



13

DEPARTMENT OF
UTILITIES
ENGINEERING SERVICES

CITY OF SACRAMENTO
CALIFORNIA

APPROVED
BY THE CITY COUNCIL
JUL 22 1997
OFFICE OF THE
CITY CLERK
700 FREEPORT BLVD.
SUITE 100
SACRAMENTO, CA
95822-2911
PH 916-433-6318
FAX 916-433-6652

July 3, 1997

City Council
Sacramento, California

Honorable Members In Session:

SUBJECT: SEWER SERVICE LINING PROJECT (PN:XF11) - REJECT ALL BIDS

LOCATION AND COUNCIL DISTRICT:

This project is in various locations City wide.

RECOMMENDATION:

Staff recommends that the City Council reject all bids and not award the contract.

CONTACT PERSON: Rick Batha, Senior Engineer, 433-6625
Gary Reents, Engineering Division Manager, 433-6633

FOR COUNCIL MEETING OF: July 22, 1997

SUMMARY

On June 18, 1997, bids were received from three contractors and opened by the City Clerk. Staff recommends rejection of all bids. The low bid did not meet the City's MBE/WBE goals, and the Good Faith Effort was inadequate and has been deemed non-responsive. The remaining bids were excessively high in cost.

COMMITTEE/COMMISSION ACTION

None.

City Council
July 3, 1997
Sewer Service Lining Project (PN: XF11)

BACKGROUND INFORMATION

This project consists of installation of sewer service liners at 126 properties City wide with a technology that does not require excavation. Rehabilitating defective sewer services results in more reliable sewer service for customers and restricts infiltration of ground water into the system, thus reducing sewage outflows into the streets and reducing pumping cost.

ABC Service was the low bidder at \$226,700. The low bidder's Good Faith Effort has been determined to be unsatisfactory, and the bid has been deemed non-responsive.

The second low bidder was Sierra National Construction (SNC) at \$336,970. SNC met the City's MBE/WBE goals. It is not cost effective to accept a bid higher than the engineer's estimate due to the City's ability to replace sewer services at the engineer's estimate. City crews can excavate and replace sewer services to achieve the same end result, that is, a rehabilitated sewer service. The engineer's estimate was \$272,000.

The bids received on June 18, 1997 were:

1.	ABC Service	\$ 226,700
2.	Sierra National Construction, Inc.	\$ 336,970
3.	Insituform West, Inc.	\$ 478,048

Staff recommends rejecting all bids and re-advertising the project at a later date.

ENVIRONMENTAL DETERMINATION

The Environmental Services Unit has determined that this project is categorically exempt pursuant to Section Number 15301(b) and 15302(c) of the California Environmental Quality Act because it consists of minor alterations to the existing sewage system.

FINANCIAL CONSIDERATION

Re-advertising of the project will require additional staff time and expense for the bidding process. Funds are currently available for the project in the Sewer Fund Capital Improvement Program (414-500-XF11). The unobligated balance in the project as of July 2, 1997, is \$437,632.

City Council
July 3, 1997
Sewer Service Lining Project (PN: XF11)

POLICY CONSIDERATIONS

Rejection of bids is requested pursuant to Section 58.03.304 of the City Code because:

- The low bidder submitted a non-responsive bid; and
- There was a substantial difference between the costs submitted by the apparent low bidder and costs submitted by the other bidders. For this reason, staff believes that the most cost effective way to proceed is to rebid this project at a later date.

MBE/WBE

- This project included participation goals of 10.57% MBE and 9.5% WBE as required by Resolution 93-619, relating to MBE/WBE participation goals and policies, adopted by the City Council on November 2, 1993. Award of the project is contingent upon the responsive low bidder either meeting these project MBE/WBE participation goals or making documented good faith efforts towards meeting the project goals.
- The low bidder, ABC Service, did not achieve the project goals, nor did they submit a satisfactory Good Faith Effort. ABC's bid was deemed non-responsive due to the unsatisfactory Good Faith Effort.

Respectfully Submitted,



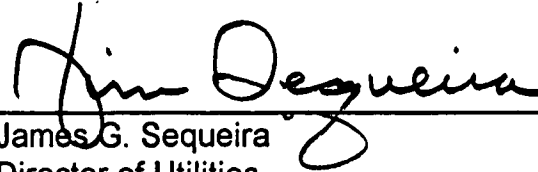
Gary A. Reents
Acting Engineering Services Manager

RECOMMENDATION APPROVED:



William H. Edgar
City Manager

APPROVED:



James G. Sequeira
Director of Utilities

RESOLUTION NO. 97-407

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

APPROVED
BY THE CITY COUNCIL
JUL 22 1997
OFFICE OF THE
CITY CLERK

**RESOLUTION REJECTING ALL BIDS FOR THE SEWER SERVICE
LINING PROJECT (PN: XF11)**

BE IT RESOLVED BY THE SACRAMENTO CITY COUNCIL THAT:

The bids for the Sewer Service Lining Project are hereby rejected.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO. _____

DATE ADOPTED: _____

RECEIVED
CITY CLERKS OFFICE
CITY OF SACRAMENTO

**PETITION TO REVIEW WAGE RATE DETERMINATION
CONTAINED IN ADVERTISING
OF THE CALL FOR BIDS**

JUN 13 2:20 PM '97

(Labor Code 1773.4.8 C.C.R. 16302)

1. Name, address, telephone number and job title of:

a. The person (Labor Organization) filing the Petition:

Cement Masons, Local #400, Area 582
4044 N. Freeway Blvd, Ste 120
Sacramento, CA 95834

b. The person verifying the Petition, if different from the person filing:

Ohnie Oakley, Financial Secretary
4044 N Freeway Blvd, Ste 120
Sacramento, CA 95834

c. If applicable, Petitioner's attorney or authorized representative:

Van Bourg, Weinberg, Roger & Rosenfeld
180 Grand Ave, Ste 1400
Oakland, CA 94612
(510) 839-6600 FAX (510) 839-0400

2. Petitioner is a representative of one or more crafts, classifications or types of workers involved in the public works contract.

3. The following is a designation of each craft, classification, or type of worker involved in the public works contract represented by Petitioner:

Cement Mason	Journey person	concrete
Cement Mason	Apprentice	concrete

4. a. The official name of the awarding body is:

City of Sacramento
915 I Street-Room 304

Sacramento, CA 95814-2795

- b. The date on which the call for bids was first published is:

5/23/97

- c. The name and location of the project is:

(PNXF11) Sewer Service Lining
Contract Number PNXF11
city of Sacramento
Sacramento, CA 95815
County of Sacramento

- d. The publication in which the call for bids was published is:

The McGraw-Hill Companies DODGE REPORT, # 97- 140087

5. Not applicable.

6. Not applicable.

7. The wage rate determined by the Director fails to comply with the provisions of Labor Code 1773 in that it does not contain all applicable wages and fringe benefits contained in the collective bargaining agreement for the duration of the collective bargaining agreement.

A. The correct rate for wages and fringe benefits is contained in the collective bargaining agreement, a copy of which is attached hereto.

(1) Not applicable.

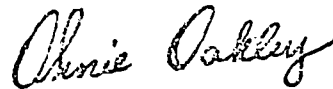
(2) A copy of the applicable collective bargaining agreement is on file with the State of California, Department of Industrial Relations.

B. The Director has failed to consider all applicable wages and fringe benefits contained in the collective bargaining agreement for the duration of the collective bargaining agreement.

C. The new Department of Industrial Relations regulation concerning predetermined changes, which purportedly became effective on January 27, 1997, is invalid under California Administrative Procedure Act.

D. A copy of this Petition is being filed with the awarding body.

Dated: June 9, 1997




Ohnie Oakley
Financial Secretary

VERIFICATION

I am in the county of Sacramento, Petitioner in the above entitled action; I have read the foregoing Petition and know the contents thereof; and I certify that the same is true of my own knowledge, except as to those matters which are therein stated upon my information or belief, and as to those matters, I believe it to be true.

I certify under penalty of perjury that the foregoing is true and correct.

Executed at Sacramento, California, on June 9, 1997



Ohnie Oakley
Financial Secretary

Publication: McGraw Hill Dodge Report

Dodge # 97- 140087

Bid Date: 6/18/97

Date: 5/23/97 Last: 5/22/97 First:

Project Codes: 630,620

Estimate: \$252,000

(PNXF11) Sewer Service Lining
city of Sacrameto
Sacramento, CA 95815

Target Start Date:

Owner: City of Sacramento CITY CLERK
915 I Street-Room 304
Sacramento, CA 95814-2795
916-264-5426

CERTIFICATE OF SERVICE
(1013a, 2015.5 C.C.P.)

I am a citizen of the United States, and a resident of the County of Sacramento, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 4044 N Freeway Blvd, Ste 120, Sacramento, CA 95834. On June 9, 1997 mailed the within Petition to Review Wage Rate Determination Contained in Advertising of the Call for Bids on the Awarding Body by placing a true and exact copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at Sacramento, California, addressed as follows:

City of Sacramento
915 I Street-Room 304
Sacramento, CA 95814-2795

State of California
Department of Industrial Relations
Division of Labor Statistics and Research
Prevailing Wage Unit
45 Fremont Street, 11th Floor, #1160
San Francisco CA 94105

I certify under penalty of perjury that the foregoing is true and correct.
Executed at Sacramento, California on June 9, 1997.

