



## Legislation Details (With Text)

**File #:** 19-463      **Version:** 1      **Name:** Award Heron Bay Levee Maintenance (RES)  
**Type:** Resolution - Council      **Status:** Passed  
**In control:** City Council  
**On agenda:** 10/7/2019      **Final action:** 10/7/2019  
**Enactment date:** 10/7/2019      **Enactment #:** Reso 2019-168

**Title:** RESOLUTION of the City of San Leandro City Council to Award an \$82,420 Construction Contract to Pacific Underground Services for the Heron Bay Levee Maintenance, Project No. 2006.0111; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$4,121) of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders Up to a Cumulative Value of 25% (or \$20,605) of the Original Contract Amount; and to Appropriate \$350,000 from the Heron Bay Maintenance Assessment District Fund Balance to Account 147-42-150-5240 for the 2019-20 Project (provides for levee maintenance along the Bay Trail as part of the Heron Bay Maintenance Assessment District)

**Sponsors:** Keith Cooke

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/7/2019	1	City Council	Adopted	Pass

RESOLUTION of the City of San Leandro City Council to Award an \$82,420 Construction Contract to Pacific Underground Services for the Heron Bay Levee Maintenance, Project No. 2006.0111; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$4,121) of the Original Contract Amount; to Authorize the City Manager to Negotiate and Approve Change Orders Up to a Cumulative Value of 25% (or \$20,605) of the Original Contract Amount; and to Appropriate \$350,000 from the Heron Bay Maintenance Assessment District Fund Balance to Account 147-42-150-5240 for the 2019-20 Project (provides for levee maintenance along the Bay Trail as part of the Heron Bay Maintenance Assessment District)

WHEREAS, the City of San Leandro did, on August 13, 2019, publicly open, examine and declare all sealed proposals or bids for doing the work described in the bid documents for the subject project; and

WHEREAS, said proposals were submitted to the Engineering and Transportation Director who has found that the proposal hereinafter mentioned is the lowest responsive bid by a responsible bidder for doing said work; and

WHEREAS, the subject project is categorically exempt from the California Environmental Quality Act; and

WHEREAS, change orders to clarify the work or respond to unusual existing conditions are a normal aspect of public contracting and construction; and

WHEREAS, in order to expedite the delivery of public projects on schedule and on budget, provide that subcontractors and workers are paid in a timely fashion, avoid as much as possible costly delay claims, and insure that the City completes projects that are to the City's highest standards, the City Council finds that providing authorization to the City Manager to negotiate and approve change orders is in the best interest of public health, safety and welfare.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That said City Council hereby rejects all of said proposals or bids except that herein mentioned; hereby waives any irregularities in the proposal or bid of the lowest responsible bidder; and hereby awards the contract for doing said work to the lowest responsible bidder therefore, to wit, Pacific Underground Constructors, in the amount of \$82,420; and

That the City Manager or his designee is authorized to negotiate and approve individual change orders up to a maximum of 5% of the original contract amount, or \$4,121 each; and

That the City Manager or his designee is authorized to negotiate and approve cumulative change orders up to a maximum of 25% of the original contract amount, or \$20,605; and

That \$350,000 of the Heron Bay Assessment District fund balance be appropriated to 147-42-150-5240 for the project in fiscal year 2019-20; and

BE IT FURTHER RESOLVED:

That if the above named contractor is unable to execute the contract, then the City Manager, at his discretion, is authorized to award this contract to the next lowest responsive bid by a responsible bidder, execute all documents to effect the award, and take all actions necessary to recover any bid security from the low bidder necessary to make the City whole in its acceptance of the lowest bid.