Attachment 1

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT APPROVING AWARD OF CONSTRUCTION CONTRACT NO. 2081 TO CORCUS CONSTRUCTION INC. AND CONTRACT NO. 2082 TO MAGGIORA & GHILOTTI INC., AND REJECTING A BID PROTEST SUBMITTED BY PIAZZA CONSTRUCTION

WHEREAS, on September 29, 2026, the District advertised the 2026 On-Call Capital Construction Contract to perform various as-needed maintenance, repair, or rehabilitation work associated with District water system facilities, roadway infrastructure, hillside slopes, and related works; and

WHEREAS, the advertisement identified that the two lowest responsive bidders would be awarded a contract, providing the District opportunity to complete more work in a timely manner; and

WHEREAS, the District received and publicly opened six (6) bids on October 13, 2026, of which Corcus Construction Inc. and Maggiora & Ghilotti Inc., submitted the lowest responsive bids in the amounts of a 14.75% and 15% respectfully for labor markup of force account work; and

WHEREAS, three (3) bidders were deemed non-responsive to the requirements of the advertisement for failing to designate subcontractors expected to perform work in the contract specifications, and one (1) bidder was found non-responsive due to failing to provide a sealed bid; and

WHEREAS, Piazza Construction submitted a bid protest claiming that subcontractors could not be identified because specific task orders had not yet been issued and future work scopes were unknown; and

WHEREAS, staff has recommended that the Board of Directors reject this bid protest on the basis that Piazza's bid failed to comply with the Subletting and Subcontracting Fair Practices Act and the Designation of Subcontractors section of the bid contract, for which the District issued formal clarifications to all bidders before the time of bid identifying the need to list all possible subcontractors for any part of the work described in the specifications exceeding the applicable threshold amount.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES that:

1. The bid of 14.75 percent labor markup submitted by Corcus Construction for the 2026 On-Call Capital Maintenance and Repair Contract under Contract No. 2081 was the lowest responsive and responsible bid submitted therefore, and said bid is hereby accepted.

2. The bid of 15 percent labor markup submitted by Maggiora & Ghilotti, Inc. for the 2026 On-Call Capital Construction Contract under Contract No. 2081 was the second lowest responsive and responsible bid submitted therefor, and said bid is hereby accepted.

3. The Contracts be awarded to said two lowest bidders, and the General Manager is authorized and directed to execute said contracts for a not to exceed amount of $1,000,000 on behalf of the District upon receipt of proof of insurance and the executed contracts for the work from said bidders, with payment bonds to be issued in connection with each piece of work to be performed under the contracts.

4. The Board accepts that findings above as pertain to the requirements to list subcontractors in the bids submitted and on that basis the bid protest submitted by Piazza Construction is hereby rejected.

5. Upon complete execution of said Contracts, the bonds and/or checks of the other bidders are to be returned to said other bidders, and all bids other than those of Corcus Construction Inc. and Maggiora & Ghilotti Inc. are to be rejected.

6. The types of work to be completed under this Contract is categorically exempt pursuant to CEQA Guidelines Section 15302(c), Replacement or Reconstruction inasmuch as the work will consist of maintenance and repair work, and will not include the new construction or expansion of District facilities.

7. To the extent that work completed under this Contract involves the replacement of less than one mile of pipeline within the right of way, the work is also statutorily exempt pursuant to the California Public Resource Code Division 13 Environmental Quality Section 21080.23.

PASSED AND ADOPTED this 4th day of November, 2026, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

_____

Jed Smith
President, Board of Directors

ATTEST:

_____

Terrie Gillen, CMC
Board Secretary