

CITY OF LYNDEN

EXECUTIVE SUMMARY



Meeting Date:	December 19, 2022	
Name of Agenda Item:	Award Bid for NWWA Fairgrounds Stormwater Improvements	
Section of Agenda:	Consent	
Department:	Public Works	
Council Committee Review:	<input type="checkbox"/> Community Development <input type="checkbox"/> Finance <input type="checkbox"/> Parks	<input type="checkbox"/> Public Safety <input checked="" type="checkbox"/> Public Works <input type="checkbox"/> Other: _____
		Legal Review: <input checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required
Attachments:		
1) Certified Bid Tabulation 2) Herrera - Recommendation to Award		
Summary Statement:		
<p>Staff recently solicited bids for the Northwest Washington Fairgrounds (Fair) Stormwater Improvements. The project includes the installation of approximately 1,000 feet of new storm pipe, two large infiltration facilities, and other conveyance components on the Fair property at 1775 Front Street. All work occurs within the private parcel, within City-owned easements. This project is being primarily funded through a State Department of Ecology (Ecology) Grant.</p> <p>19 bids were received on November 17, 2022, as shown on the attached Bid Tabulation prepared by Hererra Environmental Consultants. There was some question about bids including a list of Minority-Owned and Women-Owned Business Enterprise (MBE/WBE) subcontractors the bidder anticipates using for the project, per an Ecology bid insert. There is no requirement to use any MBE/WBE subcontractors, and the City's agreement with Ecology prohibits awarding the contract based on MBE/WBE participation. This list was not included by 16 of the 19 bidders, including the three lowest. Upon review by the City attorney, it was determined that this irregularity was "not material" and so the City has the authority to award to the lowest bidder.</p> <p>At the Public Works Committee meeting on November 9, 2022, the committee concurred that the bid results could be forwarded directly to City Council after being informed of the results. Based on the engineer recommendation and legal review staff is recommending waiving the possible irregularity and award to DeKoster Excavating, the lowest responsive and responsible bidder, in the amount of \$660,000.23, including Washington State Sales Tax.</p>		
Recommended Action:		
That City Council award the contract for the Northwest Washington Fairgrounds Stormwater Improvements to DeKoster Excavating in the amount of \$660,000.23 including Washington State Sales Tax and authorize the Mayor to sign the contract.		