

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

A RESOLUTION REJECTING BID PROTESTS; AWARDING CONTRACT TO MONTEREY PENINSULA ENGINEERING (MPE) FOR THE EAST LAUREL DRIVE AND SAINT EDWARDS TRAFFIC SIGNAL INSTALLATION AND INTERSECTION IMPROVEMENTS, PROJECT No. 9268; AND AUTHORIZING A \$120,000 TRANSFER OF MEASURE X TRANSPORTATION SAFETY (CIP No. 9220) TO THE EAST LAUREL DRIVE AND SAINT EDWARDS DRIVE TRAFFIC SIGNAL AND INTERSECTION IMPROVEMENT (CIP No. 9268)

WHEREAS, representatives of the City Clerk of Salinas on August 22, 2017, at a public meeting held in the Rotunda 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 East Laurel Drive and Saint Edwards Traffic Signal Installation and Intersection Improvements, Project No. 9268 in accordance with the specifications for such work filed in the office of said City Clerk on July 21, 2017, and now on file in said office; and

WHEREAS, The Don Chapin Company, submitted a bid protest regarding the bid from MPE on the grounds that it did not register with PlanetBIDs prior to Bid opening as required by the bid specifications; and The Don Chapin Company, submitted a bid protest regarding the bid from MPE on the grounds that it listed a sub-contractor that was not planning to bid on the project as required by the bid specifications; and

WHEREAS, Public Works Staff determined that The Don Chapin Company Bid Protest was invalid due to its failure to register file the Bid Protest and Submit a \$1,000 certified check with the City Clerk office prior as required by the bid specifications; and

WHEREAS, the lowest bidder, Monterey Peninsula Engineering (MPE), submitted a bid that is 36% above the Engineer's Estimate; and

WHEREAS, City staff thereupon reported the results of the bidding to the City Council at its regular meeting on September 19, 2017, and the Council in open session at said meeting examined the report of staff; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL that the protests submitted by The Don Chapin Company on August 22, 2017 are hereby rejected.

BE IT FURTHER RESOLVED that pursuant to City Code Section 12-21, in reference to the East Laurel Drive and Saint Edwards Traffic Signal Installation and Intersection Improvements, Project No. 9268, that all of said bids or proposals are rejected except the bid from MONTEREY PENINSULA ENGINEERING, (hereinafter referred to as "Successful Bidder"), being the lowest and best bid which is hereby accepted (Base Bid). The subject contract is hereby awarded to said Successful Bidder for the sum of \$872,029.50, and more specifically at the unit prices particularly set forth and contained in the Proposal for the East Laurel Drive and Saint Edwards Traffic Signal Installation and Intersection Improvements, Project No. 9268, of said successful bidders 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 manner specified in the plans and specification and contract documents for the project filed in the office of the City Clerk, entitled "East Laurel Drive and Saint Edwards Traffic Signal Installation and Intersection Improvements, Project No. 9268."

BE IT FURTHER RESOLVED that said plans and specification are hereby referred to for all of the details and particulars thereof, and said plans and specification 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.

BE IT FURTHER RESOLVED that the Council hereby approves the transfer of \$120,000 Measure X Transportation Safety, CIP No. 9220 funds to the East Laurel Drive and Saint Edwards Drive Traffic Signal and Intersection Improvement account CIP No. 9268.

PASSED AND ADOPTED this 19th day of September 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk