

RESOLUTION NO. 3386-2010

RESOLUTION OF THE FORT BRAGG CITY COUNCIL AWARDING THE CONTRACT FOR THE PINE AND LAUREL STREET PEDESTRIAN ENHANCEMENT PROJECT, CITY PROJECT 2009-07 TO BAXMAN GRAVEL COMPANY, INC. AND AUTHORIZING CITY MANAGER TO EXECUTE CONTRACT (AMOUNT NOT TO EXCEED \$94,334.45; ACCOUNT NO. 403-4583-0731)

WHEREAS, the City of Fort Bragg was awarded a Transportation Enhancement (TE) grant under the American Recovery and Reinvestment Act (ARRA) for the Pine and Laurel Street Pedestrian Enhancement Project; and

WHEREAS, the City received authorization in January 2010 from CalTrans Local Assistance to construct the Pine and Laurel Street Pedestrian Enhancement Project; and

WHEREAS, in accordance with the California Public Contract Code 20164 and other applicable laws, the project was advertised for bid on April 9, 2010 with bids due on May 6, 2010; and

WHEREAS, under the Notice to Bidders in the bid documents, the project shall be awarded to the contractor with the lowest total bid price for the base bid; and

WHEREAS, five (5) bids were received from qualified contractors with the apparent low bid coming from Larkin Construction in the base amount of \$65,358.88 and additive alternate amount of \$19,116.26 for a total bid of \$84,475.14; and

WHEREAS, while Larkin Construction submitted the lowest base bid as well as the lowest additive alternate bid, staff identified that they did not meet the Underutilized Disadvantaged Business Enterprise (UDBE) requirements and did not meet the good faith effort criteria as identified by CalTrans Local Assistance; and

WHEREAS, based on the determination that UDBE and good faith efforts required by the bid documents were not met by Larkin Construction, their bid should be deemed non responsive; and

WHEREAS, the second lowest bidder, Baxman Gravel Company, Inc. submitted a bid of \$69,058.50 for the base bid and \$25,275.95 for the additive alternate for a total bid of \$94,334.45; and

WHEREAS, Baxman Gravel did not meet the UDBE requirements, but did meet the good faith effort requirements per CalTrans Local Assistance; and

WHEREAS, the Project is exempt under NEPA and a Categorical Exclusion, Section 6004 was issued to the City on April 28, 2009 for this project; and

WHEREAS, funds in the amount of \$122,700 are authorized through the TE ARRA program, but have been reduced to \$87,700 by deobligation of funds for use on other ARRA projects within the County; and

WHEREAS, additional funds in the amount of \$57,000 are authorized by the Mendocino Council of Governments(MCOG) board under Bike & Pedestrian 2% Local Transportation Program (LTF) for pedestrian improvements on Pine Street; and

WHEREAS, there is a total combined funds in the amount of \$144,700 available for this activity and sufficient funds exist for this contract of \$94,334.45

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

1. Larkin Constructions bid as submitted does not meet the requirements of the bid documents and is considered non-responsive.
2. Baxman Gravel Company bid does meet the requirements of the project bid documents and is considered responsive.
3. Sufficient funds are available through TE ARRA and Bike & Pedestrian 2% LTF funds to fully construct the project as advertised and bid.
4. Baxman Gravel Company, Inc., having the proper license to complete the Project and based upon previous experience in completing similar projects, is a responsible bidder.
5. The bid submitted by Baxman Gravel Company, Inc. satisfies all the bidding requirements and is responsive.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Fort Bragg does hereby award the contract for the Pine and Laurel Street Pedestrian Enhancement Project, City Project 2009-07 to Baxman Gravel Company, Inc. and authorize the City Manager to execute contract (Amount not to exceed \$94,334.45; Account No. 403-4583-0731)


The above and foregoing Resolution was introduced by Councilmember Melo, seconded by Councilmember Courtney, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 12th day of July, 2010, by the following vote:

AYES: Councilmembers Courtney, Gjerde, Melo, and Mayor Hammerstrom.
NOES: None.
ABSENT: None.
ABSTAIN: Councilmember Turner.



DOUG HAMMERSTROM,
Mayor

ATTEST:



Cynthia M. VanWormer, CMC
City Clerk