



City Council Agenda Report

Meeting Date: November 12, 2024
Prepared By: Public Works Department
Approved By: Gabe Engeland

Subject: Terminate Contract and Reject Bids for the Sanitary Sewer Video Inspection, Project WW01011

COUNCIL PRIORITY AREA

- Business Communities
- Circulation Safety and Efficiency
- Environmental Sustainability
- Housing
- Neighborhood Safety Infrastructure
- General Government

RECOMMENDATION

The City Council to reject all bids and terminate the contract awarded to APS Environmental, Inc. for the Sanitary Sewer Video Inspection, Project WW-01011, in the amount of \$303,396.76, and direct City staff to rebid the project, and find the Council's action exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301(b), and that none of the circumstances stated in CEQA Guidelines Section 15300.2 applies.

FISCAL IMPACT

None. The remaining project funds will remain in CIP WW01011 since the project will be rebid.

ENVIRONMENTAL REVIEW

The termination of the contract and rejection of bids for this work are categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301(b), involving the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public sewerage involving negligible or no expansion of existing or former use, and none of the circumstances stated in CEQA Guidelines Section 15300.2 applies.

PREVIOUS COUNCIL CONSIDERATION

June 11, 2024

DISCUSSION/ANALYSIS

On April 25, 2024, a total of six (6) bids were opened for CIP Project WW01011. The bid results are included as Attachment 2. The project consists of performing cleaning and television inspection of an approximate total quantity of 116,964 linear feet of various sanitary sewer lines

ranging in size from 6 inches to 24 inches. The scope of work includes cleaning and television inspection of approximate 108,242 linear feet from the Base Bid and approximate 8,722 linear feet from the Add Alternate Bid No. 1. The locations of these inspections are at various locations throughout the central part of Los Altos.

It was recommended to award the Base Bid and Add Alternate Bid No. 1 to APS Environmental, Inc., which was determined to be the lowest responsible, responsive bid in the amount of \$303,396.76 for the total bid. The determination of the lowest bid was based upon the total bid, which includes the Base Bid and Add Alternate Bid No. 1. The contract with APS Environmental, Inc. was executed on August 8, 2024.

On August 12, 2024, the project engineer managing CIP Project WW01011, reviewed sample videos provided by the contractor and determined there is no audio record of the information shown in the video as described in the Technical Provision 23-03.02.05.01. Lack of audio record was communicated with the contractor and the contractor's response on August 20, 2024, confirmed that audio records of inspections cannot be provided. The project engineer actively managing the project departed the City on September 13, 2024, and the remaining City staff contacted the contractor again on September 24, 2024, to confirm the lack of audio record. Contractor's response dated September 24, 2024, confirmed once again that audio recording of inspections cannot be provided.

Due to lack of audio recordings and inability to comply with Technical Provision 23-03.02.05.01 City staff determined that APS Environmental, Inc. is a non-responsive bidder. For this reason, the contract with APS Environmental, Inc. in the amount of \$303,396.76 shall be canceled. In addition to canceling the contract, all bids, valid for sixty (60) days, submitted on April 25, 2024, shall be rejected. City staff will revise specifications and advertise the Sanitary Sewer Video Inspection, Project WW01011, as soon as possible.

ATTACHMENTS

1. Resolution 2024-_____
2. Bid Summary for Sanitary Sewer Video Inspection, Project WW-01011