

HAYWARD CITY COUNCIL

RESOLUTION NO. 23-

Introduced by Council Member _____

RESOLUTION APPROVING ADDENDA NUMBERS 1, 2 AND 3 AND AWARDING A CONTRACT TO DESILVA GATES CONSTRUCTION FOR THE MISSION BOULEVARD CORRIDOR IMPROVEMENTS PHASE 3 PROJECT, PROJECT NO. 05287 IN THE AMOUNT OF \$15,742,743

WHEREAS, by Resolution No. 23-069, on February 07, 2023, the City Council approved the plans and specifications for the Mission Boulevard Corridor Improvements Phase 3, Project No. 05287, and called for bids to be received by March 14, 2023; and

WHEREAS, Addendum No. 1 was issued to respond to bidders' clarifications; and

WHEREAS, Addendum No. 2 was issued to amend the bid opening date from March 14, 2023 to March 22, 2023; and

WHEREAS, Addendum No. 3 was issued to respond to bidders' additional clarifications; and

WHEREAS, on March 14, 2023, three (3) bids were received ranging from \$15,742,743 to \$17,791,693. The low bid, submitted by DeSilva Gates Construction, is approximately 19% above the Engineer's Estimate of \$13,202,329.

WHEREAS, the Administrative Change Order (ACO) or contingency budget of \$1,574,274 was not disclosed.

NOW, THEREFORE, BE IT RESOLVED by the City Council that DeSilva Gates Construction, LLC of Dublin, CA is hereby awarded the contract for the Mission Boulevard Corridor Improvements Phase 3 Project, Project No. 05287, 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 and agreement with DeSilva Gates Construction, LLC, on behalf of the City of Hayward, in an amount not to exceed \$15,742,743, including a construction contingency for administrative change orders, in a form to be approved by the City Attorney.

ATTACHMENT II

BE IT FURTHER RESOLVED by the City Council that the Director of Public Works is authorized to expend up to \$23,205,017 for construction, construction contingencies, construction administration, inspection, and testing to complete the project.

IN COUNCIL, HAYWARD, CALIFORNIA April 25, 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