DATE: October 6, 2026

TO: Mayor and City Council

FROM: Director of Public Works

SUBJECT: Adopt a Resolution 1) Approving Addenda Nos. 1, 2, and 3, 2) Rejecting a Bid Protest, 3) Authorizing the City Manager to Award a Contract to Columbia Electric, Inc., in the Amount of $164,500 and Approve up to $20,500 in Administrative Change Orders, and 4) Appropriating Additional Funds in the Amount of $84,375 from the Gas Tax Fund for the Tennyson Park Streetlight Project, Project No. 06973

RECOMMENDATION

That the City Council adopts a resolution (Attachment II):

1) Approving Addenda Nos. 1, 2, & 3 consisting of revisions to the plans and specifications for the Tennyson Park Streetlight Project; and
2) Rejecting a bid protest; and
3) Authorizing the City Manager to award the contract to Columbia Electric, Inc., for the Tennyson Park Streetlight Project, Project No. 06973, in the amount of $164,500 and approving up to $20,500 in administrative change orders; and
4) Appropriating additional funds in the amount of $84,375 from the Gas Tax Fund (Fund 210)

SUMMARY

The Tennyson Park Streetlight Project calls for installation of eight streetlights around Tennyson Park; four on Panjon Street and four on Huntwood Avenue as part of the agreement with Hayward Area Recreation District (HARD) to install streetlights for the renovation of Tennyson Park Phase 2.

On September 1, 2026, eight (8) bids were received, three of the eight bids were below the Engineer's Estimate. Columbia Electric, Inc., of San Leandro submitted the lowest bid in the amount of $164,500 which is 8.6% under the Engineer's Estimate of $180,000.

Staff is requesting City Council's approval of Addenda Nos. 1, 2 and 3, which provided minor revisions to clarify the specifications and plans, rejection of a bid protest, awarding the construction contract to the lowest responsible bidder, Columbia Electric, Inc, in the amount

of $164,500, and approving $20,500 in administrative change order, and appropriating additional funds in the amount of $84,375 from the Gas Tax Fund (Fund 210).

FISCAL IMPACT

This item will not impact the City's General Fund or Measure C.

Estimated project costs are as follows:

Design and Contract Administration	$15,000
Columbia Electric's Construction Bid	$164,500
Construction Contingency	$20,500
Construction Inspection and Testing	$25,000
	Total: $225,000

The Tennyson Park Streetlight Project will be fully funded by a contribution from HARD and a proposed City match from the Gas Tax Fund. There is sufficient available fund balance in Gas Tax Fund (Fund 210). HARD will reimburse 5/8 of the total project cost, up to $140,625 in project costs, proportionally, after project completion.

Proposed revenue sources:

HARD Reimbursement	$140,625
City of Hayward Fund 210 – Gas Tax Fund	$84,375
	Total: $225,000

Currently this project is in Fund 405 in the Neighborhood Improvement Program Project No. 06950. In order to better track the project expenditures, staff recommends the following actions, which are reflected in the attached resolution:

- Create a standalone CIP project in Fund 210 and Fund 405: Tennyson Park Streetlight Project No. 06973.
- Appropriate the City's matching portion of $84,375 from Gas Tax Fund 210 to Project No. 06973.
- Transfer $140,625 in revenue and appropriations from Project No. 06950 in Fund 405 to Project No. 06973 in Fund 210.

BACKGROUND

The Tennyson Park area currently lacks streetlights along the eastern portion of Panjon Street (near Mia's Dream Come True Playground) and the frontage of Huntwood Avenue. The City required HARD to install new streetlights on the park side of Panjon Street and Huntwood Avenue. An agreement was made between the City and HARD, that the City would contract for and install streetlight on Huntwood Avenue and Panjon Street, and HARD would provide funding for five streetlights adjacent to Tennyson Park.

New streetlights will help illuminate the sidewalks in the neighborhood, complementing recent improvements in the area, including:

- Hayward Firehouse Clinic located across the street from Tennyson Park (2015)

- Mia's Dream Come True Playground (2021)
- Tennyson Park improvements (2025)
- Nearby Stack Center Phase I (2025).

In 2023, HARD and City staff agreed on the cost of installing streetlights around Tennyson Park, with HARD reimbursing the City for its share of five streetlights at an amount not-to-exceed $140,625. The remaining three streetlights will serve City streets.

On September 5, 2023, the HARD Board approved funding for additional streetlights along Tennyson Park (Attachment III).

In June 2024, HARD began construction on the Tennyson Park Renovation project. The project consisted of the renovation of nine acres of parkland, including: renovation of a sports field, a new pump track, modifications to the skate park, new basketball and bankshot courts, new picnic areas, new site furnishings, lighting, a prefabricated maintenance building, pedestrian walkways, a new parking lot, new bioretention basins, and landscaping.

On September 19, 2025, HARD held a grand reopening for Tennyson Park.

DISCUSSION

June 16, 2026[1], the City Council approved the plans and specifications for the Tennyson Park Streetlight Project, Project No. 06973 and called for bids to be received on August 4, 2026.

On July 30, 2026, staff issued Addendum No. 1 to revise specifications and bid opening date to be received on September 1, 2026.

On August 19, 2026, staff issued Addendum No. 2 to revise specifications.

On August 27, 2026, staff issued Addendum No. 3 to revise plan and specifications.

On September 1, 2026, eight (8) bids were received, three of the eight bids were under the Engineer's Estimate. Columbia Electric, Inc., of San Leandro submitted the lowest bid in the amount of $164,500 which is 8.6% under the Engineer's Estimate of $180,000. St. Francis Electic, LLC., of San Leandro, submitted the second lowest bid in the amount of $167,000 which is 7.2% under the Engineer's Estimate.

On September 2, 2026, Columbia Electric, Inc. submitted a revised document acknowledging Addendum No. 3, which had not been acknowledged in its original bid submittal.

[1] https://hayward.legistar.com/Calendar.aspx#docaccess-10374535d5f7d32db7e1d3f31c140068

BID PROTEST

On September 10, 2026, the second lowest bidder, St. Francis Electric, LLC., submitted a bid protest (Attachment IV) requesting to:

1. Find Columbia Electric, Inc.'s bid nonresponsive for failure to acknowledge Addendum No. 3 at the time of bid.
2. Reject Columbia Electric, Inc.'s subsequent acknowledgement of Addendum No. 3.
3. Determine that the omission cannot be waived as an inconsequential irregularity because waiving it would provide Columbia Electric, Inc., an advantage or benefit unavailable to bidders that timely complied.
4. Reject Columbia's Electric, LLC's bid.

On September 16, 2026, the lowest bidder, Columbia Electric, Inc., submitted a response to the bid protest stating that its omission of Addendum No. 3 acknowledgement is an immaterial defect. Columbia Electric, Inc.'s bid price, schedule, and scope already conform to all requirements of Addendum No. 3, and the omission of Addendum No. 3 acknowledgement did not give Columbia Electric an unfair advantage. (Attachment V)

On September 21, 2026, City staff provided a response letter to St. Francis Electric, LLC.'s bid protest (Attachment VI). City staff, along with the City Attorney's Office, determined that low bidder Columbia Electric, LLC.'s failure to acknowledge Addendum No. 3 in its original bid, which was subsequently corrected, was an inconsequential discrepancy. This inconsequential oversight did not affect the amount of Columbia Electric, LLC.'s bid, give Columbia Electric, LLC. an advantage over other bidders, constitute favoritism or bias towards Columbia Electric, LLC., influence potential bidders to refrain from bidding, or affect the ability to make bid comparisons.

As such, the City staff recommends that Council reject the bid protest and proceed with awarding the contract to Columbia Electric, LLC.

This project is categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15303(d), which exempts the construction and installation of limited numbers of new, small facilities or structures, including utility extensions and street improvements.

ECONOMIC IMPACT

The project will generate economic benefits by:

- **Enhanced Public Safety** - Improved lighting will deter vandalism and criminal activity, creating a safer environment for all park users and surrounding residents.
- **Reduction in Pedestrian Hazards** - Illuminated sidewalk will significantly reduce the risk of trip and fall incidents for pedestrians.

- **Improved Traffic and Crosswalk Safety** - Lighting will enhance visibility for crosswalks on Panjon St/Aradon Ave intersection and Panjon St/Huntwood Ave intersection, reducing the likelihood of vehicle-pedestrian c.

STRATEGIC ROADMAP

While this agenda item is not associated with a specific project identified in the Strategic Roadmap, it supports the Enhance Community safety and Quality of Life priority, specifically:

- Invest in Cleanliness and Blight Reduction
- Activate Public Spaces

SUSTAINABILITY FEATURES

The project requires the contractor to recycle all construction and demolition debris generated from the project.

The project satisfies the following 2040 General Plan policies:

- M-3.1 Serving All Users
- M-5.1 Pedestrian Needs
- M-5.6 Safe Pedestrian Crossings

PUBLIC CONTACT

After the construction contract is awarded, a preliminary notice explaining the project will be posted and distributed to all residents and businesses along the affected streets. After the construction work has been scheduled, signs on barricades will be posted seventy-two hours prior to commencement of work indicating the date and time of work for each street. Residents will be advised to park their vehicles on side streets outside of the work area during the period when the streets are being treated.

NEXT STEPS

September 2026	Award of Contract
November 2026	Start of Construction
February 2027	End of Construction

Prepared by: Yama Farouqi, Senior Civil Engineer

Reviewed by: Dave Hung, Acting Deputy Director of Public Works – Engineering

Recommended by: Alex Ameri, Director of Public Works

Approved by:

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Jennifer Ott, City Manager