



**NAPA-VALLEJO WASTE
MANAGEMENT AUTHORITY**

Agenda Date: 10/3/2013

Agenda Placement: 7A

Napa-Vallejo Waste Management Authority Board Agenda Letter

TO: Board of Directors

FROM: Luthy, Richard - Executive Director
Napa-Vallejo Waste Management Authority

REPORT BY: Richard Luthy, Executive Director, Napa-Vallejo Waste Management - 707-299-1314

SUBJECT: DEVLIN ROAD TRANSFER STATION FLOOR REHABILITATION PROJECT - 13811

RECOMMENDATION

DEVLIN ROAD TRANSFER STATION FLOOR REHABILITATION PROJECT

REQUESTED ACTION: Executive Director requests the following actions related to the Devlin Road Transfer Station Floor Rehabilitation Project - #13811:

1. Grant bid relief to apparent low bidder John Pope Construction, Inc. per Public Contract Code Section 5100 et seq. due to an unintentional error in bid preparation.
2. Award the contract for Phase 1 of the "Devlin Road Transfer Station Floor Rehabilitation - Project 13811" to second low bidder, Murray Building, Inc. of Sonoma, CA for their Phase One bid of \$535,737.00; and
3. Authorize the Chair to sign the construction contract; and
4. Establish a 10% contingency to allow for any potential change orders; and
5. Approve Budget Transfer No. NVW 001 increasing Appropriations by \$83,000 in the Tipping Floor Capital Improvement Budget for the Construction Contract, Change Orders and Construction Inspection related to the Project.

EXECUTIVE SUMMARY

The Authority's FY 13/14 Budget includes funds for reconstruction of the tipping floor of the Devlin Road Transfer Station (DRTS). The floor has deteriorated over time to the point that total reconstruction of major portions of the floor is required. Plans and specifications for this project were completed in August and a Notice to Bidders was issued on August 21. A project site walk was conducted on August 28, and bids were received on September 26. The project was broken into two work phases due to concerns about available funding. Phase 1 covers the most critical areas of the tipping floor and Phase 2 covers the remainder of the floor.

Four bids were received with total bid amounts ranging from \$ 532,463.00 to \$1,003,937.34. The apparent low bidder, John Pope Construction, Inc. of Fairfax, CA, has requested to be relieved of its bid due to a substantial unintentional error in bid preparation. Staff has reviewed the contractor's documentation, attached, showing that the contractor failed to include a subcontractor's bid for required high-durability concrete topping. Staff is recommending that John Pope Construction be relieved of its bid, without penalty.

The second low bidder was Murray Building, Inc. of Sonoma, CA. Their total bid for Phases 1 and 2 of the project was \$925,531.00, which exceeds the Authority's budget for this project. Murray Building's bid for the Phase 1 work was \$535,737.00. Currently, the Authority's budget for this project is \$542,182. Because the Phase 1 work is the most critical component of the work, staff is recommending award of a construction contract for Phase 1 to Murray Building, Inc. and authorization of a change order budget not to exceed ten percent of the contract amount without Board approval. In order to fully fund the project, staff is recommending an additional appropriation of \$83,000 from unrestricted funds, which increases the project budget for FY 13/14 to \$625,182. This amount should be sufficient to fund the Phase 1 work with a ten percent contingency budget and cover construction related fees for testing and inspection.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The Authority's FY 13/14 Budget includes funds for reconstruction of the tipping floor of the Devlin Road Transfer Station (DRTS). The floor has deteriorated over time to the point that total reconstruction of major portions of the floor is required. Plans and specifications for this project were completed in August and a Notice to Bidders was issued on August 21. A project site walk was conducted on August 28, and bids were received on September 26. The project was broken into two work phases due to concerns about available funding. Phase 1 covers the most critical areas of the tipping floor and Phase 2 covers the remainder of the floor.

Four bids were received with total bid amounts ranging from \$ 532,463.00 to \$1,003,937.34. The apparent low bidder, John Pope Construction, Inc. of Fairfax, CA, has requested to be relieved of its bid due to a substantial unintentional error in bid preparation. Staff has reviewed the contractor's documentation, attached as Exhibit A, showing that the contractor failed to include a subcontractor's bid for required high-durability concrete topping. Staff is recommending that John Pope Construction be relieved of its bid, without penalty.

The second low bidder was Murray Building, Inc. of Sonoma, CA. Their total bid for Phases 1 and 2 of the project was \$925,531.00, which exceeds the Authority's budget for this project. Murray Building's bid for the Phase 1 work was \$535,737.00. Currently, the Authority's budget for this project is \$542,182. Because the Phase 1 work is the most critical component of the work, staff is recommending award of a construction contract for Phase 1 to Murray Building, Inc. and authorization of a change order budget not to exceed ten percent of the contract amount without Board approval. In order to fully fund the project, staff is recommending an additional appropriation of \$83,000 from unrestricted funds, which increases the project budget for FY 13/14 to \$625,182. This amount should be sufficient

to fund the Phase 1 work with a ten percent contingency budget and cover construction related fees for testing and inspection.

Background information showing how the \$83,000 recommended appropriation was determined is attached as Exhibit B.

SUPPORTING DOCUMENTS

A . EXHIBIT A

B . EXHIBIT B

Executive Director: Approve
Reviewed By: Martha Burdick