

HAYWARD CITY COUNCIL

RESOLUTION NO. 20-

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

RESOLUTION APPROVING ADDENDUM NO.1 AND AWARDING A CONTRACT TO WESTLAND CONTRACTORS, INC. FOR THE SEWER LINE REPLACEMENT PROJECT, PROJECT NO. 07694, IN AN AMOUNT NOT-TO-EXCEED \$1,874,500.

WHEREAS, on July 16, 2019, the City Council approved the plans and specifications for the Sewer Line Replacement Project, Project No. 07694, and called for bids to be received on August 20, 2019; and

WHEREAS, the bid date was extended to March 3, 2020; and

WHEREAS, Addendum No. 1 was issued to make minor revisions to the specifications; and

WHEREAS, on March 3, 2020, four (4) bids were received ranging from \$1,747,520 to \$2,038,000. The low bid, submitted by Andes Construction Inc., was approximately 19% below the engineer's estimate of \$2,152,000; and

WHEREAS, on March 6, 2020, the City was informed that the low bidder did not list the Department of Industrial (DIR) registration numbers for the listed subcontractors on the bid form. The City's bidding instructions did not explicitly require the DIR registration numbers for their subcontractors, as required by the Public Contract Code 4104; and

WHEREAS, on March 17, 2020, Council approved the rejection of all bids, updated plans and specifications incorporating revised bidding requirements and Addendum No.1, and authorization for calling for bids to be received on April 7, 2020; and

WHEREAS, the bid date was rescheduled to May 5, 2020, due to the unprecedented COVID-19 pandemic; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that Addendum No. 1 is hereby approved and adopted as part of the plans and specifications for the project.

BE IT FURTHER RESOLVED that Westland Contractors, Inc. is hereby awarded the contract for the Sewer Line Replacement Project, Project No. 07694, 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 Westland Contractors, Inc. in the name of and for and on behalf of the City of Hayward, in an amount not to exceed \$1,874,500 (including administrative change orders), in a form to be approved by the City Attorney.

IN COUNCIL, HAYWARD, CALIFORNIA May 19, 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