

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

A RESOLUTION REJECTING THE APPARENT LOW BIDDER, MONTEREY PENINSULA ENGINEERING AS NON-RESPONSIVE, AND AUTHORIZING BID AWARD AND EXECUTION OF CONTRACT TO THE DON CHAPIN COMPANY, INC. FOR THE LA PAZ PARK STAGE AREA RECONSTRUCTION; PROJECT NO. 9061 IN THE AMOUNT OF \$53,980.00

WHEREAS, on May 6, 2014, the City Council pursuant to Resolution No. 20546 (N.C.S.) approved plans and specifications for the La Paz Park Stage Area Reconstruction; City Project No. 9061;

WHEREAS, representatives of the City Clerk of Salinas on July 1, 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 La Paz Park Stage Area Reconstruction; City Project No. 9061, in accordance with the plans and specifications for such work filed in the office of said City Clerk on May 6, 2014, and now on file in said office; and

WHEREAS, the apparent low bidder, Monterey Peninsula Engineering, failed to properly include Minority/Female Business Enterprise Good Faith Effort documentation; and

WHEREAS, the project's Notice to Bidders states that all bidders "shall affirmatively insure that in any Contract entered into pursuant to this advertisement; Minority/Female Business Enterprises (M/FBE) shall be afforded full opportunity to submit Bids in response to this invitation."; and

WHEREAS, Monterey Peninsula Engineering's Statement of Subcontractors Part 1 form identifies an electrical subcontractor, but the M/FBE Business Certification form does not reflect any M/FBE good faith effort outreach information related to the electrical portion of the work; and

WHEREAS, the project specifications state that "Failure of the Bidder to provide requested information in a complete and accurate manner shall be considered non-responsive resulting in rejection of the bid."; and

WHEREAS, the second bidder, The Don Chapin Company, Inc., submitted a total bid that is 7.27% above the Engineer's Estimate, and sufficient funds are available to award the project; and

WHEREAS, City staff thereupon reported the results of the bidding to the City Council at its regular meeting on August 19, 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 La Paz Park Stage Area Reconstruction; City Project No. 9061, Monterey Peninsula Engineering's bid is hereby rejected as non-responsive, and that the bid of The Don Chapin Company, Inc. (hereinafter referred to as "The Successful Bidder"), being the best bid which is hereby accepted. The subject contract is hereby awarded to said Successful Bidder for the sum \$53,980.00 (Items 1 through 9), and more specifically at the unit prices particularly set forth and contained in the Proposal for the La Paz Park Stage Area Reconstruction; City Project No. 9061, of said Successful bidder previously filed in the office of the City Clerk, on July 1, 2014. 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 on May 6, 2014, entitled "La Paz Park Stage Area Reconstruction; City Project No. 9061".

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 19th day of August 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk