

CITY COUNCIL AGENDA ITEM NO. G.7
05/28/2024

SUBJECT: Award of contract to DSS Company dba Knife River Construction for the Pavement Management Program 2024 (Asphalt), CIP Project No. 336-31703.

DEPARTMENT: Engineering

STAFF: Allen Baquilar, Director of Engineering/City Engineer
Brant Wilson, Senior Associate Engineer
Renee Payette, Project Services Specialist

TITLE/RECOMMENDATION

Adopt a Resolution approving the contract documents, waiving an immaterial irregularity, awarding the bid and authorizing the City Manager or designee to execute a contract and necessary documents for the Pavement Management Program 2024 (Asphalt), CIP Project No. 336-31703, ("Project") with DSS Company dba Knife River Construction as the lowest responsible bidder in the amount of \$2,077,240.00, plus funding authorization for a 1% contingency of \$20,772.40, for a total funding authorization not to exceed amount of \$2,098,012.40.

FISCAL IMPACT

The total bid amount is \$2,077,240.00, plus funding authorization for a 1% contingency of \$20,772.40, for a total funding authorization of \$2,098,012.40. The funds for this Project are included in the 2023/24-2027/28 Capital Improvement Program. The Project is funded by the General Fund and Road Maintenance and Rehabilitation Account (RMRA) Funds.

Typically, contingency amounts for similar projects range from 10-15%, however, staff is only requesting a 1% contingency of \$20,772.40 to stay within the approved funding for the Project. Generally, contingency is requested based on the project scope of work and provides funding for unforeseen conditions. Staff will closely monitor quantities to ensure the Project does not exceed the total authorization.



BACKGROUND

This Project is scheduled to repair several manholes throughout the City and surface the following locations:

- Full depth reconstruction of Redhaven Street, near Sellers Avenue.
- Grind and overlay on Brentwood Blvd. from Hanson Lane to Lone Tree Way; Cloverleaf Circle; Sellers Avenue from Balfour Road to Chestnut Street; and Sunset Road from Brentwood Blvd. to Elkins Way.
- Slurry seal the subdivisions north of Sand Creek Road and west of Minnesota Avenue, which includes Ashton Place III, Hallmark, Heritage, Laurelwood Estates II, and Ponderosa Crossroads II.

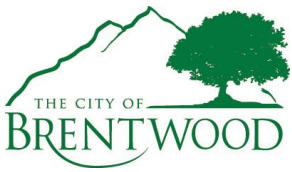
The Project was advertised on March 26, 2024, and bids were opened on April 24, 2024. The following seven (7) bids were received.

Bidder	Bid Amount
DSS Company dba Knife River Construction	\$2,077,240.00
JV Lucas Paving, Inc.	\$2,107,629.00
Radius Earthwork, Inc.	\$2,131,809.40
Goodfellow Bros. California, LLC	\$2,134,996.00
Mountain Cascade, Inc.	\$2,165,913.00
Ghilotti Bros., Inc.	\$2,555,943.50
McGuire and Hester	\$2,558,318.00

Staff reviewed the bids received and is recommending the award of the contract for the Project to DSS Company dba Knife River Construction (“KRC”) for submitting the lowest responsible bid, despite a protest submitted by the second lowest bidder, JV Lucas Paving.

Following consultation with the City Attorney’s Office and outside counsel, staff has responded in writing to the bid protest, acknowledging that the KRC bid omitted to enter the Base Bid price from its Bid Schedule onto its Bid Proposal form (See Attachment 5).

Therefore, Staff recommends that the City Council waive this irregularity in KRC’s bid as immaterial for the reasons set forth in the attached letter in response to the protest.



CITY COUNCIL STRATEGIC INITIATIVE

Not Applicable.

PREVIOUS ACTION

Previous Action by the City Council is included on Attachment 1.

DATE OF NOTICE

Not Applicable.

ENVIRONMENTAL DETERMINATION

A Notice of Exemption was filed with the Contra Costa County Clerk Recorder on April 19, 2024.

ALTERNATIVE OPTION(S)

1. Do not approve staff's recommendation.
2. Modify staff's recommendation based on legally defensible findings.
3. Continue the item with direction for staff to return with additional information.

ATTACHMENT(S)

1. Previous Action
2. Resolution
3. List of Locations
4. Contract
5. Response to Bid Protest