



## Legislation Text

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**File #:** 17-222, **Version:** 1

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RESOLUTION to Award a Construction Contract to Silman Construction for the Curb Ramp Upgrades 2016-17 Project, Project No. 2017.0070 (Recommends Award to the Lowest Responsible Bidder in the Amount of \$433,517.88 From Measure B Funds, Vehicle Registration Fees Funds, Transportation Development Act Funds (TDA), and Community Investment Funds for the Installation of Concrete Curb Ramps in Advance of Street Maintenance Work at Various Locations Throughout the City, and Authorization for the City Manager to Negotiate and Approve Individual Change Orders up to 5% of the Original Contract Amount; and Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders up to 15% of the Original Contract Amount)

WHEREAS, the City of San Leandro did, on April 18, 2017 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, the City of San Leandro did pass Ordinance No. 2014-001 that grants preference for awarding contracts for projects and procurements to businesses located or operating within the City that serves the public interest by encouraging businesses, including small and nonprofit businesses, to locate, hire residents and remain in San Leandro; and

WHEREAS, said proposals were submitted to the Engineering and Transportation Director who finds that the proposal hereinafter mentioned is the lowest responsive bid by a responsible bidder meeting the requirements of Section 1-6-225 COMPARISON OF BIDS with respect to Local Business Preference 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 and products that are to the City's highest standards, the City Council finds that providing authorization 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 said proposals or bids except 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, Silman Construction, in the amount of \$433,517.88;

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 \$21,675.89 each.

That the City Manager or his designee is authorized to negotiate and approve cumulative change orders up to a maximum of 15% of the original contract amount, or \$65,027.68; 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 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.