



CITY OF HAYWARD

Hayward City Hall
777 B Street
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Cover Memo

File #: PH 19-070, **Version:** 1

DATE: July 9, 2019

TO: Mayor and City Council

FROM: Director of Public Works
City Attorney

SUBJECT

21st Century Library and Community Learning Center and Heritage Plaza: Public Contract Code § 4107 Hearing Regarding Removal and Substitution of the Electrical Subcontractor, Collins Electrical Company, Inc.

RECOMMENDATION

That the Council, after conducting a hearing, considers and approves a resolution for the removal of Collins Electrical Company, Inc. as the electrical subcontractor on the 21st Century Library project and authorizes the City Manager to approve a substitute subcontractor to perform the electrical work pursuant to Public Contract Code § 4107.

SUMMARY

On July 2, 2019, the City transmitted a letter to T. B. Penick & Sons, Inc. (TBP) requesting that they remove Collins Electrical Company, Inc., (Collins) from the project and identify a responsible electrical contractor for submittal as a substitute. The request is based on disruptive actions and project delays attributed to Collins. The City sent a notification to Collins regarding its request that TBP remove them as a subcontractor on this project.

The terms of the construction contract for the library project require the contractor to immediately remove a subcontractor who fails to satisfactorily prosecute the work, upon request by the City. The Public Contract Code requires a public hearing by the awarding authority whenever a subcontractor objects to being removed from a project and replaced with a substitute.

ATTACHMENTS

Attachment I	Staff Report
Attachment II	Resolution