

RESOLUTION NO. 3641-2013

RESOLUTION OF THE FORT BRAGG CITY COUNCIL ACCEPTING THE BID OF SWITHENBANK CONSTRUCTION, INC. AS THE LOWEST RESPONSIVE BID, AWARDING THE CONTRACT FOR THE HARRISON STREET HOUSE REHABILITATION PROJECT, PROJECT NO. 2013-05 TO SWITHENBANK CONSTRUCTION, INC. CONTINGENT UPON CDBG SOLE SOURCE APPROVAL AND AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT (AMOUNT NOT TO EXCEED \$591,304.00; ACCOUNT NO. 302-5003-0630, PM #CDG-00004)

WHEREAS, the City was awarded Community Development Block Grant (CDBG) funds through CDBG Grant 12-CDBG-8388 in the amount of \$670,625 for the Harrison Street House Transitional Housing Facility Rehabilitation Project, including \$616,975 for construction costs and \$53,650 for Activity Delivery costs; and

WHEREAS, Schlosser Newberger Architects was hired by the City to prepare plans and specifications, and staff compiled bid documents and advertised the Harrison Street House Rehabilitation Project ; on June 13, 2013 and June 20, 2013 in the local newspaper ; and

WHEREAS, an extensive bid advertisement was conducted that included advertisements in the local newspaper as noted above; mailing of the bid announcement to 160 holders of "B" contractor's licenses on the Mendocino Coast; mailing or emailing of the bid announcement to eight plan houses and builders exchanges; and posting on the City's website; and

WHEREAS, despite the broad bid advertisement, only one responsive bid was received by the due date of July 8, 2013, submitted by Swithenbank Construction with a base bid amount of \$630,783, additive alternates totaling \$19,743, and deductive alternatives of \$39,479; and

WHEREAS, Swithenbank Construction, Inc., has been determined to meet the bidding requirement for the Project and is otherwise qualified to perform the Project; and

WHEREAS, in order to meet project funding allowances, staff recommends award at the base bid amount of \$630,783, less the deductive alternates of \$39,479, for a recommended bid amount not to exceed \$591,304; and

WHEREAS, CDBG regulations require that if fewer than two bidders respond to a project, CDBG approval of a sole source procurement must be received, and CDBG approval has been requested but not received to date; and

WHEREAS, the Project is Categorically Excluded but requires no mitigation and has converted to exempt status pursuant to the California Environmental Quality Act ("CEQA") and Title 14, the California Code of Regulations ("CEQA Guidelines"), Section 15301(a) and (e); and

WHEREAS, based on all the evidence presented, the City Council finds as follows:

1. Swithenbank Construction, Inc., has the proper licensing to complete the Project and is a responsible bidder.

2. The bid submitted by Swithenbank Construction, Inc., satisfies all the bidding requirements and is responsive.
3. There was only one respondent to the bid, so CDBG must approve the City's bidding process as a sole source procurement and the City's approval is contingent upon CDBG approval.
4. Adequate funding is available from CDBG 12-CDBG-8388 to complete this activity.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby Accept the Bid of Swithenbank Construction, Inc. as the Lowest Responsive Bid, Awarding the Contract for the Harrison Street House Rehabilitation Project, Project No. 2013-05 to Swithenbank Construction, Inc. Contingent Upon CDBG Sole Source Approval and Authorizing City Manager to Execute Contract (Amount not to Exceed \$591,304.00; Account No. 302-5003-0630, PM #CDG-00004)

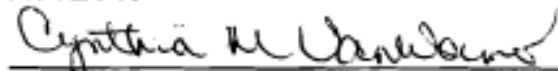
The above and foregoing Resolution was introduced by Councilmember Courtney, seconded by Councilmember Hammerstrom, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 22nd day of July, 2013, by the following vote:

AYES: Councilmembers Courtney, Deitz, Hammerstrom, Kraut, and Mayor Turner.
NOES: None.
ABSENT: None.
ABSTAIN: None.



DAVE TURNER,
Mayor

ATTEST:


Cynthia M. VanWormer, MMC
City Clerk