

RESOLUTION NO. 2024-148

APPROVING THE AWARD OF AN AGREEMENT WITH JILK HEAVY CONSTRUCTION, INC. IN THE AMOUNT OF \$2,945,503.50 FOR CROSS STREET BRIDGE REPLACEMENT AND FAIRFAX ELEMENTARY SCHOOL PLAYGROUND RESTORATION (RESTORATION PROJECT); AND AUTHORIZING THE CONSTRUCTION CONTINGENCIES, CONSTRUCTION MANAGEMENT, AND ADMINISTRATIVE COSTS IN THE TOTAL AMOUNT OF \$467,440.78 FOR CONSTRUCTION OF THE PROJECT; AUTHORIZING THE DIRECTOR OF FINANCE AND MANAGEMENT SERVICES TO AMEND THE FY 2023/24 CIP BUDGET WITH AN ADDITIONAL \$2,700,000 FROM THE GENERAL FUND TO BRING THE TOTAL PROJECT BUDGET TO \$3,412,944.28; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ALL DOCUMENTS WITH JILK HEAVY CONSTRUCTION, INC.; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXPEND THE CONTINGENCY FUND, IF NECESSARY, TO COMPLETE THE PROJECT; AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO STATE CEQA GUIDELINES SECTION 15302 (“REPLACEMENT OR RECONSTRUCTION”)

WHEREAS, the City desires to reconstruct the Cross Street Bridge to restore access to the local neighborhood, and to restore the portion of Fairfax Elementary School playground used as an emergency access road (the “Restoration Project”); and

WHEREAS, on April 19, 2023, the Mayor, and City Council ratified a Memorandum of Understanding for Temporary License between the City of San Bernardino and the San Bernardino City Unified School District and Southern California Gas Company; and

WHEREAS, on October 18, 2023, the Mayor, and City Council Approved Amendment No. 1 to Memorandum of Understanding for Temporary License between the City of San Bernardino and the San Bernardino City Unified School District and Southern California Gas Company, and Approved a Task Order for Design Services for Cross Street Bridge Emergency Replacement; and

WHEREAS, the Restoration Project was advertised for public bidding on April 18, 2024 on PlanetBids with the City receiving two sealed bids; and

WHEREAS, City staff reviewed the bid packages and determined that Jilk Heavy Construction Inc. was the lowest responsible and responsive bidder.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2. The Mayor and City Council hereby authorize the City Manager to approve the award of an Agreement with Jilk Heavy Construction, Inc. in the amount of \$2,945,503.50 for Cross Street Bridge Replacement and Fairfax Elementary School Playground Restoration (Project); and

SECTION 3. The Mayor and City Council hereby authorize the construction contingencies, construction management, and administrative costs in the total amount of \$467,440.78 for construction of the Project; and

SECTION 4. The Mayor and City Council hereby authorize the Director of Finance and Management Services to amend the FY 2023/24 CIP budget with an additional \$2,700,000 from the General Fund to bring the total project budget to \$3,412,944.28; and

SECTION 5. The Mayor and City Council hereby authorize the City Manager or designee to execute all documents with Jilk Heavy Construction, Inc.; and

SECTION 6. The Mayor and City Council hereby authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

SECTION 7. The Mayor and City Council finds this Resolution is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Section 15302, Replacement or Reconstruction (“Class 2”). The Class 2 exemption allows for the replacement or reconstruction of existing structures or facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. Here, the Project involves replacement of the previously fire-damaged bridge with a new bridge located on the same site that will serve the same purpose of providing access to the residential neighborhood and replace the elementary school ground that was damaged from the temporary access road. The Mayor and City Council also find this Resolution is also not subject to any exception to the Class 2 exemption, as set forth in State CEQA Guidelines section 15300.2. .

SECTION 8. Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

SECTION 9. Effective Date. This Resolution shall become effective immediately.

APPROVED and **ADOPTED** by the City Council and signed by the Mayor and attested by the City Clerk this 3rd day of July 2024.

Helen Tran, Mayor
City of San Bernardino

Attest:

Genoveva Rocha, CMC, City Clerk

Approved as to form:

Sonia Carvalho, City Attorney

CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss
CITY OF SAN BERNARDINO)

I, Genoveva Rocha, CMC, City Clerk, hereby certify that the attached is a true copy of Resolution No. 2024-148, adopted at a regular meeting held on the 3rd day of July 2024 by the following vote:

<u>Council Members:</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
SANCHEZ	_____	_____	_____	_____
IBARRA	_____	_____	_____	_____
FIGUEROA	_____	_____	_____	_____
SHORETT	_____	_____	_____	_____
REYNOSO	_____	_____	_____	_____
CALVIN	_____	_____	_____	_____
ALEXANDER	_____	_____	_____	_____

WITNESS my hand and official seal of the City of San Bernardino this ____ day of _____ 2024.

Genoveva Rocha, CMC, City Clerk