

RESOLUTION NO. _____ (N.C.S.)

**RESOLUTION AUTHORIZING BID AWARD AND EXECUTION OF CONTRACT
WITH FLOYD JOHNSTON CONSTRUCTION COMPANY, INC., IN THE AMOUNT
OF \$7,026,421.50 FOR THE
INDUSTRIAL WASTEWATER CONVEYANCE SYSTEM IMPROVEMENTS
PROJECT NO. 9942**

WHEREAS, representatives of the City Clerk of Salinas on May 21, 2014, at a public meeting held in the West Wing Conference Room at Salinas City Hall, at Salinas, California, publicly opened, examined and declared all bids or proposals delivered to or filed with said City Clerk for the Industrial Wastewater Conveyance System Improvements, Project No. 9942, in accordance with the plans and specifications for such work filed in the office of said City Clerk and now on file in said office; and

WHEREAS, Monterey Peninsula Engineers and John Madonna Construction, Inc. apparent low bidders, requested to be relieved from their bids due to clerical errors in their bids meeting the criteria under Public Contract Code Section 5103; and

WHEREAS, the third lowest bidder, Floyd Johnston Construction Company, Inc., submitted a bid that is 2.6% above the Engineer's Estimate, and sufficient funds are available to award this project; and

WHEREAS, City staff thereupon reported the results of the bidding to the City Council at its regular meeting on June 17, 2014, and the Council in open session at said meeting examined the report of staff.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL that pursuant to Salinas City Charter Section 81 and City Code Section 12-21, in reference to the Industrial Wastewater Conveyance System Improvements, Project No. 9942, that all of said bids or proposals are rejected except the bid of Floyd Johnston Construction Company, Inc. (hereinafter referred to as "The Successful Bidder"), being the lowest and best bid which is hereby accepted (Base Bid only). The subject contract is hereby awarded to said Successful Bidder for the sum of \$7,026,421.50, and more specifically at the unit prices particularly set forth and contained in the Proposal for the Industrial Wastewater Conveyance System Improvements, Project No. 9942, of said Successful Bidder previously filed in the office of the City Clerk. Said sum shall be paid by the City of Salinas to said Successful Bidder in cash, lawful money of the United States of America, payable at the time and in the manner specified in the plans and specifications and

contract documents for the project filed in the office of the City Clerk, entitled “Industrial Wastewater Conveyance System Improvements, Project No. 9942”.

BE IT FURTHER RESOLVED that said plans and specifications are hereby referred to for all of the details and particulars thereof, and said plans and specifications are by reference incorporated in and hereby made a part of this resolution;

BE IT FURTHER RESOLVED that the Mayor of Salinas is hereby authorized and directed on behalf of the City of Salinas to execute a contract consistent with the Proposal of said Successful Bidder for said work.

PASSED AND ADOPTED this 17th day of June 2014, by the following vote:

AYES:

NOES:

ABSENT:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk