



REPORT TO COUNCIL City of Sacramento

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915 I Street, Sacramento, CA 95814-2671
www.CityofSacramento.org

CONSENT
June 20, 2006

Honorable Mayor and
Members of the City Council

Subject: Reject Bids: Stockton Boulevard Beautification – Phase III Project (PN: TY51)

Location/Council District: Stockton Boulevard between El Paraiso Avenue and Riza Avenue. Location map - Attachment A. (District 6)

Recommendation:

Reject all bids received on May 31, 2006 for the Stockton Boulevard Beautification – Phase III Project (PN: TY51).

Contact: Ofelia Avalos, Assistant Engineer, (916) 808-5515; Jon Blank, Supervising Engineer, (916) 808-7914

Presenters: None

Department: Department of Transportation

Division: Engineering Services

Organization No: 3434

Summary:

This project will construct aesthetic improvements, and enhance bicycle and pedestrian safety along Stockton Boulevard between El Paraiso Avenue and Riza Avenue. The improvements include landscaped medians, bike lanes, new curb, gutter and sidewalk in various areas, street trees and tree wells, new curb ramps, new drain inlets, traffic signal modifications and dual left turn lanes at 47th Avenue and Stockton Boulevard in all four directions of travel.

It is recommended that the bids received on May 31, 2006 be rejected due to an ambiguity in a bid item, so that the bid item can be revised to remove the ambiguity, and the contract can be rebid. Doing so will allow the project to avoid the delay and uncertainty associated with a potential bid protest based on the ambiguity.

Committee/Commission Action: None.

Background Information:

This project was advertised and bids were received on May 31, 2006. The bids are summarized below:

Contractor	Bid Amount
Martin Brothers Construction	\$2,890,924.15
McGuire and Hester	\$2,947,959.00
Granite Construction Company	\$3,416,332.50

The engineer’s estimate is \$2,500,000.

The apparent low bidder, exceeded the maximum bid amount for Bid Item No. 2 Clearing and Grubbing. Although City staff believes that there is a valid basis to consider this a minor bid irregularity that can be waived by the City Council, the apparent second low bidder also declared its intention to file a bid protest if award were recommended to Martin Brothers Construction, contending that this is a material defect that renders the apparent low bid nonresponsive. To remove this ambiguity and avoid the delay and uncertainty associated with a potential bid protest, staff is recommending that the City Council reject all bids, so that the language in Bid Item No. 2 can be revised and the contract can be rebid.

With Council’s approval to reject bids, staff will re-advertise the project this June. Construction is expected to begin in August 2006 and be completed in December 2006.

Financial Considerations:

No financial consideration with rejecting the bids.

Environmental Considerations:

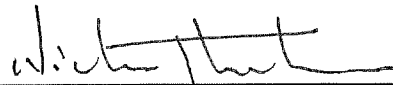
The Development Services Department, Environmental Planning Services has reviewed the project and determined that the project is exempt from the provisions of the California Environmental Quality Act (CEQA) under State Class 1 and 2 and Sections 15301(c) and 15311(a). Projects exempted under Class 1, Section 15301(c) consist of the operation, repair, maintenance, and minor alteration of existing highways, streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities involving negligible or no expansion of use.

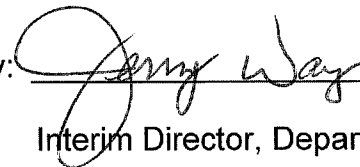
Policy Considerations:

City Code requires City Council approval to reject bids on projects greater than \$100,000. (SCC.3.60.140 and SCC.3.60.170(c)).

Emerging Small Business Development (ESBD):

To encourage small and emerging business participation, plans and specifications were sent to 15 plan rooms and construction service organizations for publication. All are directly involved with E/SBE construction firms. The project was also announced on the City's Internet site at www.cityofsacramento.org/bids.

Respectfully Submitted by: 
Nicholas Theocharides
Engineering Services Manager

Approved by: 
Jerry Way
Interim Director, Department of Transportation

Recommendation Approved:

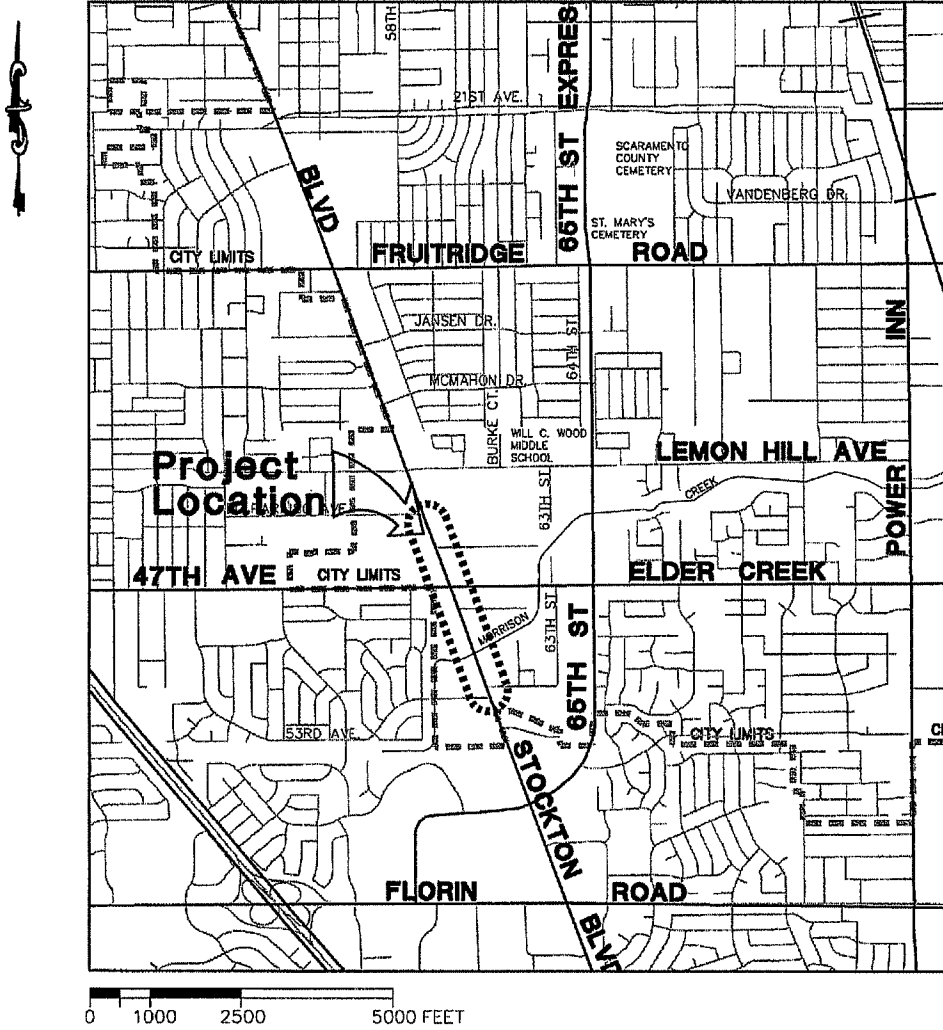

ben RAY KERRIDGE
City Manager

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ATTACHMENT A

**STOCKTON BOULEVARD BEAUTIFICATION
PHASE III
BETWEEN EL PARAISO AVENUE
AND RIZA AVENUE**



**Project
Location**

47TH AVE CITY LIMITS

ELDER CREEK

**PN: TY51
LOCATION MAP**

MAP CONTACT: B. CAMERON
DATE: 6/07/06

