



MOUNTAINS RECREATION & CONSERVATION AUTHORITY

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MEMORANDUM

TO: The Governing Board

FROM:  Joseph T. Edmiston, FAICP, Hon. ASLA, Executive Officer

DATE: February 3, 2021

SUBJECT: **Agenda Item XII: Consideration of resolution awarding a construction contract for construction of new public access improvements at Big Rock Beach, City of Malibu.**

Staff Recommendation: That the Governing Board adopt the attached resolution awarding a contract to Metro Builders & Engineers Group for construction of new public access improvements at Big Rock Beach, City of Malibu, in the amount of \$634,505.

Background: On July 10, 2014, the California Coastal Commission (Commission) approved Coastal Development Permit (CDP) No. 5-84-791-A1 regarding the recombination of two beachfront parcels into one lot, the modification of an existing lateral access easement and recordation of a new lateral access easement, and the dedication of \$400,000 to the MRCA for the planning and construction of public vertical accessway improvements on State of California-owned property at Big Rock Beach in Malibu. The property has no street address but is immediately east of the property located at 20516 Pacific Coast Highway, Malibu. At that time, the California Department of Parks and Recreation (CDPR) had jurisdiction of this State property. Jurisdiction of the property was transferred to the Santa Monica Mountains Conservancy in December 2018.

In May 2016, the MRCA filed a CDP application with the City of Malibu for new public access improvements including a beach access stairway, fencing and gates, and a coastal overlook at the then CDPR-owned property. The Malibu City Council approved the CDP application in July 2018 pursuant to 14 CCR Section 15303(e) of the CEQA guidelines. The MRCA completed finalizing construction plans and obtained building permit entitlements, including additional grant funding in the amount of \$550,000 from the State Coastal Conservancy (SCC). The grant agreement with SCC was executed on January 26, 2021.

Section 4.1 of the MRCA's Procurement Policy states that all purchases of \$25,000 or more shall be made through a competitive bid process and awarded to the lowest responsive and responsible bidder. The project was put out for public bid on December 31, 2020. Due to the COVID-19 health order, a mandatory bid walk was not scheduled. However, staff required all responsive bidders to each certify that the bidder conducted a bid walk. Six bids were received on January 28, 2021. The bid from G2K Construction was the lowest bid. However, G2K Construction informed MRCA staff that its bid contained a clerical error and has withdrawn its bid as noted in its letter dated January 29, 2021 (attached). Staff reviewed the next lowest bid and found Metro Builders & Engineers Group to be the next lowest responsive, responsible bidder in accordance with Public Contract Code section 20815 *et seq.* The bid from Metro Builders & Engineers Group is attached. The work is anticipated to be completed in July 2021.

The proposed project is categorically exempt under California Environmental Quality Act Sections 15301, 15303, 15304, and 15311 as the project consists of minor alteration of topographical features involving no expansion of existing use; construction of small structures such as a new beach access stairway and fencing; minor alteration of land that does not involve grading; and placement of onsite public access and public use signage. Upon approval, staff will file a Notice of Exemption for the project.

Consideration: Staff recommends the Governing Board authorize awarding a contract to Metro Builders & Engineers Group for construction of new public access improvements at Big Rock Beach, City of Malibu, in the amount of \$634,505.

Fiscal Impact: The project is funded by the payment made by the applicant of CDP No. 5-84-791-A1 and funding from the SCC. These funding sources will cover the cost of project construction. Long term operational costs are not expected to change as this site is currently among the several beach accessways that the MRCA manages in Malibu.