



Legislation Text

File #: 17-401, **Version:** 1

RESOLUTION to Award a Construction Contract to Westland Contractors, Inc., in the Amount of \$1,160,686 for the Sanitary Sewer Line Replacement/Repair 2017 Project, Project No. 2015.0120; Authorization for the City Manager to Negotiate and Approve Individual Change Orders up to 5% of the Original Contract; Authorization for the City Manager to Negotiate and Approve Cumulative Change Orders up to 25% of the Original Contract Amount; and Appropriation of \$140,000 of Measure B Fund Balance for the Project (Provides for the Award of a Construction Contract to Westland Contractors for the Construction of City Owned, Maintained and Operated Sanitary Sewer and Storm Drain Collection Systems with Water Pollution Control Plant Enterprise and Measure B Funds)

WHEREAS, the City of San Leandro, on August 30, 2017, did 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 finds 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 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 of said proposals or bids except that herein mentioned; hereby waives any irregularities in the proposal or bid of the lowest responsible bidder; and awards the contract for doing said work to the lowest responsible bidder, to wit Westland Contractors, Inc. in the amount of \$1,160,686; and

That the City Manager or his designee is authorized to negotiate and approve individual change orders up to a maximum of \$58,034, which is 5% of the original contract amount, each; and

That the City Manager or his designee is authorized to negotiate and approve cumulative change orders up to a maximum of \$290,171, which is 25% of the original contract amount; and

That \$140,000 of Measure B Local Streets and Roads funds are appropriated for the project from the Measure B fund balance to account 144-38-408; and

BE IT FURTHER RESOLVED:

That if the lowest responsible bidder 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.