



CITY OF

NEWPORT BEACH

City Council Staff Report

August 26, 2025
Agenda Item No. 25

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Public Bathroom Gate Fabrication and Installation – Award of Contract No. 9761-1

ABSTRACT:

The City of Newport Beach received bids for the Public Bathroom Gate Fabrication and Installation project, and staff requests City Council approval to award the contract to Modern General Contractor, Inc., of Sun Valley. The project involves fabricating and installing automatically locking security gates at selected bathroom locations to enhance security and provide long-term cost savings.

RECOMMENDATIONS:

- a) Find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because this project has no potential to have a significant effect on the environment;
- b) Award Contract No. 9761-1 to Modern General Contractor, Inc., for the total bid price of \$292,008 for the Public Bathroom Gate Fabrication and Installation project, and authorize the Mayor and City Clerk to execute the contract; and
- c) Establish a contingency of \$29,200 (approximately 10% of total bid) to cover the cost of unforeseen work not included in the original contract.

DISCUSSION:

Staff issued Request for Bids No. 9761-1 through the PlanetBids website on May 29, 2025, to fabricate and install automatically locking security gates at selected public restroom buildings. Ten potential bidders attended a pre-bid meeting on June 17, 2025, and at 1 p.m. on July 1, 2025, the City Clerk opened and read the following bids:

<u>RANK</u>	<u>BIDDER</u>	<u>TOTAL BID AMOUNT</u>
Low	Modern General Contractor, Inc.	\$292,008
2 nd	VSI Technologies	\$295,780
3 rd	Harris Steel Fence Co., Inc.	\$313,432
4 th	Gold Coast Fence, Inc.	\$392,895

The low bidder, Modern General Contractor, Inc. (Modern General), possesses a California Contractors State License Board (CSLB) Classification “B – General Building” license and will be utilizing a subcontractor, Barca Iron Works, Inc., which possesses a CSLB Classification “C – Ornamental Metals” license, as required by the project specifications. A review of references for Modern General shows satisfactory completion of contracts for other public agencies including the City of Huntington Beach and the Rialto Unified School District.

Modern General’s bid was approximately 2.7% below the engineer’s estimate of \$300,000, and three of the four bids were within 5% of the engineer’s estimate. Pursuant to the contract specifications, the contractor shall have 110 consecutive calendar days after the date of the Notice to Proceed to complete the project. Work is scheduled to start in the fall of 2025.

After the bid opening, the City received a bid protest claiming deficiencies in the apparent low bidder’s submittal and requesting that it be deemed non-responsive. The Public Works Department and City Attorney’s Office staff reviewed and considered the bid protest, relevant provisions of State law, and the bid responses, and determined that the bid is responsive and compliant with the relevant provisions of State law. The protest letter is included as an attachment to this report.

If approved, the automatic-locking gates will be installed at nine locations as shown in the table below. They will enhance restroom security while maintaining accessibility during operating hours and reduce ongoing costs for contracted security guard services.

Restroom Location	# Gates
Bonita Canyon Park East	2
Bonita Canyon Park Middle	2
Bonita Canyon Park West	2
Channel Place Park	2
Coastal Peak Park	2
Corona Del Mar State Beach East	4
Corona Del Mar State Beach West	4
Grant Howald Park	2
Newport Pier	4
Total	24

FISCAL IMPACT:

The adopted Capital Improvement Program budget includes sufficient funding for the award of this contract. Funds will be expended from the Facilities Maintenance Master Plan (General Funds) account in the Public Works Department, 57101-980000-26F02.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this project exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential to have a significant effect on the environment.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENT:

Attachment A – Protest Letter