

HAYWARD CITY COUNCIL

RESOLUTION NO. 18-

Introduced by Council Member _____

RESOLUTION APPROVING ADDENDUM NOS. 1 AND 2, REJECTING THE LOWEST BID AS NON-RESPONSIVE, AND AWARDING A CONTRACT TO THE SECOND LOWEST BIDDER, HARN R/O SYSTEMS INC., FOR PROCUREMENT OF RECYCLED WATER MEMBRANE TREATMENT SYSTEM EQUIPMENT, PROJECT NO. 07710, IN AN AMOUNT NOT TO EXCEED \$966,770

WHEREAS, By Resolution No. 18-072 on May 8, 2018 the City Council approved the plans and specifications for the procurement of Membrane Treatment System Equipment for the Recycled Water Treatment Facility Project, Project No. 07710, and called for bids to be received on June 12, 2018; and

WHEREAS, Addendum Nos. 1 and 2 were issued to make minor revisions to the specifications; and

WHEREAS, On June 19, four (4) bids were received ranging from \$894,884 to \$948,010; and

WHEREAS, The lowest bid submitted by H2O Innovation, Inc. (H2O Innovation), included a list of clarifications that materially deviated from the requirements of the plans and specifications, rendering H2O Innovation's bid non-responsive; and

WHEREAS, The second lowest bid submitted by Harn R/O Systems, Inc., is responsive to the requirements of the plans and specifications and approximately 33% less than the Engineer's estimate of \$1,327,000; and

WHEREAS, The Capital Improvement Program Sewer Improvement Fund includes sufficient funding for Harn R/O Systems, Inc. to perform the scope of work required by the City.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that Addendum Nos. 1 and 2 are hereby approved and adopted as part of the plans and specifications for the project.

BE IT FURTHER RESOLVED by the City Council of the City of Hayward that the lowest bid submitted by H2O Innovations, Inc., is rejected as non-responsive.

BE IT FURTHER RESOLVED that the second lowest bidder, Harn R/O Systems, Inc., is hereby awarded the contract for procurement of Membrane Treatment System Equipment for the Recycled Water Treatment Facility Project, Project No. 07710, 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 final proposal 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 an agreement with Harn R/O Systems, Inc. in the name of and for and on behalf of the City of Hayward, in an amount not to exceed \$966,770 (including administrative change orders), in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2018

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