

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-\_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION APPROVING AWARD OF CONTRACT FOR THE FY20 PAVEMENT IMPROVEMENT PROJECT, PROJECT NOS. 05222, 05224, 05226, 05232, AND 05289 TO DESILVA GATES CONSTRUCTION LP

WHEREAS, by resolution on February 25, 2020, the City Council approved the plans and specifications for the FY20 Pavement Improvement Project, Project Nos. 05222, 05224, 05226, 05232, & 05289, and called for bids to be received on March 24, 2020; and

WHEREAS, on March 17, Addendum No. 1 was provided to revise the bid opening date; and

WHEREAS, on March 24, Addendum No. 2 was provided to revise the specifications; and

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

WHEREAS, on April 14, 2020, seven bids were received, ranging from \$9,406,496.80 to \$11,748,705.62; DeSilva Gates Construction LP, of Dublin, California submitted the low bid in the amount of \$9,406,496.80, which is 6.5% below the engineer's estimate of \$10,057,000; and

WHEREAS, the Administrative Change Order (ACO) or contingency budget of \$943,000 was not disclosed; and

WHEREAS, the amount of low bid provides an opportunity to increase the project budget scope to include additional work, valued at \$650,503.20.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that DeSilva Gates Construction LP is hereby awarded the contract for the FY20 Pavement Improvement Project, Project Nos. 05222, 05224, 05226, 05232, & 05289, in the amount of \$9,406,496.80 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 herein above 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 DeSilva Gates Construction LP, 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 Public Works Director is authorized to spend up to \$11,000,000 for total construction costs, including potential administrative change orders.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2020

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