

HAYWARD CITY COUNCIL

RESOLUTION NO. 26-\_\_\_\_\_

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

RESOLUTION APPROVING ADDENDUM NO. 1 AND NO. 2 TO THE PROJECT SPECIFICATIONS AND PLANS, REJECTING THE BID PROTEST FROM SUBTERRA CONSTRUCTION, INC., AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT TO JDB & SONS CONSTRUCTION, INC. IN AN AMOUNT OF \$10,229,360 AND APPROVING \$1,022,936 IN ADMINISTRATIVE CONSTRUCTION CONTINGENCY FOR THE FY24 SEWER LINE REPLACEMENT PROJECT, PROJECT NO. 07789

WHEREAS, by Resolution No. 26-073 on May 19, 2026, the City Council approved the plans and specifications for the FY24 Sewer Line Replacement Project, Project No. 07789, and called for bids to be received on June 30, 2026; and

WHEREAS, Addendum No. 1 and No. 2 were issued to make minor revisions to the specifications and plans; and

WHEREAS, on June 30, 2026, seven (7) bids were received ranging from \$10,229,360 to \$19,912,000. The low bid, submitted by JDB & Sons Construction, Inc., is approximately 29.6% below the engineer's estimate of \$14,530,000.

WHEREAS, on July 7, 2026, the City received a bid protest from SubTerra Construction Inc., the second lowest bidder, regarding the timing of JDB & Sons Construction, Inc. bid submission; and

WHEREAS, the City reviewed the bid protest and determined that JDB & Sons Construction submitted the bid on time.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward that Addendum No. 1 and No. 2 are hereby approved and adopted as part of the plans and specifications for the project; and

BE IT FURTHER RESOLVED, after review and consideration of the bid protest by SubTerra Construction, Inc., that said protest is denied.

BE IT FURTHER RESOLVED that JDB & Sons Construction, Inc., of San Francisco, CA, is hereby awarded the contract for the FY24 Sewer Line Replacement Project, Project No. 07789, 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; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute an agreement with JDB & Sons Construction, Inc., in the name of and for and on behalf of the City of Hayward, in an amount of \$10,229,360 in a form to be approved by the City Attorney and an administrative construction contingency of \$1,022,936 is approved.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2026

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