

STAFF REPORT



ITEM NO. 13
CITY OF OCEANSIDE

DATE: June 3, 2015

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **RESOLUTION ALLOWING CITY CREWS TO CONSTRUCT A TEMPORARY PARKING LOT IN LIEU OF PUBLIC CONTRACTING PROCEDURES**

SYNOPSIS

Staff recommends that the City adopt a resolution allowing City crews to self-perform construction of a temporary parking lot in lieu of the procedures of the California Uniform Construction Cost Accounting Act.

BACKGROUND

On November 28, 2012, the City Council enacted Ordinance 13-OR0009-1 adopting the Uniform Public Construction Cost Accounting (UPCCA) Act. The UPCCA Act allows the City to adopt expedited bidding procedures for public work construction projects of less than \$175,000. However, the UPCCA Act requires formal bidding for bids exceeding \$175,000. The UPCCA Act allows cities to reject bids, and assign the work to City crews when they can complete the work at less cost than outside contractors. Due to the time and expense required to obtain outside bids, the proposed Resolution allows the City to directly assign its work force to the construction of temporary parking lots without obtaining outside bids.

On this Agenda staff proposes the creation of one temporary pay parking lot to assist in offsetting short-term construction parking related impacts associated with the development of City Lot 23 into a new Downtown Parking Structure.

ANALYSIS

Taking into account the time for preparation of detailed plans and bid specification, and the cost of the bid process itself; it is more cost effective and timely for Public Works Department crews to build a temporary parking lot (Lot 24B) using City equipment and directly purchasing asphalt and other materials. Section 301 of the City Charter states, "The City is exempt from the provisions of all California statute regulating public contracting and purchasing except as provided by ordinance or by agreement approved by the City Council." The City made itself subject to the provisions of the

UPCCA Act; which requires putting work exceeding \$175,000 out to public bid. While the UPCCA Act as a whole is a positive guide to the City in its bidding practices, it can be an impediment for projects just over the UPCCA limit that are otherwise appropriately done by force account with City personnel. For this reason, staff recommends the City exempt itself from UPCCA provision for the construction of temporary parking lots.

FISCAL IMPACT

The construction of Lot 24B is estimated to cost \$100,000. Upon completion of the temporary parking lot, the revenue generated by the pay machine in Lot 24B will be deposited into the Parking Machine Temp Lot account to reimburse the City's initial investment in the construction of the temporary lots and replenish the infrastructure reserve.

COMMISSION OR COMMITTEE REPORT

The Downtown Advisory Committee (DAC) received an informational update on the City's plans for replacement parking on May 6, 2015.

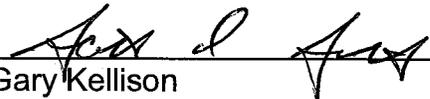
CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

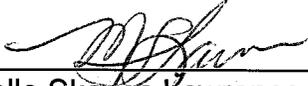
Staff recommends that the City adopt a resolution allowing City crews to self-perform construction of a temporary parking lot in lieu of the procedures of the California Uniform Construction Cost Accounting Act.

PREPARED BY:

for 

Gary Kellison
Senior Civil Engineer

SUBMITTED BY:



Michelle Skaggs Lawrence
Interim City Manager

REVIEWED BY:

Peter A. Weiss, Assistant City Manager



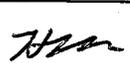
Rick Brown, Interim Development Services Director



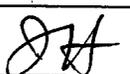
Scott O. Smith, City Engineer



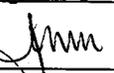
Hans K. Koger, Public Works Division Manager



Jeff Hunt, City Planner



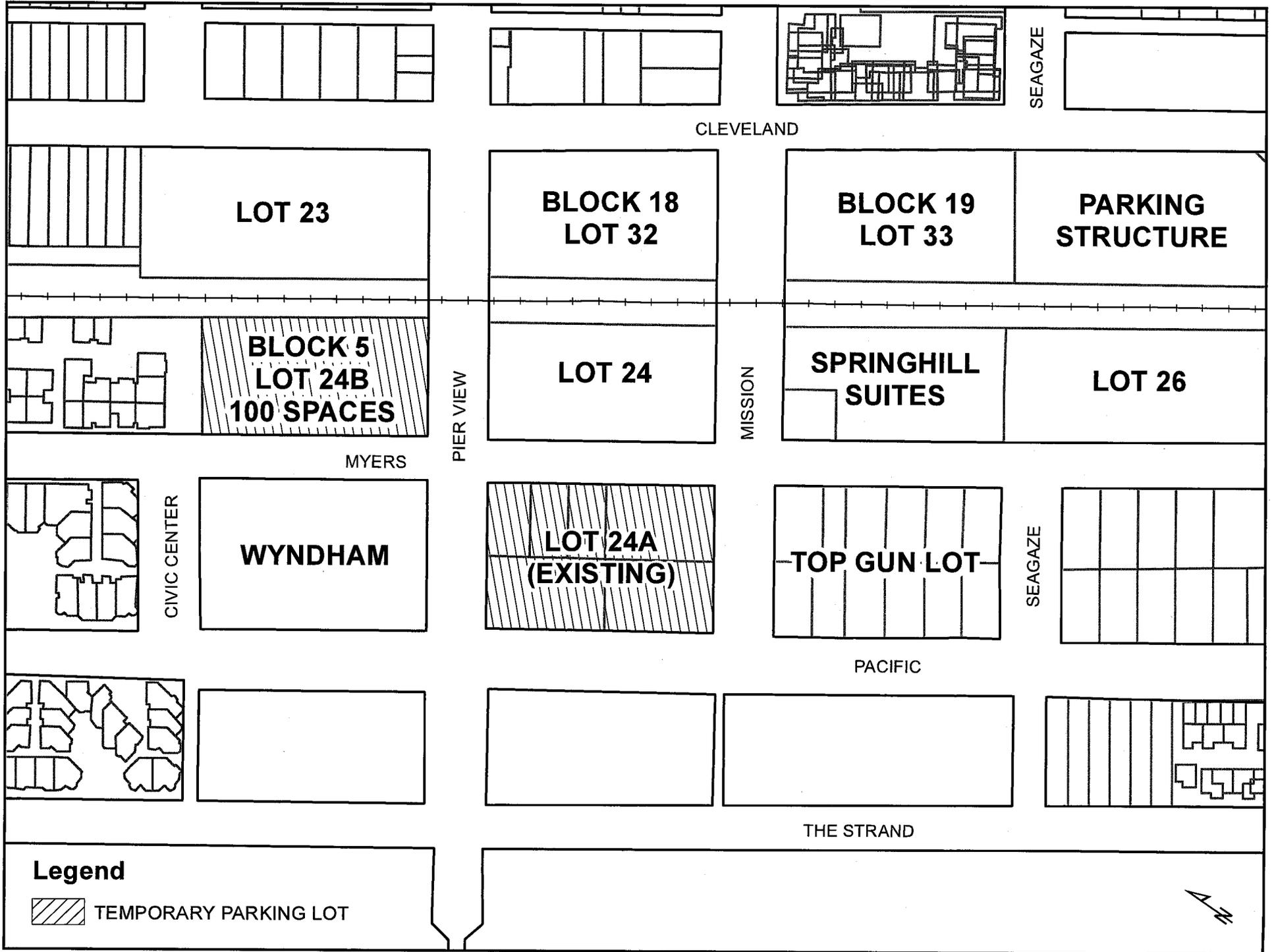
Jane M. McPherson, Interim Financial Services Director



Attachments:

- 1. Map of downtown parking lots
- 2. Resolution

TEMPORARY PAY PARKING LOTS



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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE ALLOWING CONSTRUCTION OF TEMPORARY PARKING LOTS BY FORCE ACCOUNT

WHEREAS, the Section 301 of Charter of the City of Oceanside adopted on July 8, 2010, reserves to the City the right to “establish all standards, procedures, rules or regulations to regulate all aspects of public contracting”, and

WHEREAS, on December 19, 2012, City Council of the City of Oceanside adopted Ordinance No. 13-OR0009-1, which enacts procedures governing public works contracts and establishes, among other things, informal bidding procedures in accordance with the requirements of Section 22034 of the Public Contract Code, commonly identified as the Uniform Public Cost Accounting Act, and

WHEREAS, the City Council of the City of Oceanside determines it to be in the public benefit and interest to retain the ability to construct temporary public parking lots in a timely manner as the need arises, and

WHEREAS, the formal public bidding of such projects restricts the ability of the City of Oceanside to replace or supply public parking as needed.

NOW, THEREFORE, the City Council of the City of Oceanside DOES RESOLVE as follows:

1. That the construction of any temporary public parking lot in the City of Oceanside may be undertaken with City employees, equipment and materials purchased directly by the City without regard to the public bid requirements of the Uniform Public Construction Cost Accounting Act.

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1 PASSED AND ADOPTED by the City Council of the City of Oceanside, California,
2 this _____ day of _____, 2015, by the following vote:

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4 AYES:

5 NAYS:

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7 ABSENT:

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9 ABSTAIN:

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11 _____
MAYOR OF THE CITY OF OCEANSIDE

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13 ATTEST:

APPROVED AS TO FORM:

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15 _____
CITY CLERK

16
17 *Antonia Hamilton, Asst.*
18 _____
CITY ATTORNEY