

HAYWARD CITY COUNCIL

RESOLUTION NO. 23-

Introduced by Council Member _____

RESOLUTION APPROVING ADDENDUM NOS. 1,2,3 AND 4, REJECTING THE BID FROM CWS CONSTRUCTION GROUP, INC. AND AWARDING CONSTRUCTION CONTRACT TO RODAN BUILDERS INC. FOR THE STACK CENTER – PHASE I PROJECT, PROJECT NO. 06960 IN THE AMOUNT OF 8,699,000 AND AUTHORIZING AN ADMINISTRATIVE CHANGE ORDER BUDGET OF \$871,000

BE IT RESOLVED by the City Council of the City of Hayward as follows:

WHEREAS, by resolution on June 20, 2023, the City Council approved the plans and specifications for The Stack Center Project – Phase I Project, Project No. 06960 and called for bids to be received on August 22, 2023; and

WHEREAS, on November 1, 2023, Addendum No. 1 was provided to revise the plans and specifications and revise the bid opening date to November 30, 2023; and

WHEREAS, on November 13, 2023, Addendum No. 2 was provided to revise the plans and specifications; and

WHEREAS, on November 21, 2023, Addendum No. 3 was provided to revise the plans and specifications; and

WHEREAS, on November 27, 2023, Addendum No. 4 was provided to provide clarification; and

WHEREAS, on November 30, 2023, four (4) bids were received, ranging from \$8,485,000 to \$9,370,000. The low bid, submitted by CWS Construction Group, Inc., of Novato, California submitted the low bid in the amount of \$8,485,000, which is approximately 5.7% below the engineer's estimate of \$9,000,000. The second lowest bid, submitted by Rodan Builders, Inc., of Hayward California submitted a second lowest bid of 8,699,000, which is approximately 3.3% below the engineer's estimate; and

WHEREAS, on December 1, 2023, staff reviewed the lowest bid submitted by CWS Construction Group Inc. and determined their bid to be unresponsive for not meeting the qualification/experience requirements of the bid.

ATTACHMENT II

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that Rodan Builders Inc. is hereby awarded the contract for The Stack Center Project – Phase I Project, Project No. 06960, in the amount of \$8,699,000 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 by the City Council that the Director of Public Works is authorized to expend up to \$871,000 for Administrative Change Orders.

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the contract with Rodan Builders Inc., 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 the project is categorically exempt from environmental review under Section 15301(c) of the California Environmental Quality Act Guidelines for the operation, repair, maintenance, or minor alteration of existing facilities.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2023

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