



Legislation Text

File #: 18-111, **Version:** 1

RESOLUTION to Award a \$1,605,700 Construction Contract to McGuire and Hester for the Water Pollution Control Plant Asphalt Replacement Project, Project No. 2015.0260; Authorization for the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$80,285) of the Original Contract Amount; Authorization for the City Manager to Negotiate and Approve Change Orders Up to a Cumulative Value of 25% (or \$401,425) of the Original Contract Amount; and City Council Approval to Appropriate \$1,350,000 from the Water Pollution Control Plant Enterprise Fund Balance (Provides for replacement of aging and deteriorated pavement at the Water Pollution Control Plant site)

WHEREAS, the City of San Leandro did, on January 12, 2018, 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; and

WHEREAS, in order to fund the project, the City Council authorizes the City Manager to appropriate \$1,350,000 from the Water Pollution Control Plant Fund 593 Balance to the Water Pollution Control Plant Asphalt Replacement project account.

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 McGuire and Hester, in the amount of \$1,605,700; 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 \$80,285 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 \$401,425; and

That the City Manager is authorized to appropriate \$1,350,000 from the Water Pollution Control Plant Fund Balance, Fund 593, to the project account 593-52-258 Water Pollution Control Plant Asphalt Replacement Project; and

BE IT FURTHER RESOLVED:

That if the above named contractor is unable to execute the contract, then the City Manager 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.