

## **RESOLUTION NO. 2019-077**

### **A RESOLUTION REJECTING ALL BIDS AND DIRECTING A REBID FOR THE 2019 SIDEWALK AND DRIVEWAY IMPROVEMENT PROJECT (2017-22)**

**WHEREAS**, the Sidewalk and Driveway Improvement Project seeks to repair several sidewalks throughout the City where tree roots, poorly constructed trench fill, and other factors have caused them to break and crack to the point where repair is needed; and

**WHEREAS**, Sidewalk repairs are scoped for on the following roads:

- Southwest Blvd (across from Richard Crane Elementary School)
- Camino Colegio
- Country Club Drive
- Commerce Blvd (Near Arlen Drive); and

**WHEREAS**, in accordance with the California Uniform Public Construction Cost Accounting Act (CUPCCAA), staff published an Invitation to Bidders on April 26<sup>th</sup>, 2019 and May 3<sup>rd</sup>, 2019; and

**WHEREAS**, The City received two sealed bids listed below at the public bid opening on May 30<sup>th</sup>, 2019:

Contractor	Bid Amount
Pat Nelson Construction, Inc.	\$869,902.58
Granite Construction Company	\$1,063,478.15

; and

**WHEREAS**, The City's standard construction specifications indicate that within seven calendar days of the bid opening, a bid protest, which is a challenge to the proposed award of the contract to the lowest bidder, will be received by the City for consideration; and

**WHEREAS** the second lowest bidder, Granite Construction, submitted a bid protest on June 4<sup>th</sup> (five days after the bid opening), stating that the lowest bidder did not comply fully with the Public Contract Code Requirements by omitting information on the bid document in which Pat Nelson Construction, Inc, the lowest bidder, provided a response on June 7<sup>th</sup>; and

**WHEREAS**, upon review by staff and the City Attorney's office, it was decided that Pat Nelson Construction, Inc was considered a non-responsive bidder due to the omitted information and the decision was sent out via email and regular mail on June 13<sup>th</sup>; and

**WHEREAS**, because of the large cost difference between the two bids, staff believes the best direction for the project is to re-advertise the project now and receive another round of bids later this summer with competitive pricing again; and

**WHEREAS**, the City of Rohnert Park's Standard Specifications, Section 3.1 and competitive bidding laws provide that the City retains discretion to reject all bids; and

**WHEREAS**, Development Services staff believes that rejecting all bids and re-bidding would bring the best pricing for the project;

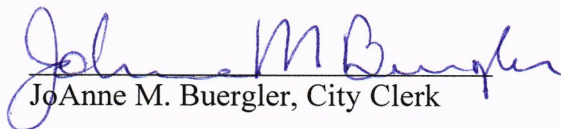
**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Rohnert Park that it rejects all bids for the 2019 Sidewalk and Driveway Improvement Project and directs staff to rebid the project.

**DULY AND REGULARLY ADOPTED** this 25<sup>th</sup> day of June, 2019.

**CITY OF ROHNERT PARK**

**ATTEST:**

  
Gina Belforte, Mayor

  
JoAnne M. Buergler, City Clerk

ADAMS: Aye BELFORTE: Aye MACKENZIE: Aye CALLINAN: Aye STAFFORD: Absent  
AYES: ( 4 ) NOES: ( 0 ) ABSENT: ( 1 ) ABSTAIN: ( 0 )