AGENDA TITLE: Adopt resolution authorizing the City Engineer to reject all bids received on February 27, 2020 for the Railroad Street Improvements (WTR049) and the Old Town Plaza Phases 2 and 3 (WCE022) Projects and directing the City Engineer to re-bid the Projects

MEETING DATE: March 11, 2020

PREPARED BY: Kevin Bewsey, Capital Program Manager

DEPARTMENT HEAD: Robert Murdoch, P.E., Public Works Director/City Engineer

RECOMMENDED ACTION:

Staff recommends the City Council adopt a resolution authorizing the City Engineer to reject all bids received on February 27, 2020 for the Railroad Street Improvements (WTR049) and the Old Town Plaza Phases 2 and 3 (WCE022) Projects and directing the City Engineer to re-bid the Projects.

BACKGROUND INFORMATION:

The Railroad Street Improvements Project (WTR049) will result in road reconstruction; utility construction (wet and dry/joint trench); construction of new curbs, gutters, accessible sidewalks and ramps; construction of two parking lots (with landscape, lighting and irrigation improvements) along an approximately 2,000 foot long segment of Railroad Street and an approximately 180 foot segment of Grove Street.

The Old Town Plaza Phases 2 and 3 Project (WCE022) will result in a complete park plaza with a formal entrance to the plaza, trellis structures, concrete seat wall seating, a large open space pavilion, public art, a performance lawn, site lighting, bike parking, park signage and hardscape and landscape areas. These Projects will result in existing overhead utilities being undergrounded in a joint utility trench, where feasible.
In order to provide for construction of all improvements at the Old Town Plaza site, Staff accelerated design of the Old Town Plaza Phase 3 Project, which allowed both the WCE022 and WTR049 Projects to be combined in one bid package. This will allow for all improvements on Railroad and Grove Streets and on the Old Town Plaza site to be completed at the same time, which will minimize the duration and impacts to the Old Town community and visitors of this area.

The Project Location Maps are provided as Attachment 2.

**BID ANALYSIS:**

The call for bids was advertised on January 15, 2020, and January 22, 2020. The City Clerk received the following bids on Thursday, February 27, 2020:

<table>
<thead>
<tr>
<th>Contractor Name</th>
<th>Address</th>
<th>Base Bid</th>
<th>Additive Alternate #1 Bid</th>
<th>Total Bid Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engineer's Estimate</td>
<td>N/A</td>
<td>$7,430,000.00</td>
<td>$1,113,000.00</td>
<td>$8,543,000.00</td>
</tr>
<tr>
<td>Sierra National Construction, Inc.</td>
<td>5433 El Camino Ave., Suite 4 Carmichael, CA 95608</td>
<td>$8,198,429.00</td>
<td>$914,500.00</td>
<td>$9,112,929.00*</td>
</tr>
<tr>
<td>Martin Brothers Construction</td>
<td>8801 Folsom Blvd., Suite 260 Sacramento, CA 95826</td>
<td>$8,695,420.00</td>
<td>$918,807.00</td>
<td>$9,614,227.00</td>
</tr>
<tr>
<td>Bobo Construction, Inc.</td>
<td>9722 Kent Street, Suite A Elk Grove, CA 95624</td>
<td>$9,068,941.99</td>
<td>$801,780.00</td>
<td>$9,870,721.99*</td>
</tr>
<tr>
<td>B&amp;M Builders</td>
<td>11330 Sunrise Park Drive Rancho Cordova, CA 95742</td>
<td>$11,018,745.75</td>
<td>$925,685.00</td>
<td>$11,944,430.75*</td>
</tr>
</tbody>
</table>

*This bid contained a math error that changed their total bid price.

Following the opening of the bids, the City received a bid protest from Martin Brothers Construction asserting, among other things, that the apparent low bidder didn’t provide three or more colored decorative concrete pavements used and poured in a pattern, on the same project, illustrative of previous projects they or their subcontractor had performed. Additionally, the City found that the apparent second, third and fourth low bidders provided some examples of the color pattern concrete projects but not the required amounts of examples as requested. There were a multitude of math errors across most of the bids that the City was, for the most part, able to reconcile under its Section B-12 where, if discrepancies exist unit prices over totals shall prevail.
Based on the across the board discrepancies of a varying nature that call into question responsiveness, staff recommends rejecting all bids and re-bidding the Projects. Prior to City staff re-bidding the Projects, clarification of bid requirements will be provided for future bidders in an attempt to avoid this problem in the future.

**ALTERNATIVE ACTION**

Council has the option to award the construction contract. Staff does not recommend this action because of issues identified with all bids. When staff provides clarification on the bid specifications for concrete, this may allow bidders to provide a reduced price more in line with the concrete requirements.

**FISCAL IMPACT:**

The approved total budget for the Railroad Street Improvements (WTR049) Project is $6,819,933. The approved total budget for the Old Town Plaza Phases 2 and 3 (WCE022) Project is $1,153,700.

**ATTACHMENTS:**

1. Resolution
2. Project Location Maps
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ELK GROVE
AUTHORIZING THE CITY ENGINEER TO REJECT ALL BIDS RECEIVED FOR THE
RAILROAD STREET IMPROVEMENTS (WTR049) AND THE OLD TOWN PLAZA
PHASES 2 AND 3 (WCE022) PROJECTS AND DIRECTING THE CITY ENGINEER
TO RE-BID THE PROJECTS

WHEREAS, the Railroad Street Improvements (WTR049) project will result in road
reconstruction; utility construction (wet and dry/joint trench); construction of new curbs,
gutters, accessible sidewalks and ramps; construction of two parking lots (with landscape
and irrigation improvements) along an approximately 2,000 foot long segment of Railroad
Street and an approximately 180 foot segment of Grove Street; and the undergrounding
of existing overhead utilities in a joint utility trench when feasible; and

WHEREAS, the Old Town Plaza Phases 2 and 3 (WCE022) Project will result in a
complete park plaza with a formal entrance to the plaza, trellis structures, concrete seat
wall seating, a large open space pavilion, public art, a performance lawn, site lighting,
bike parking, park signage and hardscape and landscape areas; and

WHEREAS, an invitation to bid was duly advertised on January 15, 2020, and
January 22, 2020, and bids were opened on February 27, 2020; and

WHEREAS, four bids were received with across the board bid discrepancies of
varying nature; and

WHEREAS, it is in the City’s best interest to reject all bids and re-bid the Project; and,

WHEREAS, the Project is included in the approved Fiscal Year 2019-24 Capital
Improvement Program and is budgeted with funds in the approved Fiscal Year 2019-20
Budget.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Elk
Grove hereby:

1) Authorizes the City Engineer to reject all bids for the Projects; and

2) Directs the City Engineer to re-bid the Projects with any necessary
revision(s)/clarification(s) to the bid package.

PASSED AND ADOPTED by the City Council of the City of Elk Grove this 11th
day of March 2020

__________________________  ____________________________
STEVE LY, MAYOR of the  JONATHAN P. HOBBS,
CITY OF ELK GROVE  CITY ATTORNEY

ATTEST:
JASON LINDGREN, CITY CLERK

APPROVED AS TO FORM:


Old Town Plaza Phase 2 and 3 - WCE022
Project Location Map
Railroad Street Improvements - WTR049
Project Location Map