



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Alyssa Muto, City Manager
MEETING DATE: July 2, 2025
ORIGINATING DEPT: Engineering Department - Jason Jung, Senior Civil Engineer
SUBJECT: **Consideration of Resolution 2025-060 Awarding a Construction Contract to A.B. Hashmi, Inc. and Resolution 2025-062 Approving a Professional Services Agreement with Verdantas Inc. for Geotechnical Engineering Special Inspection and Laboratory Testing for the Fletcher Cove Beach Access Improvements**

BACKGROUND:

The existing dissipator grate located adjacent to the Fletcher Cove ramp was installed in approximately 1998, as part of the North County Transit District (NCTD) Train Station project and associated drainage work. Due to the ocean weather and salt water, the dissipator grate is corroding and needs to be replaced. A Coastal Development Permit waiver from the California Coastal Commission was obtained in November 2023, for replacement of the dissipator grate and associated beach access ramp improvements.

A consultant prepared plans, specifications, and a cost estimate for removal and replacement of the beach access ramp and dissipator grate, and improvements to the shower area at Fletcher Cove. Staff advertised the project through the competitive bidding process and the City received 10 construction bids for the Fletcher Cove Beach Access Improvement Project, Bid 2025-05. The ten bids were opened by the City Clerk and read on May 8, 2025.

Staff also issued a Request for Proposals (RFP) to solicit proposals from consultants experienced in geotechnical engineering special inspection and laboratory testing and specifically having access to a testing laboratory to address the inspection and testing requirements for the reinforced concrete of the Fletcher Cove Beach Access Improvement Project.

COUNCIL ACTION:

This item is before the City Council to consider adoption of Resolution 2025-060 (Attachment 1) that would award a construction contract to A.B. Hashmi, Inc., the lowest responsive and responsible bidder, for the Fletcher Cove Beach Access Improvement Project. In addition, before the City Council, is consideration of Resolution 2025-062 (Attachment 2) to authorize the City Manager to execute a Professional Services Agreement with Verdantas Inc. for Geotechnical Engineering Special Inspection and Laboratory Testing for the Fletcher Cove Beach Access Improvement Project.

DISCUSSION:

The design documents for the Fletcher Cove Improvement Project, Bid 2025-05, were prepared and the project was advertised for construction bids in March 2025. On May 8, 2025, 10 bids for the Bid No. 2025-05 were received and publicly opened by the City Clerk. The bid results are listed below in Table 1:

Table 1: Bid Results

Contractors	Base Bid
A.B. Hashmi, Inc.	\$ 432,525.00
Blue Pacific Engineering Construction, Inc.	\$ 435,830.00
Fordyce Construction, Inc.	\$ 439,133.00
Wright Construction Engineering Corp.	\$ 442,260.00
HSCC, Inc.	\$ 453,000.00
Sierra Pacific West, Inc.	\$ 460,796.00
Montano Pipeline, Inc.	\$ 477,350.00
Western Rim Constructors, Inc.	\$ 562,865.00
Palm Engineering Construction Company, Inc.	\$ 633,100.00
Granite Construction Company	\$ 659,899.00

Wright Construction Engineering Corp. submitted a bid protest (Attachment 3) regarding the apparent low bidder A.B. Hashmi, Inc. and the third apparent low bidder, Fordyce Construction Inc. The bid protest stated that A.B. Hashmi, Inc. and Fordyce Construction Inc. failed to list subcontractors, failed to impress their signature, and had a bid item clerical error. Staff has determined that the three items outlined in their bid protest does not have legitimate reasons for rejecting the apparent low bid submitted by A.B. Hashmi, Inc.

The apparent low bid submitted by A.B. Hashmi, Inc. was found to be complete and responsive to the bid specifications. Prior work references were checked and found to be satisfactory, and A.B. Hashmi, Inc. has a valid contractor's license. Staff is recommending that A.B. Hashmi, Inc. be awarded the construction contract. The estimated contract duration is 70 working days (14 weeks). Since the waiver approved by the California Coastal Commission does not allow for work between Memorial Day and Labor Day, it is

anticipated that construction of the Project will begin in the Fall and be completed by January 2026.

City staff do not have the capability to conduct geotechnical engineering special inspection and laboratory testing. Verdantas Inc. was selected as a consultant who will independently conduct geotechnical engineering special inspection and laboratory testing on behalf of the City to verify all inspection and testing requirements for the reinforced concrete of the Fletcher Cove Beach Access Improvement Project are met.

CEQA COMPLIANCE STATEMENT:

The Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) and 15302 of the State CEQA Guidelines in that the proposed project will be replacing the existing emergency vehicle ramp, sidewalk and other associated improvements that provide access to the public beach.

FISCAL IMPACT:

The anticipated project costs are listed below.

Item	Amount
Construction Contract – A.B. Hashmi, Inc.	\$432,525
Construction Contingency (12%)	\$52,000
Professional Services Agreement with Verdantas Inc.	\$25,301
Total	\$509,826

The Fiscal Year (FY) 2024/25 Capital Improvement Plan (CIP) budget included \$250,000 for the replacements of the access ramp, dissipator, and shower at Fletcher Cove. The allocated budget did not account for the water line, conduit, and the increase in construction costs from the project's initial conception in 2017, which results in a construction shortfall of \$234,525. In addition, this budget did not account for the need to hire a geotechnical engineering consultant, which further increased the total shortfall to \$259,826. Staff is requesting a \$23,800 transfer from Beach Related Reserve 100-34120 to Misc CIP 4596510.66610 and an additional appropriation of \$210,725 from the Measure S Fund – Construction account 1106510.66610 and \$25,301 from the Measure S Fund – Professional Services account 1106510.65300 to supplement the previous funding that was rolled over to the current fiscal year to cover the shortfall. Final project costs will be reported to the City Council after the completion of the construction period as part of filing the Notice of Completion.

WORK PLAN:

This project is consistent with Item 5 (Fletcher Cove Improvements) of the Environmental Sustainability and Energy section of the FY 2025/26 Work Plan.

OPTIONS:

- Adopt Staff recommendations and award construction contract.
- Modify aspects of this project and award construction contract as amended (if applicable).
- Reject construction bids and provide alternative direction to Staff.

CITY STAFF RECOMMENDATION:

Staff recommends that the City Council:


1. Adopt Resolution 2025-060:

- a. Awarding a construction contract to A.B. Hashmi, Inc., in the amount of \$432,525, for the Fletcher Cove Beach Access Improvement Project, Bid 2025-05.
- b. Approving an amount of \$52,000 for construction contingency.
- c. Authorizing the City Manager to execute the construction contract on behalf of the City.
- d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.
- e. Authorizing \$23,800 transfer from Beach Related Reserve 100-34120 to Misc. CIP account 4596510.66610 and appropriating \$210,725 from the Measure S Fund – Construction account 1106510.66610 for the Fletcher Cove Beach Access Improvement Project.
- f. Authorizing the City Treasurer to amend the FY 2025/26 Adopted Budget accordingly.

2. Adopt Resolution 2025-062:

- a. Authorizing the City Manager to execute a professional services agreement for a one-year term, in an amount not to exceed \$25,301, with Verdantas Inc. for Geotechnical Engineering Special Inspection and Laboratory Testing for Fletcher Cove Beach Access Improvement Project, Bid No. 2025-05.
- b. Authorizing an appropriation of \$25,301 from the Measure S Fund – Professional Services account 1106510.65300 for the Fletcher Cove Beach Access Improvement Project.

- c. Authorizing the City Treasurer to amend the FY 2025/26 Adopted Budget accordingly.


Ayssa Muto, City Manager

Attachments:

1. Resolution 2025-060
2. Resolution 2025-062
3. Bid protest submitted by Wright Construction Engineering Corp.

RESOLUTION 2025-060

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AWARDING A CONSTRUCTION CONTRACT TO A.B. HASHMI, INC. FOR THE FLETCHER COVE BEACH ACCESS IMPROVEMENTS

WHEREAS, the Fiscal Year (FY) 2024/25 Capital Improvement Program (CIP) budget included \$250,000 for the replacement of the access ramp and dissipator grate, and installation of a shower at Fletcher Cove. The allocated budget did not account for the water line, conduit, and the increase in construction costs from the project's initial conception in 2017, which results in a construction shortfall of \$234,525. Staff is requesting a \$23,800 transfer from Beach Related Reserve 100-34120 to Misc. CIP 4596510.66610 and \$210,725 from the Measure S Construction Account 1106510.66610 to supplement the previous funding that was rolled over to the current fiscal year to cover the shortfall; and

WHEREAS, on May 8, 2025, 10 bids for the Fletcher Cove Beach Access Improvements Project, Bid 2025-05, were received and publicly opened by the City Clerk. At that time, it was determined that A.B. Hashmi, Inc. was the apparent low bidder with a construction estimate of \$432,525; and

WHEREAS, Staff recommends a construction contingency of approximately 12%, in the amount of \$52,000, for unanticipated extra work.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitations are true and correct.
2. That the City Council awards a construction contract to A.B. Hashmi, Inc., in the amount of \$432,525, for the Fletcher Cove Beach Access Improvement Project, Bid 2025-05.
3. That the City Council approves an amount of \$52,000 for construction contingency.
4. That the City Council authorizes the City Manager to execute the construction contract on behalf of the City.
5. That the City Council authorizes the City Manager to approve cumulative change orders up to the construction contingency amount.
6. That the City Council authorizes \$23,800 transfer from Beach Related Reserve 100-34120 to Misc. CIP account 4596510.66610 and appropriates \$210,725 from the Measure S Fund – Construction account 1106510.66610 for the Fletcher Cove

Beach Access Improvements project.

7. That the City Council authorizes the City Treasurer to amend the FY 2025/26 Adopted Budget accordingly.

PASSED AND ADOPTED this 2nd day of July 2025, at a regular meeting of the City Council of the City of Solana Beach, California by the following vote:

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

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

RESOLUTION 2025-062

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH VERDANTAS INC. FOR GEOTECHNICAL ENGINEERING SPECIAL INSPECTION AND LABORATORY TESTING FOR THE FLETCHER COVE BEACH ACCESS IMPROVEMENTS, BID NO. 2025-05

WHEREAS, the Fletcher Cove Beach Access Improvement Project will replace the access ramp and dissipator grate, and install a new shower which requires special inspections and various types of testing of the reinforced concrete to ensure a successful project; and

WHEREAS, to address the inspection and testing requirements of the Fletcher Cove Beach Access Improvement Project, Staff issued a Request for Proposals (RFP) to solicit proposals from consultants experienced in geotechnical engineering special inspection and laboratory testing and specifically having access to a testing laboratory; and

WHEREAS, after a detailed review of six proposals received in response to the RFP, Staff is recommending that a contract be pursued with Verdantas Inc. Although the other firms that submitted proposals have relevant geotechnical engineering special inspection and laboratory testing backgrounds and are well regarded in the area, the proposal and experience provided by Verdantas Inc. is superior to the other firms.

NOW, THEREFORE, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitations are true and correct.
2. That the City Council authorizes the City Manager to execute a professional services agreement for a one-year term, in an amount not to exceed \$25,301, with Verdantas Inc. for Geotechnical Engineering Special Inspection and Laboratory Testing for Fletcher Cove Beach Access Improvement Project, Bid No. 2025-05.
3. Authorizing appropriation of \$25,301 from the Measure S Fund – Professional Services account 1106510.65300 to the Fletcher Cove Beach Access Improvement Project.
4. Authorizing the City Treasurer to amend the FY 2025/26 Adopted Budget accordingly.

PASSED AND ADOPTED this 2nd day of July 2025, at a regular meeting of the City Council of the City of Solana Beach, California by the following vote:

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

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

Wright Construction Engineering Corp
2625 S. Santa Fe Avenue
San Marcos, CA 92069
Tel 760-599-3915 x 102
Fax 760-599-3920
Wwright@wcec.net



SENT VIA CERTIFIED MAIL & EMAIL
(AIVEY@COSB.ORG)

May 19, 2025

To: City Clerk (Angela Ivey)
City of Solana Beach
635 South Highway 101,
Solana Beach, CA 92075

RE: Fletcher Cove Improvements Project

Subject: Formal Bid Protest- Fordyce Construction, Inc & A.B. Hashmi, Inc.. Bid Proposals

To Whom It May Concern,

Wright Construction Engineering Corp hereby formally submits this bid protest per the guidelines of Public Contracting Code Section 10345(a)(2) (See Attached Exhibit "A") regarding the apparent low bidder A.B. Hashmi, Inc & the second apparent low bidder, Fordyce Construction, Inc for the Fletcher Cove Improvements Project that bid on May 8, 2025. Based on our review of their bid packages, we have identified material violations of the bid specifications and California Public Contracting Laws that render both A.B. Hashmi, Inc. and Fordyce Construction, Inc. bid packages as non-responsive and non-responsible bidder under the terms and applicable law.

- 1) **Failure to List Mandatory Subcontractors (Violation of California Subletting and Subcontracting Fair Practice Act).** A.B. Hashmi, Inc & Fordyce Construction, Inc. both **failed to list** subcontractors (See Attached Exhibit "B") for a key component of the project requirements (Surveying) of which this scope of work would have exceeded the 0.5% of their bid amount (See Attached Exhibit "C" as proof of Surveying Cost for required work), making theme mandatory to list under **California Public Contracting Code Section 4104**. Moreover, both A.B. Hashmi, Inc and Fordyce Construction, Inc. do not hold a California Land Surveyors License, which is required to perform the work independently and that this omission constitutes a **direct violation** of the **California Subletting and Subcontracting Fair Practices Act Section 4100 & 4114**, which states that failure to list the required subcontractors to perform the required work is subject for rejection of a bid proposal.
- 2) **Failure to Comply with Instruction to Bidders:** A.B. Hashmi, Inc had made multiple oversights within their bid package that did not follow the requirements set forth by the City of Solana Beach. The first issue with the bid package is on page 12 of the bid proposal & page 16 (See Attached Exhibit "D"), all bidders are required to Impress the Corporate Seal of the authorized signer in order to authenticate the signers capacity, of which A.B. Hashmi did not follow this requirement. On page 9 of the bid proposal, for Bid Item #16 See Attached Exhibit "E"): Installation of Conduits, A.B. Hashmi had made a numerical error within their bid for this item of work as they had listed a unit price of \$125 per linear foot, with an extended amount of \$17,250.00, but the correct extended amount for 115 linear feet of conduit should of reflected the amount of \$14,375.00.

3) Competitive Prejudice and Bid Fairness Violation. The violations illustrated above create an unfair competitive advantage for both A.B. Hashmi, Inc. and Fordyce Construction, Inc at the expense of all fully compliant bidders including Wright Construction Engineering Corp. Allowing a non-compliant bid to be considered furthermore **compromises the integrity of the public bidding process and violates California Competitive Bidding Laws (Public Contract Code Section 100 et seq.)**

A bid must conform to the material terms of the bid package. (DeSilva Gates Constr. v. Department of Transp. (2015) 242 Cal.App.4th 1409; Menefee v. County of Fresno (1985) 163 Cal.App.3d 1175.) A bid is responsive if it promises to do what the bidding instructions demand. (Williams v. Clovis Unified Sch. Dist. (2007) 146 Cal.App.4th 757; Valley Crest Landscape Inc. v. City of Davis (1996) 41 Cal.App.4th 1432, 1438.)

Responsiveness should be determined from the face of the bid. (Great W. Contractors, Inc. v. Irvine Unified Sch. Dist. (2010) 187 Cal.App.4th 1425.) However, a bid may be responsive even if there is a discrepancy in the bid, as long as the discrepancy is inconsequential, that is, the discrepancy must not (1) affect the amount of the bid; (2) give a bidder an advantage over others (e.g., give a bidder an opportunity to avoid its obligation to perform by withdrawing its bid without forfeiting its bid security – based on the right to request relief under Public Contract Code section 5103); (3) be a potential vehicle for favoritism; (4) influence potential bidders to refrain from bidding; or (5) affect the ability to make bid comparisons. (Ghilotti Constr. Co. v. City of Richmond (1996) 45 Cal.App.4th 897; Bay Cities Paving & Grading, Inc. v. San Leandro (2014) 223 Cal.App.4th 1181.) That being said, the City has no authority to waive errors that make the bid materially different than intended. (See Valley Crest Landscape, Inc. v. City of Davis (1996) 41 Cal.App.4th 1432.)

Request for Corrective Action

Given these clear violations, we formally request that the City of Oceanside:

- 1) Reject A.B. Hashmi, Inc and Fordyce Construction, Inc bid as non-responsive and non-responsible based on the aforementioned deficiencies.
- 2) Award the contract to the next lowest responsive and responsible bidder, which is Wright Construction Engineering Corp
- 3) If necessary, conduct a formal review hearing in accordance with Public Contracting Code Section 10306 to ensure the bid protest is properly adjudicated.

Wright Construction appreciates the opportunity to provide the City with a responsive bid proposal and for the City's prompt attention to this matter and we look forward to your decision. Please confirm receipt of this protest and provide a timeline for review.

Thank You,



Wesley Wright

WRIGHT CONSTRUCTION ENGINEERING CORP

Fordyce Construction, Inc

(To Accompany Proposal)

Bid No.: 2025-05

The Bidder certifies that it has used the sub-bid of the following listed subcontractors in preparing this bid for the work and that the listed subcontractors will be used to perform the portions of the work as designated in this list in accordance with applicable provisions of the specifications and section 4100 et seq. of the Public Contract Code, "Subletting and Subcontracting Fair Practices Act." The Bidder further certifies that no additional subcontractor will be allowed to perform any portion of the Work in excess of one-half of one percent (0.5%) of the Bidder's total bid, or in the case of bids or offers for construction of streets and highways, including bridges, in excess of one-half of one percent (0.5%) or ten thousand dollars (\$10,000), whichever is greater, and that no changes in the subcontractors listed work will be made except upon the prior approval of the CITY.

SUBCONTRACTOR'S BID ITEMS

[illegible]

Page 1 of 1 pages of this Subcontractor Designation form

* Pursuant to Section 4104 (a)(2)(A) of the California Public Contract Code, receipt of the information preceded by an asterisk may be submitted by the Bidder up to 24 hours after the deadline for submitting bids contained in the "Notice Inviting Bids."

Golden Triangle

Land Surveying, Inc.

MAY 6, 2025



STATE OF CALIFORNIA
MICRO SMALL BUSINESS
DIR REGISTRATION 1000015071
SAN DIEGO CITY ELBE 4GT1335

DVBE CERTIFICATION #1770328

RE: FLECTER COVE

This office would like to provide the construction surveying required for the completion of the above project. I have enclosed a proposal for specific items that are normally required to complete a project by a general contractor.

However, if you require any further staking or a deletion of any proposal item please call with your request. My cell phone number is 760.207.1115

Sincerely,

GOLDEN TRIANGLE LAND SURVEYING, INC.

A DVBE CERTIFIED COMPANY

Willard Hall
President
PLS 6788

PAGE 1 OF 2

Golden Triangle Land Surveying, Inc

RE: FLETCHER COVER

FACE CURB TWO SITE PHASES

Stake at all angle points and 25 foot intervals on two site visit.

One site visit, one side; the second site visit; the other side

TOTAL BASE BID \$ 6,400

WATER

ADD \$ 1,300

Stake at 50 foot intervals on one site visit separate from the curb.

NOTES AND CLARIFICATIONS

- A. MINIMUM Three working days notice is required for each staking request.
- B. This bid is only for the specific items noted above and does not include: alluvial removal cross sections; asbuilts; replacement of lost, stolen or destroyed stakes; property corner research or offset, *replacement of lost or destroyed property corners, benchmarks or control points* **UNLESS SPECICALLY NOTED ABOVE.**
- C. Additional work is per schedule of rates available from our office. The minimum staking as outlined above is required or an additional charge will be incurred.
- D. *Traffic control provided and paid by General Contractor.*

Exhibit "D"

1 of 2

IF A CORPORATION, SIGN HERE:

(1) Name under which business is conducted A. B. HASHMI, INC.

(2) [Signature]
(Signature)

CEO
(Title)

Impress Corporate Seal here

(3) Incorporated under the laws of the State of CALIFORNIA

(4) Place of Business 13066 DEER CANYON COURT
(Street and Number) SAN DIEGO, CA 92131
City and State

(5) Zip Code 92131 Telephone No. 760-672-8059

(6) E-Mail info@abhashmi.com

NOTARIAL ACKNOWLEDGMENT OF EXECUTION BY ALL SIGNATORIES MUST BE ATTACHED

If a corporation, list names below of president, vice president, secretary and assistant secretary.

<u>AHMAD HASHMI - CEO & SEC.</u>	<u></u>
<u>NAZIA HASHMI - CFO</u>	<u></u>
<u></u>	<u></u>
<u></u>	<u></u>

2 of 2

(To Accompany Proposal)

Bid No.: 2025-05

**NOTARIAL ACKNOWLEDGMENT OF EXECUTION BY BIDDER AND SURETY,
IN THE PROPER FORMAT, SHALL BE ATTACHED TO THIS BOND.**

Exhibit "E"

CONTRACTOR'S PROPOSAL CITY OF SOLANA BEACH

Fletcher Cove Improvements
Bid No.: 2025-05

City Council
City of Solana Beach
635 South Highway 101
Solana Beach, CA 92075

The undersigned declares he/she has carefully examined the location of the work, read the Notice Inviting Bids, examined the Plans, Specifications, General Provisions, Contract Documents, and addenda thereto, and hereby proposes to furnish all labor, materials, equipment, transportation, and services required to do all the work to complete Bid No. 2025-05 in accordance with the Plans, Specifications, General Provisions, Contract Documents, and addenda thereto and that he/she will take in full payment therefore the following unit prices for each item complete, to wit:

BID SCHEDULE

Estimate Quantities: The quantities given in the proposal and contract form are *approximate*, being given as a basis for the comparison of bids only, and the City does not expressly or by implication, agree that the actual amount of work will correspond therewith, but reserves the right to increase or decrease the amount of any class or portion of the work, or to omit any portion of the work, as may be deemed advisable or necessary by the City Engineer.

BID ITEMS

Item	Description	Unit	Estimated Quantity	Unit Price	Extended Amount
1.	Mobilization & Demobilization (may not exceed 6% of the total bid amount)	LS	1	20000	20000.00
2.	Site Demolition and Removals	LS	1	70000	70000.00
3.	Replacements, Relocations and Adjustments	LS	1	5000	5000.00
4.	Aggregate Base	CY	60	150	9000.00
5.	PCC Sidewalk with monolithic curbs	SF	830	25	20750.00
6.	Reinforced Concrete Paving with monolithic curbs	SF	3200	35	112000.00
7.	Sloped Protection Barrier Structural Steel	LS	1	40000	40000.00
8.	Remove and Replace Stairway Railing	LS	1	10000	10000.00
9.	Furnish and Install Pedestrian Railing	LF	132	200	26400.00
10.	Install Shower	LS	1	10000	10000.00
11.	Furnish and Install 2" Water Line	LF	265	100	26500.00
12.	Wall Repair	SF	80	200	16000.00
13.	Remove and Replace Metal Gate	EA	1	10000	10000.00
14.	Erosion Control and Minor Water Pollution Control Plan (WPCP)	LS	1	A.B.H. 20000 10000	A.B.H. 20000.00 10000.00
15.	Traffic Control and Public Safety	LS	1	25000	25000.00
16.	Installation of Conduits	LF	115	125 10000	11500.00 17250.00
17.	Installation of Pull Box	EA	3	2500	7500.00