



## Staff Report

April 7, 2025 Council Regular Meeting

2025 Citywide Hot Mix Asphalt Repairs Consideration of Bids

Presenter: James Carothers, Engineering Manager and Shawn Macpherson, City Attorney

Time Estimate: 5 Minutes

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### SUMMARY:

On March 26, 2025 sealed bids were opened for the 2025 Citywide Hot Mix Asphalt (HMA) Repair contract. The engineering estimate was \$1,229,500. The City received five bids. The apparent low bidder, Granite Construction Company, provided a contract price of \$959,200. The second low bidder, Lakeside Industries, provided a contract price of \$1,030,444. The bid tabulations are attached for reference.

As noted in the Bid Tabulations, the apparent low bidder, Granite Construction Company, did not submit one document on the bid submittal checklist. At the time of bid opening Granite Construction did not provide a full and complete copy of their Memorandum of Understanding (MOU) issued by Homeland security. After the bid opening staff verified that Granite Construction Company does have a current MOU in place with Dept. Homeland Security effective April 20, 2020 (Company ID1579509). Granite submitted the MOU after the bid opening.

Council will be asked to decide whether Granite Construction's bid proposal has a minor or major irregularity. If Council deems that Granite Construction's bid has a major irregularity, Granite's bid must be rejected. If Council rules the irregularity as minor, Council must decide whether to accept or reject Granite's bid.

## RECOMMENDATION:

Council has several options when considering potential award of a bid as outlined below:

Option:	Result:
If Council determines the omission is a <b>minor irregularity</b> , Council has two main options:	Council may waive the minor irregularity and determine Granite Construction's bid to be responsive. Council may award to Granite Construction for \$959,200.  <b>OR</b> Council may reject Granite Construction's bid as non-responsive due to the minor irregularity and award to Lakeside Industries for \$1,030,444
If Council determines that the omission is a <b>major irregularity</b> :	Council must reject the low bid from Granite Construction Company determining it to be non-responsive. Council may award bid to Lakeside Industries for \$1,030,444.
The Council can reject all bids	Direct staff to readvertise for bids

**POTENTIAL CHALLENGES:** If all bids are rejected the project will need to be readvertised and a new bid opening scheduled. This delay could have impacts to schedule and pricing. Asphalt repairs can only be made during suitable weather (typically June-September).

**BUDGET IMPACT:** This project is fully funded by the Pavement Preservation Fund.