Plan
5. Nancy Boyd Park Irrigation



GENERAL NOTES:

1. THE PROJECT PLANS ARE SCHEMATIC IN NATURE. THE CONTRACTOR SHALL VISIT THE SITE AND VERIFY SITE CONDITIONS BEFORE COMMENCING ANY WORK. WHEN COMPLETE THE CONSTRUCTION SITE SHALL BE FREE FROM PEDESTRIAN AND VEHICLE HAZARDS.
2. CONTRACTOR SHALL REPORT ANY DISCREPANCIES BETWEEN PLANS AND ACTUAL CONDITIONS TO THE CITY REPRESENTATIVE.
3. THE CONTRACTOR SHALL CONTACT UNDERGROUND SERVICE ALERT (U.S.A) 1-800-227-2600. AT LEAST (2) WORKING DAYS PRIOR TO BEGINNING ANY EXCAVATION.

No.	Revision	By	Date	Approved
CITY OF MARTINEZ COMMUNITY DEVELOPMENT DEPARTMENT				
TREE REPLACEMENT PROJECT TITLE SHEET				
DSGN: NR		CHKD: JE		SCALE:
APPD: TT		DRWN: NR		
DATE: January 2010				SHEET 1 OF 5
PROJECT: C5013				