

# CITY OF LYNDEN



## EXECUTIVE SUMMARY

<b>Meeting Date:</b>	June 1, 2020	
<b>Name of Agenda Item:</b>	17 <sup>th</sup> Street Extension Project Contract Award	
<b>Section of Agenda:</b>	New Business	
<b>Department:</b>	Public Works	
<b>Council Committee Review:</b>	<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: _____
	<b>Legal Review:</b> <input checked="" type="checkbox"/> Yes - Reviewed <input type="checkbox"/> No - Not Reviewed <input type="checkbox"/> Review Not Required	
<b>Attachments:</b>		
Reichhardt & Ebe Engineering Recommendation to Award and Bid Tabulation		
<b>Summary Statement:</b>		
<p>Staff recently solicited bids for the 17<sup>th</sup> Street Extension Project. Eight bids were received on May 21, 2020. Reichhardt and Ebe Engineering (R&amp;E) prepared the attached Bid Tabulation.</p> <p>After review, R&amp;E determined Tiger Construction to be the lowest bidder. However, Tiger failed to provide a subcontractor list as required. Per City attorney Carmichael’s review, “Failure to include the subcontractor list with the bid or within one (1) hour after the published bid submittal time, is not an immaterial irregularity. In fact, a bid for a project exceeding one million dollars without a subcontractor list is void. The pertinent language in RCW 39.30.060(1) reads as follows:</p> <p style="padding-left: 40px;">“Failure of the prime contract bidder to submit as part of the bid the names of such subcontractors or to name itself to perform such work or the naming of two or more subcontractors to perform the same work shall render the prime contract bidder's bid nonresponsive and, therefore, void.”</p> <p>Hence, Tiger Construction’s failure to timely submit its subcontractor list with its project bid (which exceeds one million dollars), renders its bid void...”</p> <p>The Public Works Committee was advised of this issue and supported awarding the contract to Stremler Gravel, the lowest responsive and responsible bidder. The Committee concurred that the bid results could be forwarded directly to City Council after informing them of the results.</p>		
<b>Recommended Action:</b>		
That City Council award the contract for the 17 <sup>th</sup> Street Extension Project to Stremler Gravel in the amount of \$1,581,269.48, including tax, and authorize the Mayor to sign the contract.		