



## Legislation Text

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**File #:** 21-050, **Version:** 1

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RESOLUTION of the City of San Leandro City Council to Award a \$1,874,058 Construction Contract to Westland Contractors for the Sanitary Sewer Point Repairs 2021 Project, Project No. 2021.0120; to Authorize the City Manager to Negotiate and Approve Individual Change Orders Up to 5% (or \$93,703) of the Original Contract Amount; and to Authorize the City Manager to Negotiate and Approve Change Orders up to a Cumulative Value not to Exceed 35% (or \$655,920) of the Original Contract Amount and Appropriation of \$1,500,000 of WPCP Enterprise Funds (Provides for the repair and replacement of defective sanitary sewer pipelines and manholes at various locations within the City, authorization for the City Manager to negotiate and execute individual contract change orders up to 5% and cumulatively up to 35% of the contract amount and appropriation of WPCP Enterprise Funds for the work)

WHEREAS, the City of San Leandro did, on January 28, 2021, 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 hereby awards the contract for doing said work to the lowest responsible bidder to wit, Westland Contractors, Inc., in the amount of \$1,874,058; and

That the City Manager or her designee is authorized to negotiate and approve individual change orders up to a maximum of 5% of the original contract amount, or \$93,703 each;

That the City Manager or her designee is authorized to negotiate and approve cumulative change orders up to a maximum of 35% of the original contract amount, or \$655,920; and

That the amount of \$1,500,000 is herein appropriated from the WPCP Enterprise fund to Account Number 593-52-277 for the subject project.

**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.