

Attachment 'A'

RESOLUTION NO. 23-___

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KERMAN
AWARDING CONTRACT FOR THE STANISLAUS/SAN JOAQUIN ALLEY PAVING FROM 1ST TO 3RD
STREET, FEDERAL PROJECT NO. CML-5291(031), TO ASPHALT DESIGN BY JUAN GOMEZ**

WHEREAS, the Invitation to Bid for the Stanislaus/San Joaquin Alley Paving from 1st to 3rd Street, Federal Project No. CML-5291(031), was published in the Kerman News on February 1, 2023 and was sent electronically and mailed to all construction trade journals specified for the City by the California Uniform Construction Cost Accounting Commission in accordance with the City's Formal Contract Procedures and California Public Contract Code Section 22037 and;

WHEREAS, the Project consists of the paving of the alley between Stanislaus Avenue and San Joaquin Avenue, from 1st to 3rd Street, within the City of Kerman; and

WHEREAS, the following bids for the Project were publicly opened and read aloud at the Kerman City Hall on March 1, 2023 at 2:00 p.m.:

Contractor	Base Bid
Tosted Asphalt Inc.	\$105,786.82
Asphalt Design By Juan Gomez	\$108,444.00
Central Valley Asphalt	\$115,125.00
On Point Grading & Paving, Inc.	\$120,924.00
Avison Construction, Inc.	\$125,865.00
Cal Valley Construction, Inc.	\$127,676.00
Witbro Inc., dba Seal Rite Paving & Grading	\$127,750.00
Bush Engineering, Inc.	\$131,592.00
R.J. Berry Jr., Inc.	\$139,206.00
Emmett Valley Construction, Inc.	\$147,957.00
Jim Crawford Construction Co., Inc.	\$168,544.00
Garcia Paving, Inc.	\$181,488.18
Dawson-Mauldin, LLC	\$192,685.00

WHEREAS, the City Engineer's Estimate was \$106,000.00 for the Base Bid; and

WHEREAS, the Project is being funded in part with Federal Congestion Mitigation and Air Quality Improvement (CMAQ) program funds and as a requirement of the CMAQ program funds bidders must meet the Disadvantaged Business Enterprise (DBE) participation percentage goal established by the City or demonstrate that they made a Good Faith Effort (GFE) in attempting to meet said goal; and

WHEREAS, the bid submitted by Tosted Asphalt Inc. did not meet the DBE goal and furthermore did not provide sufficient evidence that Tosted Asphalt Inc. made a satisfactory GFE in an attempt to meet the DBE goal and as such the bid submitted by Tosted Asphalt Inc. is deemed non-responsive.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KERMAN RESOLVES AS FOLLOWS:

1. Upon the recommendation of the City Engineer, the Stanislaus/San Joaquin Alley Paving from 1st to 3rd Street, Federal Project No. CML-5291(031), be awarded to: Asphalt Design By Juan Gomez, 4061 W. Belmont Ave., Fresno, CA 93722 in the amount of One Hundred and Eight Thousand Four Hundred and Forty-Four Dollars and Zero Cents (\$108,444.00).
2. The City Manager is authorized to sign the City's standard form of agreement for construction projects, as contained in the bid package on behalf of the City of Kerman.

The foregoing resolution was introduced at a regular meeting of the City Council of the City of Kerman held on the 26th day of April, 2023, and passed at said meeting by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

The foregoing resolution is hereby approved.

Maria Pacheco
Mayor

ATTEST:

Marci Reyes
City Clerk