



# STAFF REPORT

CITY COUNCIL OF THE CITY OF SAUSALITO

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## AGENDA TITLE:

Award of Contract to Furnish and Install Photovoltaic System at New Fire Station to Cupertino Electric Inc. of San José, California for the Lump Sum of \$134,937

## RECOMMENDED MOTION:

Adopt Resolution Awarding Contract to Furnish and Install Photovoltaic System at New Fire Station to Cupertino Electric Inc. of San José, California for the Lump Sum of \$134,937

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## SUMMARY

More than three (3) responsive bids from responsible bidders were received in response to the City's invitations to bid for furnishing and installation of a photovoltaic (PV) system for the new Fire Station. The lowest responsive bid received from a responsible bidder was from Cupertino Electric, Inc. of San José, California for the lump sum of \$134,937 against an Engineer's Estimate of \$190,000. Staff finds that the project is exempt from the California Environmental Quality Act, is consistent with the approved design review and other permits for the project, that adequate funds for construction are available and expendable from the General Obligation Bond funds for the project, and that based on a projected annual production of 28,721 kWh, the proposed installation will not only offset a significant percentage of PSF electrical demand, but will also offset approximately 37,000 pounds of carbon dioxide emissions per year.

Staff recommends that Council award the contract for construction of the PV system to Cupertino Electric, authorize the City Manager to issue Notice of Award, execute the resulting agreement and issue Notice to Proceed.

## BACKGROUND

As summarized for Council as item 4B5 on consent for its regular meeting of December 8, 2009, the plans for the Public Safety Facilities (PSF) include provision of conduits and space in the electrical room at the Fire Station for photovoltaic (PV) installation. The City desires to have photovoltaic electric generating capacity as part of its Public Safety Facilities Project for a number of reasons including the desire to enhance the minimum level of Leadership in Energy and Environmental Design (LEED) certification that the Project will achieve when completed.

Following Council approval of SolarCity's contract for installation of PV at City Hall, Staff provided copies of the approved building plans and requested a proposal for installation from

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SolarCity. Because of the small size of the system that the Fire Station can accommodate, SolarCity indicated that the financing structures available to them would not support such a proposal.

Based on concurrence from Dana Armanino, Marin Energy Management Team, Marin County Community Development Agency that outright purchase of such systems offer the best possible return on investment, Staff requested that Glass Architects provide a proposal for design of such a system. The proposal from Glass was approved and the design work authorized. Glass estimated that the construction cost for the specified system will total approximately \$190,000 and produced detailed plans and specifications that were reviewed and approved by Staff.

On December 15, 2009 Staff issued formal invitations to bid in conformance with Sausalito Municipal Code (SMC) Section 3.30.310.C. A pre-bid conference was held Thursday January 14, 2010. A total of three (3) addenda were issued, including one extending the bid opening date to February 8, 2010.

Bids were received from and in the amounts tabulated below:

<b>Bidder</b>	<b>Bid (LS)</b>
<b>Cupertino Electric</b>	<b>\$134,937.00</b>
<b>Fresco Solar</b>	<b>\$139,944.00</b>
<b>Gamma</b>	<b>\$143,320.00</b>
Fidelity Roof	\$152,785.00
System 3	\$160,864.00
Albion	\$165,307.00
Waterworks	\$176,872.00
Amana	\$279,550.00

The bid from Cupertino Electric was evaluated and found to be completely responsive to the plans and specifications issued. Cupertino Electric listed several references that have been contacted for confirmation of good service. As of the date of this writing, all of the information returned has been positive. Cupertino Electric is current and active (in good standing) as a licensed contractor in a number of classifications relevant to the project according to the California State Contractor's Licensing Board website.

## **ISSUES**

None identified. Staff has coordinated with Alten Construction, and the contract documents require that the contractor awarded the work further coordinate regarding work hours and other issues that have the potential to adversely impact the schedule for PSF completion. The contract documents also allow the start of work to be delayed until Alten's work is completed without affecting the LEED process. Cupertino Electric will require a building permit for its

work. As a ministerial action, the project is statutorily exempt from the California Environmental Quality Act (CEQA) (14 CCR § 15268). To the extent the project is discretionary, it is categorically exempt from CEQA under 14 CCR § 1530, Existing Facilities, in that it consists of an improvement to an existing public facility involving negligible or no expansion of use.

**FISCAL IMPACT**

The bid recommended for award is well within the unencumbered funds available from the Bond for the PSF.

**STAFF RECOMMENDATIONS**

Award Contract to Furnish and Install Photovoltaic System at New Fire Station to Cupertino Electric Inc. of San José, California for the Lump Sum of \$134,937

**ATTACHMENTS:**

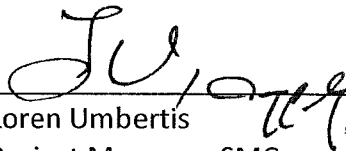
A Resolution of the City Council of the City of Sausalito Awarding a Contract to Furnish and Install a Photovoltaic System at the New Fire Station to Cupertino Electric Inc. of San José, California for the Lump Sum of \$134,937

PREPARED BY:



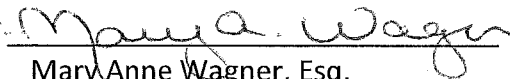
\_\_\_\_\_  
Jonathon Goldman  
Director of Public Works

REVIEWED BY:



\_\_\_\_\_  
Loren Umbertis  
Project Manager, SMC

REVIEWED BY:



\_\_\_\_\_  
Mary Anne Wagner, Esq.  
City Attorney

SUBMITTED BY:



\_\_\_\_\_  
Adam W. Politzer  
City Manager



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO  
AWARDING A CONTRACT TO FURNISH AND INSTALL A PHOTOVOLTAIC  
SYSTEM AT THE NEW FIRE STATION TO CUPERTINO ELECTRIC INC. OF  
SAN JOSÉ, CALIFORNIA FOR THE LUMP SUM OF \$134,937**

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**WHEREAS**, by Minute Order adopted on the 23<sup>rd</sup> day of September, 2008 the City Council of the City of Sausalito awarded Alten Construction, Inc. of Richmond, California (“Alten”) a contract for BID NUMBER F-141, THE SAUSALITO PUBLIC SAFETY FACILITIES PROJECT NEW CONSTRUCTION (the “Project”); and

**WHEREAS**, the plans for the Project include provision of conduits and space in the electrical room at the Fire Station for photovoltaic (“PV”) installation but do not include the PV installation itself; and

**WHEREAS**, the City desires to have photovoltaic electric generating capacity as part of its PSF Project for a number of reasons including the desire to enhance the minimum level of Leadership in Energy and Environmental Design (“LEED”) certification that the Project will achieve when completed.; and

**WHEREAS**, the installation of PV at the PSF is consistent with the approved design review and other permits for the Project; and

**WHEREAS**, adequate funds for PV installation are available and expendable from the General Obligation Bond funds for the Project; and

**WHEREAS**, projected annual production of 28,721 kWh will not only offset a significant percentage of PSF electrical demand, but will also offset approximately 37,000 pounds of carbon dioxide emissions per year; and

**WHEREAS**, Glass Architects (the Project Architect of record) and its Electrical Engineering subconsultant (O’Mahony and Myer) prepared plans, specifications and a cost estimate for the desired installation of PV; and

**WHEREAS**, City Staff reviewed, approved and issued the plans and specifications attached hereto and made a part hereof with an invitation to bid and three (3) addenda attached hereto and made a part hereof in conformance with formal bidding requirements for Public Work set forth in Sausalito Municipal Code (SMC) Section 3.30.310.C; and

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**WHEREAS**, eight (8) bids were received and evaluated and the lowest bid received, for the lump sum of \$134,937 (ONE-HUNDRED THIRTY-FOUR THOUSAND NINE-HUNDRED THIRTY-SEVEN AND 00/100 DOLLARS), was found to be completely responsive and the bidder, Cupertino Electric, Inc. was found to be completely responsible; and

**WHEREAS**, Staff finds that as a ministerial action, the PV project is statutorily exempt from the California Environmental Quality Act (CEQA) (14 CCR § 15268); as a discretionary action, it is categorically exempt from CEQA under 14 CCR § 1530, Existing Facilities, in that it consists of an improvement to an existing public facility involving negligible or no expansion of use; and

**WHEREAS**, Staff recommends that the contract to furnish and install the PV at the new Fire Station be awarded to Cupertino Electric, Inc.

**NOW, THEREFORE**, the City Council of the City of Sausalito does hereby resolve as follows:

1. As a ministerial action, the PV project is statutorily exempt from the California Environmental Quality Act (CEQA) (14 CCR § 15268); as a discretionary action, the PV project is categorically exempt from CEQA under 14 CCR § 1530, Existing Facilities, in that it consists of an improvement to an existing public facility involving negligible or no expansion of use.
2. A Contract between Cupertino Electric, Inc. and the City of Sausalito is hereby approved in the lump sum amount of \$134,937 (ONE-HUNDRED THIRTY-FOUR THOUSAND NINE-HUNDRED THIRTY-SEVEN AND 00/100 DOLLARS).
3. The City Manager is authorized to execute said Contract on behalf of the City.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Sausalito on the 23rd day of February, 2010, by the following vote:

AYES: Councilmembers:  
NOES: Councilmembers:  
ABSTAIN: Councilmembers:  
ABSENT: Councilmembers:

\_\_\_\_\_  
MAYOR OF THE CITY OF SAUSALITO

ATTEST:

\_\_\_\_\_  
CITY CLERK

**BID FORM**

PROPOSAL TO THE CITY COUNCIL OF THE CITY OF SAUSALITO

STATE OF CALIFORNIA, FOR PROJECT KNOWN AS:

**FURNISH AND INSTALL PHOTOVOLTAIC SYSTEM AT NEW FIRE STATION**

Name of bidder: Cupertino Electric, Inc.

Address of bidder: 1132 North Seventh Street  
San Jose, CA 95112

Telephone Number: (408) 808-8156

Fax Number: (408) 275-8575

Date of bid: February 8, 2010

The undersigned as bidder declares that the only person or persons interested in this proposal as Principal, are those named herein; that the proposal is made without collusion with any other person, firm or corporation, that he has carefully examined the site and the location of the proposed work and improvement and all the contract documents relating to said project, and that he proposes to provide all necessary transportation, equipment, tools, apparatus, permits, materials and other means of construction, and to do all the work and labor required and specified for the following LUMP SUM amount:

TOTAL LUMP SUM BID TO FURNISH AND INSTALL PHOTOVOLTAIC SYSTEM IN COMPLETE CONFORMANCE WITH CONTRACT DOCUMENTS IS:

    \$ 134,937.00      
(Numbers)

(One Hundred Thirty-four Thousand Nine Hundred Thirty-seven AND 00/100 DOLLARS)  
(Words)

It is understood and agreed that the quantity of each item of work to be performed or material to be furnished as stated in the attached bid schedule is estimated and approximate and will be used as a basis for comparing bids only, and that the final certification of said quantities will be made on the basis of the actual quantities of work performed or materials furnished, unless otherwise specified.

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All addenda bound with the Specifications or issued during time of bidding are included in this proposal. Receipt of the following addenda and date thereof is acknowledged:

Addendum No. 1, Date January 20, 2010  
Addendum No. 2, Date January 26, 2010  
Addendum No. 3, Date January 27, 2010

The undersigned has carefully checked all bid figures and agrees that City shall not be responsible or chargeable for any errors or omissions on the part of the undersigned in making up this bid.

Accompanying this bid is a guarantee in the form of corporate surety bond, cashier's or certified check or cash in the sum of Thirteen Thousand Four Hundred Ninety-four dollars (\$ 13,494.00 ), payable to or in favor of City.

This bid may not be withdrawn for a period of thirty (30) days from opening thereof.

In compliance with Sections 4100, *et seq.*, of the Public Contract Code of the State of California, there is set forth in the attached list of subcontractors the name and location of the mill, shop or office of each subcontractor who will perform work, labor or render service to the undersigned in or about the construction of the work or improvement contemplated by the bid and the portion of the work to be done by said subcontractor.

Bidder is licensed by the State of California under Contractor's license:

No. 174637, Class A, B, C-10, C-46, Expiration Date 8/31/2010.

**INDIVIDUAL**

Name of bidder: \_\_\_\_\_

Address of bidder: \_\_\_\_\_

**CORPORATION**

If bidder is a corporation, state legal name of corporation, state of incorporation, and name of president and secretary.

Name of corporation: Cupertino Electric, Inc.

Name of president: John Boncher, President/COO

Name of secretary: Jan Kang, General Counsel/Secretary

State of incorporation: Delaware

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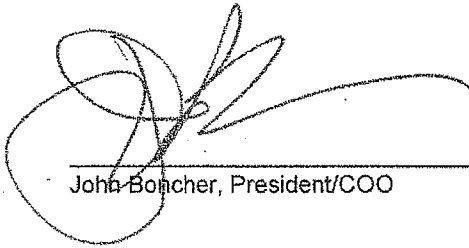
OR PARTNERSHIP

If a partnership, state full name of all general partners and name under which business is conducted:

Name of partnership: \_\_\_\_\_

Names of general partners: \_\_\_\_\_

Signature of Bidder:



\_\_\_\_\_

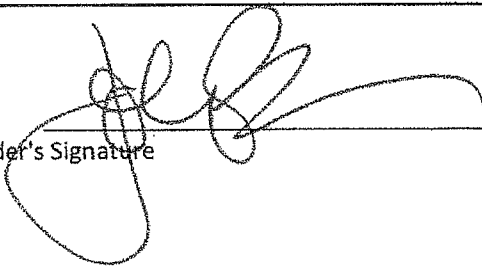
John Boncher, President/COO

**DESIGNATION OF SUBCONTRACTORS/SUPPLIERS**

Bidder shall completely fill in the form below for each subcontractor who will perform work or labor or render service to the prime contractor in or about the construction of the work or improvement, or a subcontractor licensed by the State of California who, under subcontract to the prime contractor, specially fabricates and installs a portion of the work or improvement according to detailed drawings contained in the plans and specifications, in an amount in excess of one-half percent (1/2%) of the bidder's total Base Bid. This shall be done in compliance with the Public Contract Code of the State of California, Section 4100-4113 and any amendment thereof.

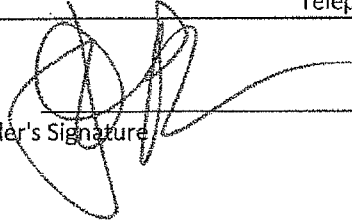
No subcontractor who is ineligible to bid work on, or be awarded, a public works project under Labor Code Sections 1771.1 or 1777.7 can bid on, be awarded or perform work as a subcontractor on the Project. Contractor is prohibited from performing work on the Project with a subcontractor who is ineligible to perform work on a public works project under these sections of the Labor Code.

NAME OF SUBCONTRACTOR	LOCATION	DIVISION OF WORK
** NO SUBCONTRACTORS	Street City, Zip Telephone	
	Street City, Zip Telephone	
	Street City, Zip Telephone	
	Street City, Zip Telephone	
	Street City, Zip Telephone	

By:  \_\_\_\_\_  
Bidder's Signature

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NAME OF SUPPLIER	LOCATION
Sunlink Corporation	Street 1010 B Street, Suite 400 City, Zip San Rafael, CA 94901 Telephone (415) 925-9650
Solar Depot, LLC	Street 1240 Holm Road City, Zip Petaluma, CA 94954 Telephone (707) 766-7727
Suntech America, Inc.	Street 188 The Embarcadero, 8th Floor City, Zip San Francisco, CA 94105 Telephone (415) 882-9922
Sharp Electronics Corp.	Street 1300 Naperville Drive City, Zip Romeoville, IL 60446 Telephone (800) 237-4277
	Street City, Zip Telephone
	Street City, Zip Telephone
	Street City, Zip Telephone
	Street City, Zip Telephone City, Zip Telephone
	Street City, Zip Telephone

By:  \_\_\_\_\_  
Bidder's Signature

