

HAYWARD CITY COUNCIL

RESOLUTION NO. 21-

Introduced by Council Member _____

RESOLUTION APPROVING AWARD OF CONTRACT TO TEICHERT CONSTRUCTION FOR THE FY21 PAVEMENT IMPROVEMENT PROJECT, PROJECT NOS. 05227, 05236, 05238, 05295, AND 05297

WHEREAS, by resolution on February 16, 2021, the City Council approved the plans and specifications for the FY21 Pavement Improvement Project, Project Nos. 05227, 05236, 05238, 05295, AND 05297, and called for bids to be received on March 23, 2021; and

WHEREAS, on March 23, 2021, five (5) bids were received, ranging from \$11,132,333 to \$12,289,693; Granite Construction, of Santa Clara, California submitted the low bid in the amount of \$11,132,333, which is 5.0% above the engineer's estimate of \$10,600,000; and

WHEREAS, the City's bidding instructions and bid form did not require bidders to list Department of Industrial Relations (DIR) registrations numbers which is required per Public Contract Code 4104; and

WHEREAS, by resolution on April 20, 2021, the City Council rejected all bids for the FY21 Pavement Improvement Project and approved the plans and specifications for the FY21 Pavement Improvement Project, Project Nos. 05227, 05236, 05238, 05295, and 05297, and called for bids to be received on May 11, 2021; and

WHEREAS, on April 26, 2021, Addendum No. 1 was provided to revise the pre bid meeting time; and

WHEREAS, on May 6, 2021, Addendum No. 2 was provided to revise the specifications and provide additional design information; and

WHEREAS, on May 11, 2021, four (4) bids were received, ranging from \$10,538,547 to \$11,481,681; Teichert Construction, of Pleasanton, California submitted the low bid in the amount of \$10,538,547, which is 0.6% below the engineer's estimate of \$10,600,000; and

WHEREAS, the Administrative Change Order (ACO) or contingency budget of \$861,453 was not disclosed.

ATTACHMENT II

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that Teichert Construction is hereby awarded the contract for the FY21 Pavement Improvement Project, Project Nos. 05227, 05236, 05238, 05295, & 05297, in the amount of \$10,538,547 in accordance with the plans and specifications adopted therefore and on file in the office of the City Clerk of the City of Hayward at and for the price named and stated in the bid of the hereinabove specified bidder, and all other bids are hereby rejected.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the contract with Teichert Construction, in the name of and for and on behalf of the City of Hayward, in a form to be approved by the City Attorney.

BE IT FURTHER RESOLVED that an ACO or contingency budget of \$861,453 is hereby approved for use at the discretion of the Public Works Director.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2021

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBERS:
 MAYOR:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
 City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward