



CITY COUNCIL AGENDA REPORT

Meeting Date: September 3, 2020

From: Karen Kinser, Deputy Director of Public Works

Subject: Reject all bids for the Guadalupe Channel Erosion Control

Community Goal/Result

Ecological Sustainability - Brisbane will be a leader in setting policies and practicing service delivery innovations that promote ecological sustainability

Purpose

The project's goal is to repair erosion at bends and at the base of the Guadalupe Channel from east of Bayshore Boulevard to the Machinery Road Bridge, to replant native trees, shrubs and grasses, and to remove sediment in the mixing basin and culverts west of and under Bayshore.

Recommendation

Reject all bids received 6/18/20 for the Guadalupe Channel Erosion Control Project No. 9018.

Background

On May 21, 2020, Council authorized advertisement of the Notice Inviting Bids for this project. Final receipt and review of contractors' bids needed to occur in the summer so the channel repair could be completed prior to the rainy season. Because of this timing, Council also approved the Mayor signing an agreement during summer recess with the low, responsive, responsible bidder as long as the contract amount was less than or equal to the engineer's estimate plus a reasonable variance.

Discussion

Nine contractors attended the mandatory pre-bid meeting and site visit on June 3, and four contractors and five plan rooms purchased bid documents.

The City received the following bids on June 18, 2020:

Hanford ARC	\$1,094,700
Interstate Grading and Paving	\$1,544,200
Disney Construction	\$1,933,333
Engineer's Estimate	\$659,000

An additional complicating factor is that during the bid process, the California Department of Fish and Wildlife (CDFW) appended their original minor comments on the Mitigated Negative Declaration, and determined that they would require 100% compensatory mitigation at another location if the designed geocell product were to be used to shore up the channel. This determination was made notwithstanding the project replacing invasive plants currently onsite

with all California native plants. The cost of 100% compensatory offsite mitigation was not previously included in the overall project budget.

Staff is now working with the consultants and engineering staff from CDFW to find a solution that can be permitted without compensatory mitigation. Any new design or construction contract will be brought to Council at a later date, hopefully for construction next year.

The Notice Inviting Bids in the contract documents includes this statement, "The City of Brisbane reserves the right to reject any or all bids, or any part of any bid." Section 2.5, Right to Reject, in the contract documents includes this statement, "The City Council reserves the right to decrease scope of work, delete one or more bid items, or to reject any or all bids and to waive any informality in such bids and to award a contract under any alternate or proposal."

The language found in the contract documents is consistent with California Public Contract Code §2166, which permits a legislative body to reject any bids presented and readvertise the project.

Fiscal Impact

None as a direct result of the recommended action.

Measure of Success

A redesigned project that can be constructed within the project budget.


Attachments None



Karen Kinser, Deputy Director of Public Works



Randy Breault, Director of Public Works/City Engineer



Clay Holstine, City Manager